

Town of Kent
Town Board Meeting
October 17, 2023

Workshop/Meeting

1. Pledge of Allegiance
2. Roll Call
3. Discussion and/or Vote on the following:
 - a. Planning- release erosion control bond, RFP for Planning and Engineering
 - b. Parks and Recreation-approve guard rail for Ryan's Field
 - c. Budget-set put hearing
 - d. Soil Removal and Excavation- set public hearing
 - e. Grants- TAP, CREST, Energy Benchmarking
4. Vouchers
5. Announcement
6. Public Comment

Town of Kent Planning Board
25 Sybil's Crossing
Tel: 845-306-5712

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

Memorandum

Resolution # 14
Year 2023

Date: October 5, 2023
From: The Kent Planning Board
To: The Kent Town Board:
Jaime McGlasson, Supervisor - w/Att
Shaun Boyd
Anne Campbell
Jorme Tompuri
CC: W. Walters, Building Inspector - w/Att Claudia Dworazak
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: **Recommendation to Return Application fee and Escrow to:
Mr. Roger Sun
1601 Briarwood Lane
Danbury, CT 06810
For Property Located at:
3 Westwood Drive
Kent, NY 10512**

Resolved: On September 21, 2023 the Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to forward it to the Town Board for their action.

This bond was accepted and forwarded to the Kent Town Board for their approval on March 20, 2021. Messrs. Andrews and Barber and Mr. Walters have visited the site and found that the property has been stabilized. Therefore, the Planning Board agreed that it would be appropriate to release the following bond in the Amount of \$19,700.00 to Mr. Roger Sun after ensuring that all fees have been paid and to forward this recommendation to the Town Board for their action.

Mr. German asked for a motion to forward this recommendation to the Kent Town Board to release the Erosion Control Bond in the amount of \$19, 700.00 and any funds remaining in the escrow account will be returned to Mr. Sun after final invoices have been submitted.

The motion was made by Mr. German and seconded by Ms. Beshar. The roll call votes were as follows:

Hugo German, Chairman	Aye _____
Simon Carey, Vice Chairman	Aye _____
Jacky Beshar	Aye _____
Sabrina Cruz	Absent _____
Kathy Doherty, Alternate Member	N/A _____
Thomas Faraone	Absent _____
Giancarlo Gattucci	Aye _____
Richard Morini	Aye _____

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve the recommendations noted above.

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 September 21, 2023.



Vera Patterson

Planning Board Secretary

Dated: October 5, 2023

Sun Property 19.12-1-1

Date		Deposits	Fees	Balance
6/23/2020	Check #58449	1,000.00		1,000.00
8/26/2020	Check #5864	1,000.00		2,000.00
8/31/2020	Cornerston 20-0802 for Jul 2020		(562.50)	1,437.50
10/20/2020	Rohde 29657-2476 for Jul 2020		(635.22)	802.28
11/23/2020	Rohde 29657-2566 for Sep 2020		(70.00)	732.28
11/24/2020	Rohde 29657-2598 for Oct 2020		(140.00)	592.28
12/28/2020	Check #303	1,000.00		1,592.28
2/8/2021	Rohde 29657-2637 for Nov 2020		(602.00)	990.28
2/8/2021	Cornerstone 20-1203 for Nov 2020		(437.50)	552.78
2/8/2021	Rohde 29657-2665 for Dec 2020		(28.00)	524.78
2/8/2021	Cornerstone 21-0103 for Dec 2020		(62.50)	462.28
4/6/2021	Rohde 29657-2704 for Jan 21		(1,554.00)	(1,091.72)
5/6/2021	Cornerston 21-0302 for Feb 21		(687.50)	(1,779.22)
5/6/2021	Cornerstone 21-0201 for Jan 21		(937.50)	(2,716.72)
5/6/2021	Rohde 29657-2729 for Feb 21		(372.00)	(3,088.72)
5/24/2021	Cornerstone 21-0404 for Mar 21		(500.00)	(3,588.72)
5/24/2021	Rohde 29657-2760 for Mar 21		(1,888.00)	(5,476.72)
6/10/2021	Cornerstone 21-0502 for Apr 21		(62.50)	(5,539.22)
6/10/2021	Rohde 29657-2796 for Apr 21		(184.00)	(5,723.22)
4/14/2021	Check #306	3,200.00		(2,523.22)
4/14/2021	Check #115938161	1,000.00		(1,523.22)
7/26/2021	Rohde 29657-2835 for May 2021		(131.02)	(1,654.24)
6/4/2021	Check #309	2,000.00		345.76
[09.12.22	Cornerstone-22-0903		(125.00)	220.76
09/12/22	Rohde-29657-3410		(665.40)	(444.64)
3/14/2023	Cornerstone 23-0310		(125.00)	(569.64)
3/14/2023	Rohde-29657-3624		(507.02)	(1,076.66)
09/07/23	Rohde-29657-3841		(68.00)	(1,144.66)
10/05/23	Citibank ck 337 - escrow	1,200.00		55.34



Memorandum

To:	Planning Board Town of Kent	Attn:	Hugo German Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Field Observation Visit – Bond Return Request
Date:	September 15, 2023	Project:	Sun ECP Westwood Drive TM # 19.12-1-20 & 19.12-1-23

The project involved construction of a single-family home with driveway, detached garage, individual septic and well. A Town of Kent Erosion & Sediment Control Permit was issued and coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 was established for the project.

The following comments are offered for the consideration by the Planning Board:

A follow up stabilization inspection was conducted with Bruce Barber, the Town's environmental consultant on Thursday, September 14, 2023. This inspection was conducted in response to the written request of the project sponsor seeking the release on the bond currently held by the Town in this matter.

This inspection is a follow up to inspections conducted on August 3, 2022 and February 16, 2023. At the time of the February 16, 2023 inspection, the disturbed areas were considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001. Based on the field observation visit conducted on February 14, 2023, a fully executed Notice of Termination was prepared and distributed.

An erosion control bond in the amount of **\$19,700.00** is being held by the Town in this matter. Per Chapter 66, §66-24.A regarding return of the stormwater management bond: "the performance guarantee shall remain in full force until the applicant and/or developer is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance ... and that a two-year inspection has been conducted and the facilities have been found to be acceptable to the Town." The two-year period begins on the date that the site achieves final stabilization. A properly completed Notice of Termination marks that date and serves as the final acceptance of the completed work.

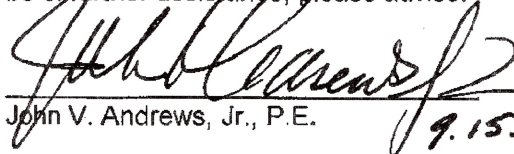
The Town Planning Board in the matter of residential projects typically will consider the early release of a bond provided that the fully stabilized site goes through one winter and remains stabilized. The Project Sponsor is free to request the early release of the bond provided that all vegetation survives the winter and is viable the following season. Any such request from the Project Sponsor will need to be in writing to the Planning Board and will be subject to a confirmation inspection.

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Sun ECP – Bond Return Request
TM # 19.12-1-20 & 23
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Having received the written request of the Project Sponsor and based upon the observations during the prior inspections and this most recent follow-up inspection, we recommend that the Planning Board consider recommending to the Town Board the final and complete release of the erosion control bond held for this project. All vegetation has now survived at least one (1) winter. We have no further concerns regarding the stabilization of the project.

Lastly, before the release of any bond, all outstanding Planning Board charges and fees, including any outstanding invoices of the Planning Board's consultants incurred in connection with reviewing and processing this application shall be paid in full to the Town.

We trust the comments contained herein are of value to you. If there any questions or we can be of further assistance, please advise.


John V. Andrews, Jr., P.E. 9.15.2023

cc: Planning Board via email
Bill Walters via email
Richard Othmer, Highway Superintendent via email

Bruce Barber via email
20-261-999-169



Memorandum

<p>To: Planning Board Town of Kent</p> <p>From: John V. Andrews, Jr., P.E.</p> <p>Date: February 16, 2023</p>	<p>Attn: Hugo German Chairman</p> <p>Subject: Field Observation Visit – Close out Review</p> <p>Project: Sun ECP Westwood Drive TM # 19.12-1-20 & 19.12-1-23</p>
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The project involved construction of a single-family home with driveway, detached garage, individual septic and well. The applicant provided documentation that the parcel received an area variance from the ZBA in May 2019 and applied for the variance to be renewed in May 2020 with the renewal granted. Additionally, the project is within the NYCDEP East of Hudson watershed and disturbed more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit was issued and coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 was established.

The following comments are offered for the consideration by the Planning Board:

1. Field Observation Visit:

A field observation visit was made with Bruce Barber, the Town environmental consultant and Planning Board members Jacky Beshar and Tom Faraone on Tuesday, February 14, 2023. We were provided with an as built survey by the Applicant prior to the site visit. The site appears to have been constructed in substantial conformance with the approved plan. The site has now been stabilized with substantial vegetation evident.

A site inspection was previously conducted on August 3, 2022. At that time, the site was not yet stabilized. Grass had been planted but germination had not yet reached acceptable levels.

Remnants of silt fence exist at the limits of disturbance and the installed catch basins are still protected with filter fabric. **The silt fence and the fabric can and should be removed and the area, raked, seeded, and mulched.** The catch basin installed at the driveway is somewhat high and the rim should be adjusted to allow water inflow.

The Highway Superintendent identified certain improvements to be undertaken during construction. The Highway Superintendent signed off on conditions subsequent to the last site visit. All items identified by the Highway Superintendent have been satisfactorily addressed.

The disturbed areas are now considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001.

2. Notice of Termination:

Submitting the completed NOT (including completed MS4 sign-off on Page 2) to NYSDEC will close-out coverage under NYSDEC GP-0-20-001 and the Town of Kent Erosion Control Permit. Having the 'Qualified Professional' sign the Notice of Termination fulfills the requirement per Town of Kent Town Code, Chapter 66, §66-6.K(5) for a certification of completion of work.

A NYSDEC Notice of Termination (NOT) form was submitted by the applicant to the Town. The 'Qualified Professional' signed the NOT to fulfill the requirements of §66-6.K(5). By signing the NOT, the qualified professional is certifying that they are familiar with the work and further that the Cultec units were installed in substantial conformance with the approved plans.

Based on the field observation visit conducted on February 14, 2023, attached hereto is the fully executed Notice of Termination.

3. Erosion Control Bond:

An erosion control bond in the amount of **\$19,700.00** is being held by the Town in this matter.

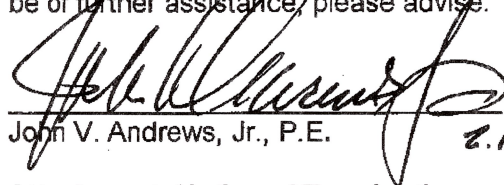
Per Chapter 66, §66-24.A regarding return of the stormwater management bond: "the performance guarantee shall remain in full force until the applicant and/or developer is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance ... and that a two-year inspection has been conducted and the facilities have been found to be acceptable to the Town."

The two-year period begins on the date that the site achieves final stabilization. A properly completed Notice of Termination marks that date and serves as the final acceptance of the completed work.

The Town Planning Board in the matter of residential projects typically will consider the early release of a bond provided that the fully stabilized site goes through one winter and remains stabilized. The Project Sponsor is free to request, in Spring 2023, the early release of the bond provided that all vegetation survives the winter and is viable in Spring. Any such request by the Project Sponsor will need to be in writing to the Planning Board and will be subject to a confirmation inspection

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We trust the comments contained herein are of value to you. If there any questions or we can be of further assistance, please advise.


John V. Andrews, Jr., P.E. 2.16.2023

Attachment- Notice of Termination – signed by the MS4.

cc: Planning Board via email
Bill Walters via email
Richard Othmer, Highway Superintendent via email

Bruce Barber via email
20-261-999-169

TOWN BOARD MEETING APRIL 20, 2021

Resolution #165 - Authorizing Correction of Violation Acceptance of Proposal & Charge to Property Owner TM#10.-2-66.2

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation dated March 31, 2021 (the "Order to Remedy") directing the owner to remove rubbish at the property identified as 134 Miller Hill Road, Kent, New York, Tax Map No. 10.-2-66.2 (the "Property"); and

WHEREAS, the Order to Remedy requires the owner to correct the violations or respond to the Code Enforcement Office within ten days and, to date, the owner of the Property has not responded;

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure of any owner to comply, the Building Inspector is authorized to correct a violation subject to the approval of the Town Board; and the Town Board wishes to authorize the Building Inspector to correct the violation; and

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent requested three written proposals from contractors to correct the violation on the Property and received one proposals in response, copies of said proposals are annexed hereto and incorporated by reference; and

WHEREAS, FI Adams, Inc. submitted the lowest proposal in the amount of \$1,500.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the proposal of FI Adams, Inc. for the correction of the violation at a cost not to exceed \$1,500; and

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest from the date of completion of the work, shall be charged to the property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution #166 - Accepting Erosion Control Surety Bond

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, by Resolution #5 of the Year 2021, dated April 12, 2021, rescinded its Resolution #4 of the Year 2021, and has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$19,700; and (ii) an escrow for the Final Inspection Fee in the amount of \$1,000 from the owner of the property located at 3 Westwood Drive, identified as Tax Map No. 19.12-1-20; and

WHEREAS, on April 6, 2020 the Town Board approved the posting of a bond by Resolution No. 155 in the amount of \$4,500 and inspection fee of \$1,000, as requested by Planning Board Resolution No.#4, which has since been rescinded by the Planning Board; and

WHEREAS, the Town Board wishes to accept the recommendation as set forth in Planning Board Resolution #5 and rescind the prior acceptance of the erosion control bond and inspection fee in Town Board Resolution #155;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board that an Erosion Control Bond in the amount of \$19,700 be posted, and an escrow for the Final Inspection Fee in the amount of \$1,000 be approved for 3 Westwood Drive.

Motion carried unanimously

Resolution #167 - Authorizing Acceptance of Proposal for Actuarial Consulting Services

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

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: April 12, 2021
TO: Finance Department
CC: vieto@westchestermodular.com
Rogersun16@outlook.com
FROM: Vera Patterson
RE: Sun Property Erosion Control Bond
Recommendation to Accept Bond - Resolution #5 2021
Recommendation to Rescind Bond - Resolution #4 2021
TM: 19.12-1-1

Please find attached the supporting documentation for the Sun property noted above and the following checks:

Citibank Check 115956831, dated April 06, 2021 in the amount of \$15,200.00/ Part 1 of 2 parts for the attached erosion control bond for the above mentioned property.

Citibank Check 115938160, dated March 27, 2021 in the amount of \$ 4,500.00/ Part 2 of 2 parts for the attached erosion control bond for the above mentioned property.

Citibank Check 115938161, dated March 27, 2021 in the amount of \$ 1,000.00/ Final Inspection fee for the above mentioned property.

Please hold these checks until the Town Board takes the above actions.

Thanks very much.

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 #5
Year 2021

Date: April 12, 2021
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att Bill Huestis, Deputy Supervisor
Paul Denbaum Jamie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: **Recommendation to Forward an Erosion Control Bond Agreement to the Town Board for:**
Roger Sun
1601 Briarwood Lane
Danbury, CT 06810
For Property Located at:
3 Westwood Drive
Kent, NY 10512
TM: 19.12-1-20

Resolved: On April 1, 2021 Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to rescind Resolution #4 and forward this Resolution #5 to the Kent Town Board to accept the attached Erosion Control Bond:

Erosion Control Bond in the amount of \$19,700.00
Final Inspection Fee in the amount of \$ 1,000.00

Mr. Tolmach asked for a motion to accept the Erosion Control Bond in the amount of \$19,700.00 and an inspection fee of \$1,000.00. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. The roll call votes were as follows:

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve these recommendations.

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 April 1, 2021.



Vera Patterson
Planning Board Secretary

Dated: April 5, 2021
Revised 4/01/21



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

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

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

Memorandum

<p>To: Planning Board Town of Kent</p>	<p>Attn: Philip Toimach Chairman</p>
<p>From: Julie S. Mangerillo, P.E., CPESC John V. Andrews, Jr., P.E.</p>	<p>Subject: Erosion Control Plan – Revised Submittal</p>
<p>Date: March 10, 2021</p>	<p>Project: Sun ECP Westwood Drive TM # 19.12-1-20 & 19.12-1-23</p>

The following materials were reviewed:

- Refer to Appendix A

The project proposes construction of a single-family home with driveway, detached garage, individual septic and well. The applicant has provided documentation that the parcel received an area variance from the ZBA in May 2019 and applied for the variance to be renewed in May 2020. Vera Patterson, Planning Clerk, provided ZBA meeting minutes from May 18, 2020 showing the variance had been granted for another year.

New or supplementary comments are shown in bold.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated July 7, 2020:

1. The proposed project is within the NYCDEP East of Hudson Watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001. - **Acknowledged.**
5. The proposed house and septic area are proposed on steep slopes. With the expected merger with lot TM 19.12-1-23, consideration should be given to locating the area of disturbance in a location with flatter slopes to minimize environmental impacts.
 - a. 11/11/2020 - Survey and topography have been provided for the 2nd lot, TM 19.12-1-23. It shows a significant area of land that has less than 16% slope. This lot is to be investigated for the potential to be used for the house and septic site. Building on less steep slope minimizes environmental impacts. However, if the 2nd lot, TM 19.12-1-23 is unsuitable, then construction on the 1st lot, TM 19.12-1-20 will be considered. Provide technical justification if the house and septic cannot be constructed on the less steep, 2nd lot.

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- b. 1/13/2021 - To date, no technical justification has been provided. During the November 12, 2020 Planning Board meeting and the December 3, 2020 Planning Board Workshop, the applicant's representatives indicated there may be older health department records regarding the unsuitability of the 2nd lot, TM 19.12-1-23 to support a septic system. 200-foot radii from existing wells are now shown on the drawing, but with no explanation or narrative as to how that makes Lot #2 less suitable than Lot #1 to support a septic system. The proposed septic system for Lot #1 also falls within the 200-foot radii of an existing well.
- In addition, the "Proposed Site Plan" shows the outline of the house, garage, and septic system on Lot #2 with some deep test information. Again, there is no explanation or narrative as to how that makes Lot #2 less suitable.
- Provide written, technical justification as to why Lot #2 is less suitable. The need for this justification was emphasized at both the 11/12 and 12/3/2020 meetings.
- c. 2/8/2021 - Feasibility Study, dated January 18, 2021 has been provided. It is incomplete. The following comments were provided to the project engineer via email on 1/20/2021. They have been edited as appropriate.
- i. The feasibility study needs more background & back up.
 - ii. The report should acknowledge that the Town has requested this analysis because Lot 23 looks like the better lot for development based on lack of steep slopes compared to Lot 20.
 - iii. Health Department regulations need to be referenced with the difference between the 100 ft & 200 ft radius requirements explained.
 - iv. A Planning Board member requested spot elevations at the existing wells to confirm the elevation difference from the proposed septic area. It appears elevations have been provided for wells to the north. Provide an elevation for the well to the south, on the other side of Westwood Drive.
 - v. The proposed septic areas for both Lot 20 & Lot 23 are within the 200 ft radius of an existing well. Explain why it is allowed for Lot 20, but not Lot 23, even if it is a repetition of the more general explanation.
 - vi. Add a reference to the drawing titled "Lot 23 Development Study for Roger Sun."
 - vii. The statement regarding the views and the house on Lot 23 needing to be at a higher elevation is unclear as to how it affects the suitability of Lot 23 for development. Will having the house at a higher elevation on Lot 23 than Lot 20 have a negative impact on erosion & sediment control or environmental concerns more generally? If so, please explain.
 - viii. There was discussion at the January 14, 2021 Planning Board meeting about reducing disturbance on steep slopes by leaving the septic on Lot 20 but moving the house to Lot 23. Provide a justification as to why that scenario would not reduce impacts.
- d. 3.10.2021 - An updated Feasibility Study dated February 15, 2021 has been provided. The Study together with the accompanying map and Putnam County Health Dept. attachment addressed the identified issues. The responses were reasonable and acceptable. The Study as submitted is somewhat simplistic and limited but it generally addresses the open issues.

RONDE, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C.

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7. Westwood Drive is a gravel road with a history of erosion and washouts. New impervious surfaces can increase runoff. Provide stormwater mitigation to help offset any potential increases in runoff to Westwood Drive.
- 11/11/2020 - Stormwater mitigation of infiltrators is proposed. Provide additional information such as soil testing, and sizing calculations. Indicate how much runoff will be diverted away from Westwood Dr. Provide information on the drawings for homeowners to operate, inspect, and maintain the infiltrators and associated drainage for the long-term.
 - 1/13/2021 - Additionally, a note regarding the culdeo field was added below the "Zoning Schedule." However, this is not sufficient to explain to homeowners on how to operate, inspect, and maintain the infiltrators for the long term. Provide additional explanation.
 - 2/8/2021 - Additional notes have been provided, however they do not provide sufficient direction to homeowners. See attached Maintenance Schedule and Suggested Maintenance Schedule provided by Cuttec.
 - 3.10.2021 - The requested maintenance notes have been added to the plan set. The following holdover has not yet been addressed and needs to be addressed:
 "The January 20, 2021 response letter states "deep tests will be provided in the locations of the proposed infiltrators as soon as a crew can get to the site."
10. Provide an erosion and sediment control only SWPPP in accordance with GP-0-20-001. Provide required information from Part III.B including:
- Part III.B.1.f - "A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;" - 11/11/2020 & 1/13/2021 - could not be located. 2/8/2021 - Provide details on temporary and/or permanent seeding & mulching.
 - 3.10.2021 - Added to the plan as notes. No exception taken to the form and content.
13. Provide additional information on the existing and proposed driveway, such as driveway profile and construction details. The driveway is to be in conformance with Town Code Chapter 57-26.A.
- 11/11/2020 - could not be located.
 - 1/13/2021 - The driveway profile is to show how runoff from the end of the driveway will be directed to the shoulder of Westwood Drive and not allowed to flow onto & across Westwood Drive creating wash-out or icing conditions.
 - 2/8/2021 - The information regarding the trench drain is difficult to read on the drawings. No profiles for the proposed or existing driveway could be located. No construction detail for the proposed driveway could be located. As a reminder,

RODDE, JOYKA & ANDREWS CONSULTING ENGINEERS, P.C.

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the proposed driveway must be in conformance with Chapter 57. The existing driveway is to be compared to the current driveway requirements. Provide additional information/detail on proposed "new swale 6" deep" at the end of the existing driveway at Westwood Drive. Changes to the existing driveway within the Westwood Dr right-of-way, will need to be approved by Richard Othmer, Jr. Highway Superintendent. A written response to this comment (#13) was not included in the 1/20/2021 response memo.

- d. Clarity and legibility have improved. Profiles have been provided for both the existing and proposed drive. We could not reconcile the profiles with the plan view. There is a problem with the scale noted on each. The scale issue must be resolved in future submittals. There is no center line stationing provided for either section. It is not possible to determine how the profile was prepared. The swale detail has been provided. We will require a written response/sign-off indicating approval for the proposed modifications from Richard Othmer, Jr., Highway Superintendent. The written response to this comment did not address all items contained herein. Future responses should address all comments.

The following comments are provided for the Planning Board's consideration from a memo dated January 13, 2021:

1. Add minimum pipe slopes or rim and invert elevations for drainage piping.
 - a. 2/8/2021 - Information is difficult to read.
 - b. 3.10.2021 - Resolved.
2. Revise the bond estimate to include the costs of the underground stormwater infiltrators, drainage piping and trench drain, topsoil stockpile and seed & mulch for disturbed areas.
 - a. 2/8/2021 - A revised bond estimate dated 1/22/2021 for \$37,300 was provided. Based on the current review, we have no objection to this bond amount for the erosion control bond. However, we will hold formal recommendation until the Public Hearing is closed.
 - b. 3.10.2021 - We take no exception to the identified bond amount. The formal recommendation incorporating this amount can be anticipated upon the closing of the public hearing provided there are no substantial public comments.
3. Add most recent date the ZBA granted the area variance, May 18, 2020 to the Zoning Schedule on the Proposed Site Plan.
 - a. 2/8/2021 - ZBA variance reference was located on the "Existing Conditions/Slope Map" drawing. Add it to the Zoning Schedule on the Proposed Site Plan too.
 - b. 3.10.2021 -- ZBA variance referenced added to proposed Site Plan - Resolved

New Comments: [2.08.2021 Review memorandum]

1. At the February 4, 2021 Planning Board Workshop, a Planning Board member requested the Filed Map numbers and the Tax Map Numbers be shown on the lots. [Resolved]

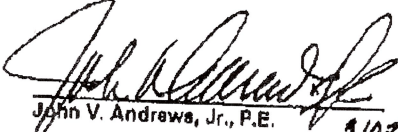
ROHDA, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C.

Memorandum
Sun ECP
TM # 19.12-1-20 & 23
March 10, 2021
Page 5 of 5

- 2. Continue to provide written responses to each comment in future submittals. [Comment remains valid - continues]
- 3. After review of this latest submittal, the Planning Board can discuss scheduling the public hearing for the March meeting. [public Hearing scheduled for March regular meeting date]

New Comments [3.10.2021]

- 1. The existing driveway does not fall within the described easement. The easement description should be re-written to encompass the full limits of the driveway as built as it exists at this time and a new easement instrument filed in the office of the County Clerk.
- 2. No development is proposed at this time for Lot 23. The Feasibility Study and various comments in the record indicate that this property was purchased by the Project Sponsor as a buffer. The Project Sponsor should consider committing to no development/no disturbance of this lot and adding a note to that effect on the site plan as part of this approval.


 John V. Andrews, Jr., P.E. 3.10.2021

Attachment - Appendix A

cc: Planning Board via email
Bill Walters via email
20-261-999-169

Bruce Barber via email
Liz Axelson via email

ROLD, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C.

APPENDIX A

(MARCH 10, 2021)

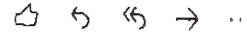
List of Documents Reviewed

1. Response Letter to Engineer's Comments prepared by Anthony S. Pisarri, P.E., P.C., dated February 15, 2021.
2. Feasibility Study Sun Property-Lot 19.12-1-23 dated February 15, 2021.
3. Response Letter to Environmental Planner's Comments prepared by Anthony S. Pisarri, P.E., P.C., dated February 15, 2021.
4. Permanent Access Easement
5. Bargain and Sale Deed, dated October 31, 2021, for presumed lot TM 19.12-1-23.
6. Drawing- Existing Conditions/Slope Map-Roger Sun, prepared by Anthony S. Pisarri, PC dated June 8, 2020 last revised February 21, 2021 scale As Noted.
7. Drawing- Lot 23 Development Study-Roger Sun, prepared by Anthony S. Pisarri, PC dated January 21, 2021 last revised February 21, 2021 scale As Noted.
8. Drawing- Proposed Site Plan -Roger Sun, prepared by Anthony S. Pisarri, PC dated June 8, 2020 last revised February 16, 2021 scale As Noted.
9. Drawing- Proposed SWPPP - Roger Sun, prepared by Anthony S. Pisarri, PC dated January 21, 2021 last revised February 16, 2021 scale As Noted.
10. Drawing- Miscellaneous Details- Roger Sun, prepared by Anthony S. Pisarri, PC dated February 16, 2021 scale As Noted.

Reply all Delete Junk Block

Re: Sun Bond

BB Bruce Barber <barberbruce@yahoo.com>
Tue 3/30/2021 12:06 PM
To: Planning Kent; jandrews@rsaengrs.com
Cc: bestscapes@hotmail.com



TOWN OF KENT NOTICE

THIS EMAIL IS FROM AN EXTERNAL SENDER!
DO NOT click links, DO NOT open attachments, DO NOT forward if you were not expecting this email or if it seems suspicious in any way! REMEMBER: NEVER provide your user ID or password to anyone for any reason!

Thanks John.

On Tuesday, March 30, 2021, 11:56:04 AM EDT, jandrews@rsaengrs.com <jandrews@rsaengrs.com> wrote:

Bruce/Vera

Attached hereto for your review is the amended bond amount in the Sun matter. We took the original submitted by the Engineer for the Applicant and modified it based on the plan revisions requested by the Highway Supt. - The original recommended bond amount was, as noted on the attached estimate, \$37,300.00. The new recommended amount is \$19,700.00 (Nineteen Thousand Seven Hundred dollars).

If there are any questions, please let me know.

John

From: Bruce Barber <barberbruce@yahoo.com>
Sent: Tuesday, March 30, 2021 11:42 AM
To: John Andrews <jandrews@rsaengrs.com>
Subject: Sun Bond

Hi John,

I spoke with Phil. He is ok discussing the amended bond amount with the PB on 4/1. I do not know what that amount is so could you please provide a quick blurb to Vera on what the approved bond amount was and what is now proposed? The PB will review and make the change as appropriate and

Anthony S. Plearri, P.E., P.C.
 CONSULTING ENGINEER
 3 Rosalind Drive
 Cortland Manor, New York 10567

 (914) 739-6580
 (914) 734-9121 Fax

*3.04.2021
 REVISION*

January 22, 2021

To Whom It May Concern,

The estimated cost of the erosion and sediment control for the Sun site on Westwood Drive is as follows:

- | | |
|--|----------------------------|
| 1. Work and materials to install the stabilized construction entrance and the concrete washout basin | \$2,500 |
| 2. Work and materials to install approximately 400 L.F. of slit fence | \$2,000 |
| 3. <i>10100 only</i> Cultec Infiltrators and piping, installed | \$4,000 12,000 |
| 4. <i>Deleted</i> Trench Drain, installed | \$7,000 |
| 5. Bubbler basin, installed | \$1,800 |
| 6. <i>6. catch/retention tanks - Approval to be A</i> | 1,000 |
| Total estimated cost | \$17,000 19,700 |



*Suggested Retention
 due to project
 changes -*

[Handwritten signature]



Town of Kent Highway Department
Richard T. Othmer, Jr., Highway Superintendent
62 Ludington Court
Kent Lakes, New York 10512
(845) 225-7172 Fax (845) 225-9464
Email: rothmer@townofkentny.gov

MEMORANDUM

Date: March 17, 2021

To: Kent Planning Board

From: Richard T Othmer Jr. Town of Kent Highway Superintendent

Subject: Westwood Drive Building Lots / Anthony S. Pisarri P.E

Honorable Members of the Board;

I met with P.E. Mr. Anthony Pisarri at the proposed Westwood Drive along with two of my Foreman to field review his site plan. I see no need for the cultec units or the driveway trench drains as the natural terrain of the wooded lot #23 will keep any runoff from breaching the driveway. I would want them to construct a good-sized swale along the upper driveway edge channeling runoff to the road trench. I do not require rip-rap in my ditches anymore as they are proving to trap dirt & debris at a quicker rate & prove to be a hindrance when cleaning. Actually, my training by the NYS Local Roads Highway School at Cornell supports this and would rather have a vegetative natural ditch in place. I also asked Mr. Pisarri to have his contractor remove the large bolder along the project roadside as part of his scope of work. Otherwise, I am fine with this.

My real concern is the lower lot where the house is to be built. There is an existing established home already below on the opposite side of the road & once the forest is removed for the septic, the runoff is going to be headed in this direction & I do not want their house flooded. Additionally, the road is dirt & the residents want it to stay that way which I am fine with but washout is my concern. Careful thought & good engineering solutions must be given here.

Sincerely;

A handwritten signature in black ink, appearing to read "R. Othmer", with a long horizontal flourish extending to the right.

Richard T Othmer Jr.

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 #4
Year 2021

Date: March 26, 2021
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att Bill Huestis, Deputy Supervisor
Paul Denbaum Jamie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: Recommendation to move this project to the Administrative Track,
And Forward Erosion Control Bond Agreement to the Town Board
Roger Sun
1601 Briarwood Lane
Danbury, CT 06810
For Property Located at:
3 Westwood Drive
Kent, NY 10512
TM: 19.12-1-20

Resolved: On March 11, 2021 Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to accept the attached Erosion Control Surety Bond:

Erosion Control Bond in the amount of \$4,500.00
Final Inspection Fee in the amount of \$1,000.00

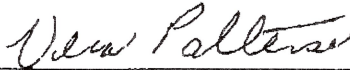
Mr. Tolmach asked for a motion to accept the Erosion Control Bond in the amount of \$4,500.00 and an inspection fee of \$1,000.00. The motion was made by Mr. Carey and seconded by Mr. Lowes. The roll call votes were as follows:

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Absent</u>

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve these recommendations.

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 March 11, 2021.



Vera Patterson
Planning Board Secretary

Dated: March 11, 2021

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

citibank
Citibank, N.A.

FC# 00059 FA# 037 \$10.00 ONL PIC DATE 03/27/21

028-03 Ck. Ser. # 115938161

62-20
311

115938161

PAY *****ONE THOUSAND DOLLARS*****

***\$1,000.00**

TO THE ORDER OF *****TOWN OF KENT*****

Drawer: Citibank, N.A.

NAME OF REMITTER ADDRESS
Citibank, N.A. One Penn's Way New Castle, DE 19720

ROGER TAO SUN TM 19-1-20
Erosion Control Bond

BY AUTHORIZED SIGNATURE *[Signature]*

Security Feature Details on Back

⑈ 115938161 ⑈ ⑆031100209⑆ 38762924⑈

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

citibank
Citibank, N.A.

FC# 00059 FA# 037 \$10.00 ONL PIC DATE 03/27/21

028-02 Ck. Ser. # 115938160

62-20
311

115938160

PAY *****FOUR THOUSAND FIVE HUNDRED DOLLARS*****

***\$4,500.00**

TO THE ORDER OF *****TOWN OF KENT*****

Drawer: Citibank, N.A.

NAME OF REMITTER ADDRESS
Citibank, N.A. One Penn's Way New Castle, DE 19720

ROGER TAO SUN TM 19-1-20
E.C. Impediment

BY AUTHORIZED SIGNATURE *[Signature]*

Security Feature Details on Back

⑈ 115938160 ⑈ ⑆031100209⑆ 38762924⑈

RECEIPT DATE 3/29/21 No. 537157

RECEIVED FROM _____ \$ _____

_____ DOLLARS

FOR RENT
 FOR _____

ACCOUNT		<input type="radio"/> CASH	FROM _____ TO _____
PAYMENT		<input type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

BY _____ 3-11

RECEIPT DATE 3/29/21 No. 537158

RECEIVED FROM Rogers \$ 4,500.⁰⁰

Four Thousand Five Hundred and ⁰⁰/₁₀₀ DOLLARS

FOR RENT
 FOR Erosion Control Permit TM 19-1-20

ACCOUNT		<input type="radio"/> CASH	FROM <u>V. Patterson</u> TO <u>Rogers</u>
PAYMENT		<input checked="" type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

Citibank 115938160
 BY _____ 3-11

RECEIPT DATE 3/29/21 No. 537159

RECEIVED FROM Rogers \$ 1,000.⁰⁰

One Thousand and ⁰⁰/₁₀₀ DOLLARS

FOR RENT
 FOR Final Inspection Fee - TM 19-1-20

ACCOUNT		<input type="radio"/> CASH	FROM <u>V. Patterson</u> TO <u>Rogers</u>
PAYMENT		<input checked="" type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

Citibank 115938161
 BY _____ 3-11

RECEIPT DATE 3/29/21 No. 537160

RECEIVED FROM Holmes Presbyterian \$ 1,000.⁰⁰

One Thousand and ⁰⁰/₁₀₀ DOLLARS

FOR RENT
 FOR Review Fee/Encow TM: 2-1-47.1

ACCOUNT		<input type="radio"/> CASH	FROM <u>V. Patterson</u> TO <u>Holmes Presb.</u>
PAYMENT		<input checked="" type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

JPM CL 1009
 BY _____ 3-11

Anthony S. Pisarri, P.E., P.C.
CONSULTING ENGINEER
3 Rosalind Drive
Cortlandt Manor, New York 10567

(914) 739-6580
(914) 734-9121 Fax

October 9, 2020

To Whom It May Concern,

The estimated cost of the erosion and sediment control for the Sun site on Westwood Drive is as follows:

1. Work and materials to install the stabilized construction entrance
and the concrete washout basin\$ 2,500
 2. Work and materials to install approximately 400 L.F. of silt fence \$ 2,000
- Total estimated cost\$ 4,500

Respectfully submitted,

Anthony S. Pisarri, P.E.

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Roger Sun
3 Westwood Drive
Kent, NY 10512
TM: 19.-1-20

Bond given by Roger Sun, _____, whose property is located at 3 Westwood Drive, Kent, NY 10512/Tax Map: 19.-1-20 ("Obligor") to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil's Crossing, Kent Lakes, New York, 10512 ("Obligee"), dated Mar 29 2021

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$4,500.00, along with an initial inspection fee deposit of \$1,000.00 for the payment whereof to the Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor has obtained the approvals from the Obligee for land disturbance activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the Town of Kent, in connection with which erosion and sedimentation controls ("Controls") are required; and the Erosion and Sediment Control Plan documents shall be required in accordance with the Code in effect as of the date of this Bond; and

WHEREAS, in conjunction with such Steep Slope and Erosion Control Permit Applications, the Obligor has submitted to the Obligee, plans and specifications for the land development activity known as the Roger Sun Property ("Project Plans") and the Erosion and Sediment Control Plan, prepared by Anthony Pisarri, PE, Consulting Engineer, 3 Rosalind Drive, Cortlandt Manor, NY 10567. All these plans were reviewed and approved on 3/11/21, 2021, by the Obligee. A Resolution of Approval of land development activity in the nature of a Steep Slope and Erosion Control Permit of plans to construct a 2,275 square foot single family house, with driveway, septic system and a well on a vacant lot in zoning district R-80 at 3 Westwood Drive, Kent, NY 10512. 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.

WHEREAS, as condition to the issuance and approval of an Erosion Control Permit, the Code requires the owner or applicant, prior to construction, to provide the Obligee with a cash escrow, an irrevocable letter of credit a certified check drawn upon a national or state bank, surety bond or other cash equivalent, which guarantees satisfactory completion of the Erosion and Sediment Control Plan, which security shall remain in full force and effect until the Obligor is released from liability by the Town.

WHEREAS, the Planning Board of the Town of Kent has granted the Erosion Control Permit subject to the posting of two checks made out to the Town of Kent, one in the amount of \$4,500.00 as a performance guarantee to be deposited into an escrow account pending the completion of the project for which the erosion control measures are necessary; and a second in the amount of \$1,000.00 as the final inspection fee, and delivered to:

The Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512

No funds may be withdrawn from the said escrow account until a resolution has been duly made by the **Town Board of The Town of Kent**, authorizing such surrender or cashing.

Upon full completion of the work allowed pursuant to the conditions and specifications heretofore imposed by the **Planning Board of The Town of Kent**, the said escrow monies shall be returned to **Roger Sun, 3 Westwood Drive, Kent, NY 10512**.

In the event the erosion control work allowed shall not have been duly completed by **ROGER SUN**, as per the conditions and specifications of the **Planning Board of The Town of Kent**, the **Town Board** shall have the right to withdraw the aforesaid escrow monies and complete the required work for **ROGER SUN**, with full use of said sums as the Town requires;

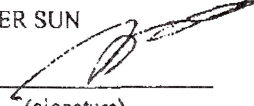
When the work shall have been fully completed as required by the conditions and specifications of the **PLANNING BOARD** either by **ROGER SUN**, or by the **Town of Kent**, the aforesaid escrow monies or the balance of funds remaining after the work has been completed shall be returned or refunded to **ROGER SUN**;

This bond may not be assigned or transferred without the prior written approval of the **Planning Board and Town Board of The Town of Kent**.

The applicant hereby expressly authorizes the **Town of Kent**, its agents, employees, engineer or planner to enter upon the Owner's/Applicant's property for the purpose of inspecting the erosion control system installed and the site work being performed in accordance with the approved plans, provided that the **Town of Kent** provides at least 24 hours notice to **ROGER SUN**;

Dated: Mar 27, 2021

ROGER SUN

By: 
(signature)

By: _____
(signature)

ROGER SUN

(print/type signatory's name)

Roger Sun

Owner/Obligee, Roger Sun

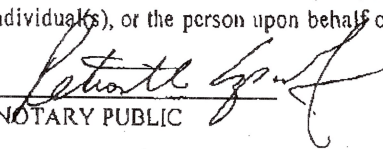
(print/type signatory's title)

STATE OF New York)

) ss.:

COUNTY OF Westchester)

On the 27 day of March, 2021, before me, the undersigned, a notary public in and for said state, personally appeared Roger Tao Sun, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

3/13/21



Planning Kent

To: Jaime McGlasson

Cc: Lana Cappelli; Claudia Dworaczyk



Fri 10/6/2023 2:22 PM

The Planning Board asked me to advise you and the Town Board that they would like to have Lana prepare a RFP for Planning and Engineering services.

The Planning Board would like this to be put on the next Town Board agenda in order to have it go out as soon as possible.

Vera Patterson
Town of Kent
Planning Board Secretary
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov
845-306-5612 (T)
845-306-5283 (F)

*This is state bid
so we don't
need to get the
typical 3 bids.*



Taggart Williamson

To: Kent Parks

Tue 10/3/2023 2:06 PM



TOWN OF KENT NOTICE

THIS EMAIL IS FROM AN EXTERNAL SENDER!

DO NOT click links, DO NOT open attachments, DO NOT forward if you were not expecting this email or if it seems suspicious in any way! REMEMBER: NEVER provide your user ID or password to anyone for any reason!

Chris

Please see pricing of town bid.

9-new w beam-\$241.92ea=\$2,177.28

19-new posts-\$95.60ea.=\$1,816.40

2-new wrap ends-\$89.00ea.=\$178.00

Hardware-\$177.00

Install-\$3,152.00

Grand total-\$7,500.68

Availability 2-3 weeks. ←

Thank you,

Tag Williamson

Chemung SupplyCorp.

914-213-3579 cell

*should be
2-3 weeks*

Sent from my iPhone



Reply

DRAFT: ~~October 10,~~
~~2023~~ July 6, 2023

Town of Kent ~~Soil Removal and E~~Excavation
~~and Mining~~
Chapter 63

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A. Purpose and Intent.

The purpose and intent of this chapter, its supplementary land development requirements and standards are as follows:

1. To ensure that excavation will be conducted in a manner that will protect residential and local business areas and other land uses, and the value of land from potential adverse impacts.
2. To limit the amount of excavation to the minimum required for site preparation, preserving, insofar as possible, the topographical beauty of the community, including the character of the existing landscape, its knolls, hills, and ridgelines and other aspects of the Town's natural environment.
3. To limit the amount of material that may be removed from a site and establish clear standards and requirements for the planned phasing of areas of excavation to avoid the creation of a disturbed, barren area of land that is not consistent with the Town's natural environment and rural, residential character.
4. To prevent the adverse effects of disturbed land, such as stormwater, erosion and sedimentation, and pollution from affecting the community's watershed, watercourses, waterbodies and wetlands, and other natural resources.

B. Definitions

AGRICULTURAL ACTIVITY

The activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

CLEARING

Any activity that removes the vegetative surface cover.

CONCEPTUAL EXCAVATION AND PHASED DEVELOPMENT PLAN

A drawing, or set of drawings, with general information sufficient to adequately describe the existing conditions of the site and the proposed excavation and development. This information shall include data on existing land characteristics (slopes, wetlands, rocky areas, etc.), available utilities, and the proposed general layout, timing, and phasing of development, including buildings, parking, driveways, pedestrian ways, generalized landscaped areas and other improvements, and general limits of disturbance.

DISTURBANCE

All land preparation activities involving the movement, placement, removal, transfer or shifting of soil, rock and/or vegetation, including but not limited to, clearing, draining, filling, grading, regrading or the building of structures or the placement of improvements on land, including the construction of individual sidewalks, paths, roads, or driveways. The condition of land disturbance shall be deemed to continue until the area of disturbance is returned to its original state or to a state complying with a permit for such disturbance granted in accordance with this chapter.

DETRIMENTAL:

Any action which is harmful or damaging.

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EXCAVATION

The disturbance or removal of material including soil, rock and/or minerals from land for the purposes of site preparation for land development and construction projects, regardless of whether those materials are retained on the site or removed from the site.

EXCAVATION AND PHASED DEVELOPMENT PLAN

A drawing, or set of drawings, with detailed information as set forth herein, to fully demonstrate the existing conditions of the site and the proposed excavation and phased development. The information and plans shall include data on existing land characteristics (topography, wetlands, rock outcroppings and ledge areas, etc.), available utilities, and the proposed general layout, timing, and phasing of development, including buildings, parking, driveways, pedestrian ways, generalized landscaped areas and other improvements, limits of disturbance, and corresponding grading, drainage, erosion and sedimentation control and other measures to be demonstrated on phased development plans.

MINERAL

All naturally formed, usually inorganic, solid material located on or below the surface of the earth. For the purposes of this chapter, peat and topsoil shall be considered minerals.

MINING

The extraction of soils, rock (overburden) and minerals from the earth, and the removal of such materials from the site through sale or exchange or for commercial, industrial, or municipal use. ~~Mining shall not include the creation of water bodies or excavations in aid of agriculture.~~ Activities associated with the processing of such materials, if permitted, must comply with the conditions of any permit granted in accordance with this chapter.

PROCESSING:

Any mechanical manipulation of material including crushing, screening, blending, washing, and any procedure which changes the size of the particles or the particle size distribution or gradation from in-situ characteristics. Processing also includes any

mechanical and/or thermal combining or blending of materials from one or more sources in order to manufacture a product with certain specification requirements.

Processing shall not mean simply excavating and loading earth material directly into a transport vehicle.

RESTORATION

The act of bringing back to a former condition and function.

TOPSOIL

Topsoil shall consist of friable surface soil reasonably free of grass, weeds, sticks, stones, or other foreign materials.

C. Applicability

1. Mining as defined under this code is prohibited in the Town of Kent.
2. The amount of material to be removed from the subject site shall not exceed 1,000 tons or 72550 cubic yards, whichever is less, during twelve (12) successive calendar months.
3. Excavation as defined under this code shall be permitted in accordance with the following:
4. 2. Any individual or entity proposing to excavate a total, collective area of 80,000 square feet or more of the surface area of a site which will result in a change in the average existing, natural grade (topography) of 4 (four) feet or more in any area defined by a rectangle of 10,000 square feet, minimum dimension of 100 feet per side and involving the displacement of 1,500 cubic yards or more of material within the Town of Kent shall prepare an application as delineated herein below for an excavation permit.
5. Excavation is permitted under the following conditions:
 - a. A special use permit for excavation has been issued by the Town Board according to the procedures outlined below.
 - b. The approved plan shall be for the phased development of the site for uses which are principal permitted uses or permitted special uses in the underlying zoning district.
 - c. For excavation projects, the approval specifically includes a phased implementation plan which balances phases of excavation and phases of land development so as to avoid excavation of the entire site prior to establishment of the approved use. The phasing plan shall be backed by a performance bond.
 - d. The excavated material shall be the minimum necessary to construct the project, and the material that is removed from the property shall only be in excess of that which can be reused or redistributed on the site provided that this amount is specified in the building permit for such improvement and is less than 1,000 tons or 72550 cubic yards, whichever is lower, within 12 successive calendar months.
 - e. The Town Board at its discretion may permit onsite processing of excavated materials subject to such additional conditions as they deem necessary provided that all processed materials are used on site in the proposed phased development and that no processed materials are removed from the property.
 - ~~f.~~ Any regrading, removal or excavation shall be completed within one year of the date of issuance of said permit.

~~g.~~ The excavation permit shall be void if construction is not started within one year of the date of Town Board approval and completed within two years of the date of ~~f~~

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such approval. Prior to its expiration, the excavation permit approval may be renewed by written request of the applicant for up to two additional ninety-day periods.

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D. Exemptions

Excavation in the following cases is not subject to the limitations of this section, and no special use permit approval from the Town Board is required:

1. Land disturbance operations in which topsoil is removed from one part of the property and deposited on another part of the same property, provided that it is replaced with a cover of earth in which the vegetable matter may take root and grow and is seeded with grass, permanent pasture mixture or other fast-growing vegetation, repeatedly as necessary until the growth is established.
2. Excavation within the limits of the right-of-way of any Town, county, or state highway ~~or~~ for the sole purpose of building roads and slopes incidental thereto which lie within the area of a subdivision approved by the Planning Board of the Town of Kent are on file in the County Clerk's office in Putnam County, New York.
3. Excavation in connection with agricultural activity, including farm ponds and soil conservation measures, provided that such improvement conforms to the following standards and conditions:
 - a. Final slopes shall be finished at a grade no greater than the natural angle of repose, except where supported by a retaining wall or foundation.
 - b. Any lakes or ponds that are created shall have a sufficient depth and inflow of water to prevent eutrophication and to prevent their becoming stagnant in dry periods.
 - c. Topsoil may be disturbed and relocated in connection with any permitted excavation but shall be replaced with earth in which vegetable matter may take root and grow and shall be seeded with grass, permanent pasture mixture or other fast-growing vegetation, repeatedly as necessary until the growth is established.
 - d. In the event that the construction of improvements for which preparatory excavation is performed does not commence within six months of the commencement of such excavation, the permittee shall be required to immediately begin reclamation operations to restore the land to a condition that will minimize erosion and any unsightly conditions.

4. Excavation required to construct single-family home foundations and basements.

4-5. Excavation required to maintain waterbodies and watercourses.

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E. Application Procedure.

The application procedure for approval of a special use permit for excavation shall involve a three-stage process:

1. The applicant shall submit an application supported by a conceptual excavation and phased development plan to the Planning Board. The Planning Board shall review the plan and determine if excavation and land disturbance thresholds under this code will be met or exceeded requiring referral to the Town Board. The Town Board shall receive the referral from the Planning Board and evaluate the plan relative to the conformity of

the proposal with the Town Comprehensive Plan and this chapter. The Town Board shall:

- a. provide feedback to the Applicant regarding additional information that must be submitted as part of the conceptual excavation and phased development plan for reconsideration by the Town Board; or
 - b. upon acceptance of the conceptual excavation and phased development plan, the Town Board may direct the applicant to submit a full and complete excavation and phased development plan application as set forth herein; or
 - c. deny the conceptual excavation and phased development plan.
2. Upon direction of the Town Board, the applicant shall submit a full and complete excavation and phased development plan application to the Town Board, which shall be referred to the Planning Board for a detailed review and report. The Planning Board shall serve as Lead Agency and conduct the New York State Environmental Quality Review Act (SEQRA) review unless otherwise superseded by another involved agency. The Planning Board shall as part of the SEQRA review conduct a public hearing on the matter. Upon the conclusion of the SEQRA review, the Planning Board will issue a determination of environmental significance, and all associated approvals and permits. The Planning Board shall refer the entire application package back to the Town Board.
3. Upon receipt of the entire application package from the Planning Board, the Town Board shall accept the SEQRA determination of the Planning Board and review all comments and recommendations provided by the Planning Board. ~~consider the comments of the Planning Board and their SEQRA determination.~~ Within 62 days of receipt of the application from the Planning Board, the Town Board shall give due notice and may hold a public hearing on the special use permit for excavation.

F. Town Board Action.

Within 30 days of the close of the public hearing, the Town Board shall act either to approve, approve with conditions or disapprove the special use permit for excavation.

1. With respect to the excavation permit and phasing, the Town Board shall make the following findings:
 - a. That the location, character and scope of the excavation activity, and the access and any temporary buildings, structures, facilities, or processing equipment, will reasonably safeguard the character of the neighborhood and surrounding property values, will not hinder, or discourage the appropriate development and use of adjacent property and, when completed, will conform to the appropriate and orderly development of the Town and neighborhood.
 - b. That the lot on which the excavation activity is to be conducted is of sufficient size and adequate dimension to permit the excavation activity in a manner that will not be detrimental to the neighborhood or adjacent property.
 - c. That reasonable provision will be made for screening the excavation activity including processing from view from adjacent streets and property, and that buffer transition areas will be provided to protect adjacent properties.
 - d. That the streets serving the proposed excavation activity are adequate to carry

prospective traffic, that provision will be made for entering and leaving the lot in

such a manner that no undue hazard to traffic or undue traffic congestion is created and that adequate off-street parking and loading facilities will be provided for conduct of the excavation activity.

- e. That the proposed excavation activity when completed, will not result in creation of soil erosion, sedimentation or fertility problems or drainage, sewerage or groundwater problems, or pollution which would impair the reasonable reuse and development of the lot and/or be detrimental to the neighborhood or adjacent property and that the excavation and phased development plan is consistent with the Town of Kent Comprehensive Plan.
 - f. That the proposed excavation activity, any buildings, structures, facilities or processing equipment and hours of operation will make provision for control of dust and lighting and otherwise will not be detrimental to the public health, safety and general welfare of the neighborhood and the community.
2. Such conditions and safeguards shall be attached to the special permit as the Town Board deems necessary and appropriate to assure continual conformance to all applicable standards and requirements.

H. Regulatory Compliance

Each application for a special use permit shall be in compliance with all pertinent regulations, including:

1. All applicable provisions of the Code of the Town of Kent, including but not limited to regulations for flood damage prevention, freshwater wetlands, tree removal, steep slope protection and stormwater management, subdivision of land, watercourses, soil hydrology, environmentally sensitive lands, zoning, and any other pertinent provisions.
2. New York City Department of Environmental Protection (NYCDEP), New York State Department of Environmental Conservation (NYSDEC) and all other applicable regulations.

I. Application Requirements

Each application for a special use permit shall be accompanied by the following:

1. A proposed site plan showing the size and location of the lot, the location of all buildings and proposed facilities, including access drives and parking areas, and all streets within 200 feet of the lot. The site plan shall use as a base map a recent, accurate boundary and topographic survey of the property depicting all existing improvements and grades prepared by a New York State licensed land surveyor. The plan shall depict all proposed site alterations and improvements and shall be prepared by a professional engineer, a landscape architect, or an architect licensed by the State of New York and shall include the following information:
 - a. A location map, at a convenient scale, showing the applicant's entire property and all boundaries, easements, and streets within 500 feet thereof.
 - b. Show existing improvements, utilities, wells, and septic systems.

- c. The location and limits of the area of disturbance on the lot to be subject to the excavation activity and any lines delimiting areas not to be disturbed.
- d. Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Town Board, with existing topography to be shown on the subject parcel and within 200 feet of the area to be subject to the excavation operation, drawn to a scale of not less than 100 feet equals one inch.
- e. Show existing and proposed drainage within the limits of disturbance and within a distance of 200 feet outside of the limits of disturbance.
- f. Show existing wetlands, watercourses, and waterbodies and associated buffers delineated in compliance with pertinent provisions of the Code of the Town of Kent, including Chapter 39A, within the limits of disturbance and within a distance of 200 feet outside of the limits of disturbance.
- g. Show proposed truck and equipment access to the lot, including roadway and access improvements proposed.
- h. Show the location of wooded areas, existing buildings and structures and the location of any proposed buildings and structures within the limits of disturbance and within a distance of 200 feet outside of the limits of disturbance.
- i. Any proposed temporary or permanent screening of the excavation operation, such as by berms, fences, and landscaping.
- j. The location, size, use and architectural design of all existing buildings and structures.
- k. The location of all property lines and structures within 200 feet of the property boundary.
- l. Existing soil types, wetlands, and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of six inches (6") or greater as measured 4.5' from the ground level (Direct Breast Height, or dbh).
- m. The location and capacity or number of all existing and proposed roads, driveways, parking and loading areas, including access and egress drives.
- n. The location of outdoor storage areas.
- o. The location of fire access roads and fire protection features.
- p. The location, description, and design of all existing and proposed site improvements, including building footprints, pavement, walkways, curbs, ~~sing~~, drains, culverts, retaining walls, fences, parks, open spaces, and recreation areas.
- q. The location, design and description of water supply and sewage disposal facilities.
- r. The location, design, and description of stormwater management facilities, including proposed grading plan.
- s. The location, height, and species of landscape plantings on a landscape plan.
- t. The character and location of all power distribution and transmission lines.
- u. The location and description of all subsurface site improvements and facilities.
- v. The location of any processing equipment and stockpiles.

- w. The extent and amount of cut and fill for all disturbed areas, including before-and-after profiles of typical development areas, building footprints, walkways, parking lots, driveways, and roads.
 - x. The total amount of cut and fill in cubic yards.
 - y. The average existing grade and the average proposed grade and depth of excavation.
 - z. Adequate provisions for the handling of stormwater runoff, including retention/detention, piping, or channeling to existing or proposed drainage systems during and after construction.
 - aa. Proposed phasing of development.
 - bb. A rock removal or blasting plan as determined to be required.
 - cc. If blasting is found to be required, a baseline potability and pollutant study and monitoring plan during and post-construction of surrounding wells. Test parameters and the location of the wells to be tested will be determined.
 - dd. Restoration or reclamation plan as determined to be required.
 - ee. A signature block for Town Board endorsement of approval.
 - ff. The name and address of the owner of the property proposed for development, along with the signature of said owner.
 - gg. The name and address of the applicant, if different, along with the signature of said applicant.
 - hh. At the request of the Town or Planning Board, any other pertinent information or materials determined to be necessary to assist in the review and evaluation of the proposed special use permit for excavation and provide for the proper enforcement of this chapter.
2. A Full Environmental Assessment Form (Full EAF) together with any supporting documents or other material intended to expand or clarify information contained in the Full EAF intended to assist the Town in the review of this project.
 3. A complete copy of all application materials submitted to the NYSDEC pursuant to Article 23, Title 27 of the Environmental Conservation Law, if applicable.
 4. A stormwater pollution prevention plan (SWPPP) consistent with the requirements of Town of Kent Town Code Chapter 66. The SWPPP shall meet the performance and design criteria and standards in Chapter 66, Article IV. The approved special use permit shall be consistent with the provisions of Chapter 66.
 5. A narrative addressing the following and such additional information deemed appropriate by the Town Board:
 - a. An evaluation of the proposed excavation activity relative to surrounding land uses, including an evaluation of potential environmental impacts, including but not limited to noise, dust, and visual impacts on surrounding land uses.
 - b. The duration of the operation through to site restoration, proposed hours and days of operation and the program for staging the site preparation, excavation and restoration in time and geographic sections.
 - c. The program of measures to be undertaken for control of noise, dust, soil erosion and sedimentation, water pollution, and the mitigation of visual impacts,

including outdoor illumination, and elements of a reclamation plan for the area of the lot to be subject to the excavation activity.

- d. An estimate of the number of vehicles expected to enter and exit the lot on a daily basis and at peak hours, and description of any roadway capacity and safety improvement proposed on the streets giving access to the lot.
- e. Description of the nature and capacity of any processing equipment proposed to be established on the lot.

J. Waiver of Requirements and Standards

1. Where the ~~Town Board and/or~~ Planning Board finds that certain application requirements, data and information, set forth in section I, above, and standards as set forth in section K, below, are not required or are unnecessary to review the application for a special use permit and the potential effects of proposed excavation, it may waive specific requirements or standards upon written request of the applicant; provided that such waiver will not have the effect of nullifying the intent and purpose of this chapter or any chapter of the Town Code, or the State Environmental Quality Review Act.
- ~~2. Where the Board finds that, due to the special circumstances of a particular application, the provision of certain required improvements or adherence to a certain specific standard is not required to further the interest of the public health, safety and general welfare, or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the site of the special use permit, it may waive such requirements or standards, subject to appropriate conditions as deemed appropriate by the Town Board and/or Planning Board. The Board shall state on the record the reasons supporting any waiver that may be granted.~~
- ~~3-2.~~ In granting waiver(s), the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

K. Performance Standards

The excavation activities shall conform to the following standards and conditions:

1. There shall not be any vegetation removal, clearing of the land or alteration of the site without first obtaining a special use permit for excavation from the Town Board.
2. There shall not be any vegetation removal, clearing of the land or hydrological alteration of any Town of Kent jurisdictional wetland, watercourse, and/or waterbodies and associated buffers without first obtaining a special use permit for excavation from the Town Board.
3. All excavation activities shall conform to the information, report, maps, plans and conditions approved by the Planning Board and Town Board.
4. The lot will be excavated and graded within the limits shown on the approved plans and in conformity with the proposed contour plan as approved.
5. The measures for noise, visual, soil erosion and sediment control will be installed, maintained, and completed in accordance with all approvals and permits.
6. The slopes will not exceed one foot of rise for two feet of horizontal distance or such lesser slope that the Planning Board may specify as necessary for the public health and

safety, soil stability or for the reasonable use of the property after completion of the operation.

7. There will be no excavation, processing or grading or removal within 50 feet of any property or street line, or a greater or lesser distance if approved by the Town Board.
8. There shall be no sharp declivities, pits or depressions, and proper drainage will be provided to avoid stagnant water, soil erosion and water pollution during and upon completion of operations.
9. The permittee shall maintain and repair all streets and roads affected by the conduct of the excavation operations and by the transport of any and all materials to and from the site and within the site; and such work shall be completed within the time provided for in the permit.
10. The lot will be cleared of all debris within the period for which the excavation permit is granted.
11. Except in the location of wetlands and watercourses and exposed ledge rock, the topsoil for a depth of twelve inches will be set aside and retained on the lot and will be respread over the excavated or graded area as the work progresses, that an approved ground cover will be planted and grown to an erosion-resistant condition upon the completion of the excavation or removal in accordance with the approved contour lines and that such work be completed within the period for which the local excavation permit is granted.
12. If required by the Town Board, the area to be excavated or a portion thereof shall be enclosed within a fence of such type, height, and location as the Board approves.
13. A schedule shall be established setting forth the following:
 - a. Limitations on the day of the week and the hours of the day during which any work, including or rock chipping, drilling, processing, or hammering, or blasting may be performed on the lot, in compliance with Town of Kent noise regulations.
 - b. The place and manner of disposal on the lot of excavated material.
 - c. Requirements as to the control of dust, noise, and lighting.
14. The applicant shall submit weekly reports, prepared by and bearing the seal of an engineer, showing the status and progress of the excavation activity to the Town Building Inspector.

L. Performance Bond and Insurance

1. Performance bond

In order to ensure the full and faithful completion of all construction activities related to compliance with all conditions set forth by the Town in its issuance of special use permit for excavation, the owner or applicant shall provide, as a condition of approval, a performance bond, supported by sufficient security in the form of cash bond, surety bond, a cash escrow account, irrevocable letter of credit or certified check drawn upon a national or state bank or other cash equivalent, which guarantees satisfactory completion of the project and names the Town as the beneficiary. The security shall be in an amount to be determined based on submission of final design plans. The amount of the performance bond shall be based on the submittal of a detailed cost estimate, which shall be reviewed by the Town Engineer, who shall report said recommendations to the Town Board.

- a. The bond shall be conditioned that any affected land shall be restored in conformity with the approved excavation permit and plans and the standards set forth by this section.
- b. In the event of default in compliance with the excavation permit and plans or the terms of this section, the letter of credit or surety bond shall be forfeited to the Town.
- c. The Town shall return to the operator any bonded amount that is not needed to cover the expenses of restoration, administration and any other expenses reasonably incurred by the Town as a result of the applicant's failure to comply with the terms of the excavation permit and plans of this section.
- d. The security shall remain in full force until the applicant and/or developer is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work covered under the permit and/or any phased development plan associated therewith and all improvements have been constructed and completed in accordance with all plans, specifications and approvals.
- e. In the event of a proposed transfer of an excavation permit and plans, the Town Board shall require the filing of a certificate from the surety company issuing the bond then in effect, continuing the same bond as to the new permit holder or certifying that a new bond has been issued. In the absence of such certificate, no transfer of a permit will be allowed.
- f. The required bond amount pursuant to this subsection shall be reviewed on a yearly basis to assure that a fair and reasonable bond is available to the Town should any default in performance of the requirements of the permit or this section occur.
- g. At its discretion, the Town may accept cash or certified check, negotiable bonds of the United States government, United States Treasury notes, United States Treasury certificates of indebtedness, United States Treasury bills, bonds or notes of the State of New York, bonds of any political subdivision in the agency or of other New York State agencies or authorities, or bonds of public corporations of the State of New York, and irrevocable bank letter of credit, a certificate of deposit, or other forms of financial security acceptable to the Town. Acceptable substitutes, if furnished, shall be kept on deposit with the Town Clerk for the duration of the bond period. Any cash received pursuant to this section shall be maintained in an interest-bearing account, which interest shall accumulate during the life of the account and shall be refunded to the depositor when the cash is refunded.

2. Insurance

After approval of the application and before issuance of any permit, the applicant shall present to the Town certificates of insurance evidencing liability insurance coverage. The minimum acceptable liability coverage for any permitted excavation and phased development plan shall be \$2,000,000. The liability coverage shall be maintained throughout the period of permit activity. The certificates of insurance shall provide for a thirty-day minimum notice period to the Town before cancellation of coverage.

M. Enforcement; penalties for offenses.

1. Notice of violation. When the Town determines that excavation and/or land disturbance is not being carried out in accordance with the requirements of this chapter, it may issue a written notice of violation to the landowner. The notice of violation shall contain:
 - a. The name and address of the landowner, developer, or applicant.
 - b. The address, when available, or a description of the building, structure, or land upon which the violation is occurring.
 - c. A statement specifying the nature of the violation.
 - d. A description of the remedial measures necessary to bring the land development activity into compliance with this chapter and a time schedule for the completion of such remedial action.
 - e. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed by the Town.
 - f. A statement that the determination of violation may be appealed to Town Board by filing a written notice of appeal within 15 days of service of notice of violation.
2. Stop-work orders. The Town may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all excavation and/or land disturbance, except those activities that directly remedy the violations leading to the stop-work order. The stop-work order shall be in effect until the Town confirms that the excavation and/or land disturbance is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this chapter.
3. Violations. Any excavation and/or land disturbance that is commenced or is conducted contrary to this chapter may be restrained by injunction or otherwise abated in a manner provided by law.
4. Indemnification of Town. If the NYSDEC shall serve a notice of violation upon the Town, bring an administrative complaint against the Town, and/or commence a civil suit against the Town due to a violation of State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4) GP-02-02, as may be amended from time to time, and such notice of violation, administrative complaint, or civil suit is a result of, due to, a consequence of, or the outcome of the actions of a person who has violated the provisions of this chapter, then said person shall indemnify the Town for any and all fines, damages or penalties imposed by the NYSDEC upon the Town.
5. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine as indicated in the most recent schedule adopted by the Town Board, or imprisonment for a period not to exceed six months, or both.
6. Withholding of certificate of occupancy. If any excavation and/or land disturbance conducted in violation of this chapter, the Town may prevent the occupancy of said building or land.

7. Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

N. Term of Special Use Permit termination, expiration, and revocation

1. Special use permits may terminate with any change of use, expansion of use, failure to abide by the conditions of the special use permit or misrepresentation on an application.
2. A special use permit approval shall be void if construction is not started within one year of the date of Town Board approval and completed within two years of the date of such approval. Prior to its expiration, the special use permit approval may be renewed by written request of the applicant for up to two additional ninety-day periods.
3. Other special use permits granted for a particular operation shall terminate at the completion of the operation or upon expiration of the permit. Such limitation shall be specified as a condition of the special use permit.
4. No less than 30 days prior to the expiration of a special use permit, the applicant or permit holder shall make application to the Town Board for a renewal. Where the applicant is in full compliance with the previously approved conditions, including the requirements and standards in this chapter, the permit shall be renewed. Where the Code Enforcement Officer finds that the applicant is not in compliance with those decisions, the application shall be referred to the Town Board for review.
5. Upon notice of violation issued by the Code Enforcement Officer, the holder of a special use permit may remedy the violation within a period of 30 days, request a hearing before the Town Board or forfeit the special use permit which shall be revoked and become null and void.

O. Appeals

Any person or persons jointly or severally aggrieved by any decision of the Town Board may apply to the Supreme Court of the State of New York for relief through a proceeding under Article 78 of the Civil Practice Law and Rules of the State of New York. Such proceedings shall be governed by the specific provisions of Article 78 except that the action must be initiated as therein provided within thirty calendar days after the filing of the Board's decision with the Office of the Town Clerk.

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this chapter.

NYS Department of Transportation (DOT) – Transportation Alternatives Program (TAP) Grants Programs FY23

Deadline: The following is a breakdown of important dates related to this program

- | | |
|-------------------------------|---|
| • September 29, 2023 | Application Opens |
| • October 11, 2023 at 9:00 AM | Informational Webinar (Mandatory) |
| • October 19, 2023 at 9:00 AM | Informational Webinar (Mandatory) |
| • November 28, 2023 | Pre-Review Requests Deadline (Optional) |
| • January 9, 2024 at 5:00 PM | Application Deadline |
| • May 1, 2024 | Awards Announced |

Amount: The following is a breakdown of information related to program funding

- \$103,000,000 total funding
- \$5,000,000 maximum award
- \$500,000 minimum award
- 20% match required (cash or in-kind)
- 24-month project period

Please note: Applicants are restricted to two awards per funding cycle. Funding will be distributed on a reimbursement basis.

Eligible Applicants: The following entities are eligible to apply for funding through this program

- Municipalities
- Counties
- Regional Transportation Authorities
- Transit Agencies
- Natural Resource or Public Land Agencies
- Tribal Governments
- Governmental Transportation or Recreational Trail Entities

Please note: An agreement between the organization and Sponsor is required prior to project implementation.

Overview: Through the TAP Grants Programs, NYSDOT supports bicycle, pedestrian, multi-use path and transportation related projects and programs that support the goals of New York’s nation-leading Climate Leadership and Community Protection Act (CLCPA). Eligible expenses include planning, design or engineering services, right-of-way acquisition, construction, and construction inspection. TAP funds a variety of transportation-related projects which increase options for non-vehicular transportation including:

- Planning, design, and construction of infrastructure-related projects to improve non-driver safety and access to public transportation and enhanced mobility;
- Construction of turnouts, overlooks, and viewing areas;

- Safe Routes to School;
- Planning, design, and construction of on-road and off-road facilities for pedestrians, bicyclists, and non-motorized transportation users;
- Conversion and use of abandoned railroad corridors to trails for pedestrians, bicyclists, and non-motorized transportation users;
- Planning, design, and construction of boulevards and other roadways largely in the right-of way of former divided highways;
- Community improvement activities (inventory, control, or removal of outdoor advertising, preserve historic transportation facilities, vegetation management practices, archeological activities); and
- Environmental mitigation activities.

Past Recipients: The following entities have previously received funding through this program

- (2021) Village of Mamaroneck, NY: Funding will be used to construct sidewalks, curbs, traffic calming measures, pedestrian crossing along Halstead Avenue (\$3,999,420)
- (2021) Village of Valley Stream, NY: Funding will be used to construct approximately a multi-use path to link to existing paths to the Long Island Rail Road (\$1,774,714)
- (2021) Town of Hyde Park, NY: Funding will be used to construct sidewalks and pedestrian lighting on Historic Main Street (\$1,085,000)

Please note: [A link to a full list of FY21 TAP, CMAQ, and CRP Grants Program Awards](#)

Application Delivery: The below information is intended to assist with program submission details

- Primary Program Contact:
 - TAP-CMAQ@dot.ny.gov
 - [Contact list](#)
- Application Submission:
 - Submit application via [NYS Grants Gateway](#)
- Applicants must first complete the following steps before submitting an application:
 - Mandatory: Applicants must attend one of the following webinars in order to apply:
 - October 11, 2023 at 9:00 AM. Register [here](#).
 - October 19, 2023 at 9:00 AM. Register [here](#).
 - Optional Application Pre-Review. Participation in the Application PreReview, though strongly encouraged, is optional. The Pre-Review process provides Sponsors input on the proposed project scope, budget, right-of-way, schedule, potential environmental and cultural resource impacts, and significance, etc.
- Additional information or resources to assist with application development:
 - [FAQ documents](#)
 - [2023 TAP-CMAQ-CRP Guidebook](#)
 - [TAP Information](#)

Additional Information: [Visit Here for Further Guidance](#)

Jaime McGlasson

From: Anne Campbell
Sent: Friday, October 13, 2023 12:35 PM
To: Jaime McGlasson
Cc: Claudia Dworaczyk
Subject: Project #2 for 2022 CREST funding (project 1 is the statue)
Attachments: Kent Proposal_v2.pdf; Town of Kent NRI App Proposal.docx; Q-506353-20230926-1419.pdf

We plan to apply for \$50,000 in CREST funding (2022 allocation) to create digital mapping tools for conservation planning:

This project entails developing an interactive map that integrates resources and conservation information into a single website. Users with no expertise in digital mapping tools will be able to select a portion of the town or even a specific parcel by tap map number and view different map layers. A similar tool is in use in Gardiner, NY. <https://tognri.maps.arcgis.com/apps/MapSeries/index.html?appid=316635524fec43afa6367bb21c2c10c4>. This information will be used by the town board, planning board, planning consultant, environmental consultant, engineer, and zoning as well as residents, and developers. Completing this project will ensure that the information developed through the NRI and the groundwater study will be used.

The map information that will be made available has two components:

1. The Kent Natural Resources Inventory. The NRI is nearly complete and has approximately 30 digital maps showing natural resources and features of the town
2. Groundwater maps. Part of the project involves developing a groundwater protection plan and creating maps of groundwater resources.

Total project cost (see attached quotes)

Mapping tool	\$22,000
Groundwater study and maps	\$33,000
ESRI software license	\$ 3,640
Optional: integration of all maps with program used by Town Assessor	\$1,200

Total: \$59,840

Anne B. Campbell
Kent Town Council Member
(845) 225-1895
acampbell@townofkentny.gov



August 31, 2023

Anne Campbell, Councilwoman
Town of Kent
Kent Town Hall
25 Sybil's Crossing
Kent Lakes, New York 10512

**RE: Revised Proposal for a Groundwater Resources Study and Protection Plan
LaBella Proposal #P2304893 SENT VIA E-MAIL**

Dear Ms. Campbell:

Thanks again for our most recent conversation, and I am very glad that the Town of Kent has decided to utilize American Rescue Plan Act (ARPA) funds to map and protect its vital groundwater resources. Based upon the information you previously sent and some additional research, LaBella Associates, DPC ("LaBella") is pleased to present this revised proposal for a Kent Groundwater Resources Study and Protection Plan. As we have discussed, the contents of this study follow the general approach that I utilized with towns when I worked for the New York Rural Water Association, but also incorporates the methodology that LaBella (formerly Chazen) utilized with local towns (e.g., Town of Philipstown). It now also optionally includes another task consistent with New York State's Drinking Water Source Protection Program (DWSP2) which LaBella works on with the State for other communities. As you recall, this program is designed to add protection to the recharge areas of public drinking water sources. The discovery of per- and polyfluoroalkyl substances (PFAS) compounds above New York State drinking water standards in both the Kent Water Districts #1 and #2 groundwater only underscores the importance of local source water protection.

PROJECT UNDERSTANDING

The Town of Kent has worked with Hudsonia Ltd. and local volunteers with funding from the NYSDEC Hudson River Estuary Program to develop a Natural Resources and Biodiversity Inventory (NRI). Kent is solely dependent upon groundwater for its drinking water supply source. Approximately seventeen percent of the Town's population relies upon public water systems with well sources. This includes Kent Water Districts 1 and 2. The remainder of Kent's population is dependent upon individual, private wells. In conjunction with the preparation of the NRI, the Town has concluded that more detailed groundwater resource mapping and protection planning efforts are desired. It intends to utilize ARPA funds for this purpose.

SCOPE OF SERVICES

We offer the following revised scope of services which we believe are needed to accomplish the objectives outlined above. The fees associated with these phases are included in the fee schedule summary table which follows the scope of services. A project schedule follows as well.



Phase 1: Groundwater Resource Inventory and Mapping

LaBella will inventory and compile readily available existing data on public and private water wells in Kent from: (1) the Putnam County Health Department if available; (2) NYSDEC Water Well Contractors Program; (3) the United States Geological Survey (USGS); and (4) local water well drillers. Well data will be mapped digitally using ArcGIS. In addition to water well data, geological mapping will be assembled and digitized as necessary. Linear features often characteristic of bedrock fracture zones will be compiled from existing state- and county-level reports.

Detailed surficial geologic and unconsolidated aquifer datasets will be generated by LaBella hydrogeologists based upon Natural Resources Conservation Service (NRCS) digital soil series mapping, NYS Geological Survey mapping, water well completion reports (logs), and site reconnaissance (including visits to the Town's public water supply wells).

Maps of the compiled water well data, surficial geology, unconsolidated aquifers, bedrock geology, fracture traces, approximate groundwater level, and flow directions will be prepared at a scale appropriate for local land use planning efforts.

Phase 1a: Map Recharge Areas for Kent Water District #1 and #2 Wells (Optional)

As part of the DWSP2, drinking water source protection areas are delineated for municipal water supplies. In general, for groundwater sources, there are three areas identified: (1) the source parcel(s) referred to as the Ownership and Control Area; (2) the Critical Source Area; and (3) the Extended Source Area. The Critical Source Area is the area that contributes water to the wells between a 1-year and 5-year period. The Extended Source Area is the remaining land area that contributes recharge to the wells. LaBella has delineated protection areas for several municipal groundwater systems across New York State under the DWSP2 and would utilize existing information to do this for the Kent Water District #1 and 2 wells. These areas would be mapped digitally using ArcGIS and presented in the Groundwater Resource Report. This phase of work has been presented in this proposal as an optional deliverable since understanding these areas should be helpful to Kent's land use planning activities.

Phase 2: Compilation of Groundwater Quality Data

As part of this study, LaBella will obtain water quality information on 36 different public water systems (PWS) in Kent. This includes 9 community and 6 non-transient, non-community water systems. These systems sample for a more detailed suite of water quality parameters. Background water quality will be determined based upon this existing dataset. The other 21 systems are transient, non-community water systems and largely test for only nitrate and bacteria. Trends in nitrate levels, as available, will be analyzed across Kent.

Other readily available sources of groundwater quality data in Kent will be compiled. This could include other sampling from the Putnam County Department of Health and other studies.

Phase 3: Inventory Potential Contaminant Sources

Several potential sources of contamination are regulated by government agencies such as the NYSDEC. Some others are not. LaBella will conduct an inventory of potential sources of contamination. This inventory will include databases such as: wastewater dischargers (SPDES facilities); waste generators, transporters, and storers (RCRA); hazardous waste sites (Superfund); petroleum bulk storage facilities; and active spills. LaBella will also use property classification codes



from the New York State Office of Real Property Services to identify largely non-regulated uses that could be considered as potential contamination sources. The purpose of this Phase is to characterize classes of potential contamination, but will not include direct investigation of specific sites.

Phase 4: Hydrogeologic Analyses

Analyses will be conducted to determine the potential impacts of future development. With the aid of GIS, LaBella will identify: (1) what areas of Kent have hydrogeologic settings that are sensitive to future development; (2) what intensity of development is appropriate to preserve groundwater quality and quantity. As part of this Phase, LaBella will consider approximate aquifer recharge rates and nitrate loading models to identify where existing development may be more dense than advisable for long-term dual aquifer use for both private wells and private septic systems.

Phase 5: Development of Groundwater Protection Measures

LaBella will work with Town of Kent officials and volunteers to help develop groundwater protection measures to protect water resources and encourage future development where it is best suited. As part of this effort, we are recommending the forming of an ad-hoc stakeholder group with representatives of various Town boards and committees as well as citizens interested in water resource protection. LaBella is budgeting for 3 meetings (virtual) and preparation of a written summary of resulting recommended groundwater protection methods. There are a number of groundwater protection measures that can be chosen. Some of these are regulatory in nature. Others are non-regulatory. Measures could include promulgation or amending of land use regulations, environmental review, open space planning, and education.

Phase 6: Groundwater Resource Report

LaBella will prepare a report that summarizes the data collected, the nature and occurrence of groundwater resources across Kent, the existing and potential threats to groundwater resources, and the recommended groundwater protection methods that are chosen by the stakeholder group in conjunction with LaBella. Several detailed maps (plates) will be prepared that will be useful for local officials (and citizens) to evaluate and understand groundwater conditions. The GIS data from the Groundwater Resource Report can be utilized by the Town if it wishes to present it online along with the maps from the NRI. Costs for constructing a web map viewer are not included in this proposal. The review and plan development process we are recommending is a simplified version of the NYS DWSP2 process tailored to the Town Kent's NRI and local planning purposes.

PROFESSIONAL SERVICES FEES

LaBella proposes to bill each task as indicated in the following fee summary. Invoices will be issued monthly for all services performed during that month and are payable upon receipt.

Work will be billed commensurately with the percentage of the lump sum phase that has been completed.



Phase	Lump Sum
Groundwater Resource Inventory and Mapping	\$ 12,000
Compilation of Groundwater Quality Data	\$ 3,000
Inventory Potential Sources of Contaminant Sources	\$ 3,000
Hydrogeologic Analyses	\$ 3,000
Development of Groundwater Protection Measures	\$ 3,000
Groundwater Resource Report	\$ 4,000
Project Total	\$ 28,000
Optional Phase: Map Recharge Areas for Kent Water District #1 and #2 Wells	\$ 5,000

PROJECT SCHEDULE

Phase	Time To Complete
Groundwater Resource Inventory and Mapping (including optional phase)	6 weeks
Compilation of Groundwater Quality Data	4 weeks
Inventory Potential Sources of Contaminant Sources	4 weeks
Hydrogeologic Analyses	3 weeks
Development of Groundwater Protection Measures (meetings to be held concurrently with completion of above work phases)	3 weeks
Groundwater Resource Report	4 weeks
Project Total	27 weeks ≈ 6 months



As always, please feel free to contact me at (518) 540-4933 or swinkley@labellapc.com if you have any questions. LaBella looks forward to working with the Town of Kent on this important project. When you are ready to proceed with this project, please contact me and I will prepare the professional services agreement which references our contract terms.

Respectfully submitted,

LaBella Associates

Steven Winkley, PG
Senior Hydrogeologist



September 27, 2023

Anne B. Campbell, Kent Town Councilmember
Town of Kent
25 Sybil's Crossing
Kent Lakes, New York 10512

*Re: Proposal for Professional Services
Web Based Mapping for Natural Resources Inventory
Town of Kent, Putnam, New York
Proposal No.: 2305291*

Dear Ms. Campbell:

To help educate the public with its 2023 Natural Resource Inventory study (NRI), the Town of Kent is seeking a qualified consultant to create a public facing web mapping application. The goal of the NRI study is to provide the public and local government agencies with an overview of the current state of the historic and natural resources in the Hudson River Valley. To implement this goal, the Town of Kent would like to leverage the power of a web-based application to encourage the public to analyze and utilize the data at greater depth. In addition, the Town of Kent is accepting proposals for a Groundwater Resources Study and Protection plan in collaboration with the NRL LaBella's hydrogeologist team is also providing a proposal to complete that process.

The NRI report lends itself well to visualization and interaction through a GIS platform. The Data Intelligence Group at LaBella is uniquely qualified to meet the needs of this project with experience in map authoring, configurable application development, and a high degree of attention towards client requirements and goals. Our GIS analysts tasked with this project will utilize web application design, cartographic and data visualization techniques to meet the needs of The Town of Kent. Through methodical project management and effective client communication, we plan to exceed the expectations of The Town of Kent. We are looking forward to working side-by-side with that team, and incorporating any geospatial data generated by the groundwater study into the NRI web application, in addition to the existing NRI data.



We are hopeful at the opportunity, and ready to work on this project for your community. Please feel free to contact Greg Coniglio with any questions or ideas at GConiglio@Labellapc.com (716) 316-9852. We appreciate having you consider us as a partner in this project and are eager to hear back from you soon.

Sincerely,

Greg Coniglio | LaBella Data Intelligence Group

PROJECT APPROACH



The Data Intelligence Group at LaBella Associates has extensive experience in managing geospatial data, migrating data into web GIS systems, and designing interactive, aesthetic, user-friendly applications. We propose developing an ArcGIS Experience Builder web application that allows searching, measuring, printing, and exporting data within an attractive and intuitive framework. We propose using ArcGIS Experience Builder, as it is the next generation of Esri's configurable application frameworks and will ensure longevity of the application. The flexibility of Experience Builder will provide the ability to design this application specifically to suit the preferences of the Town. It also will allow us to design this as a baseline application – allowing for future growth should the Town want to add additional modules to it in the future.

PROJECT TASKS

Task 1: kick-off

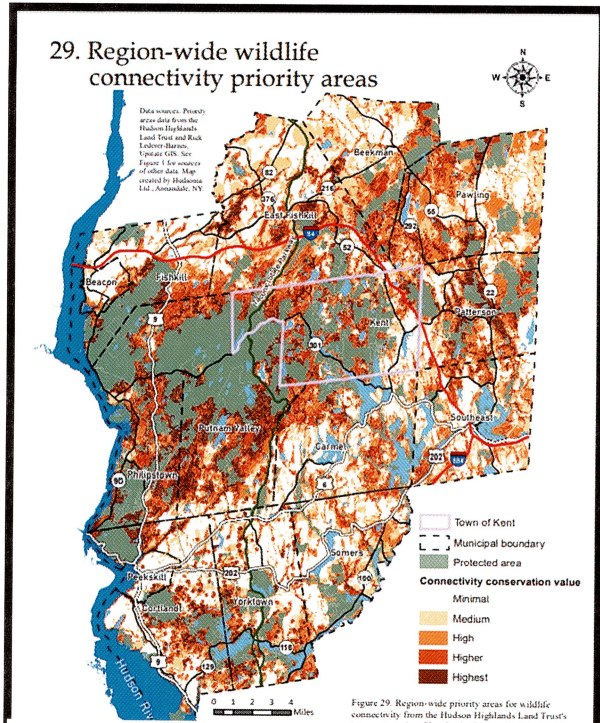
We believe any successful project is defined by clear and consistent communication. We propose to begin this project by hosting a Microsoft teams-based project Kick-Off meeting. We will introduce our project team, discuss roles and responsibilities, review schedule, and the specifics of our upcoming tasks. Specifically, we will demonstrate an application layout or wireframe for the Town of Kent to provide feedback and offer additional requirements before the official build out. A wireframe is an illustration showing a proposed graphic design for proposed web applications. They are used to preview with clients how the project to be designed will look when completed.

This project is defined by two

and Processing, and Application Design. All tasks

major tasks: Data Management

will occur within the ArcGIS ecosystem -



Example of GIS maps generated from static data provided by NRI.

utilizing ArcGIS Pro for data ingestion and publishing, and ArcGIS Online for hosting data and authoring information products. The deliverable will be a series of tabbed web maps and an Experience Builder application. Completion of this project will result in a complement of the static and textual Natural Resources Inventory that is interactive, dynamic, and map centric. The final project will be hosted on the Town of Kent's newly acquired ArcGIS Organizational Instance. That will be acquired from, and set up from Esri, as a parallel effort to this project. That approach will ensure that the Town maintains future management and ownership rights over the application developed.

Task 2: Data management and Processing

Prior to beginning the development of the web mapping application, LaBella will assist the Town of Kent in procuring an ArcGIS Online license and any additional licenses needed. Esri has already provided the Town with a software quote to host its own ArcGIS Online Organizational Instance. The team will facilitate communication with Esri to ensure ease in obtaining licenses. Upon purchase of necessary licenses, LaBella will help the Town create an account for the team to perform work in the Town of Kent ArcGIS Online environment and ensure a smooth eventual transfer of developed products. The team will receive current NRI and groundwater study data as shapefiles or file geodatabase and ingest data and publish to the Town of Kent ArcGIS Online organization. In collaboration with the town, we will group layers together for the most user-friendly user experience.

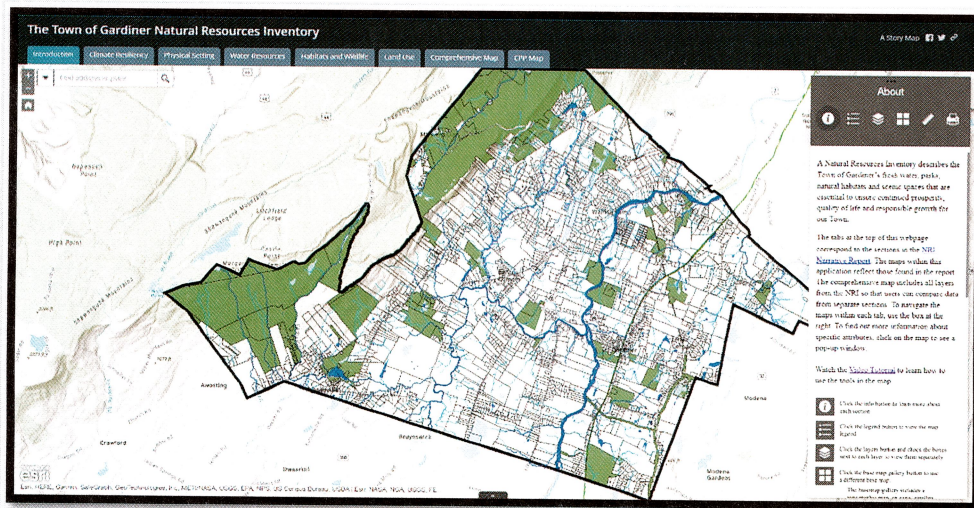
We will author composite maps to simplify the number of distinct maps contained within the application.

Common Name	Scientific Name	General Habitat	NYS Conservation Status					Data Source
			Hudson River Valley Priority Bird	Species of Greatest Conservation Need xx	= high priority	Special Concern	Threatened	
Birds (cont.)								
osprey	<i>Pandion haliaetus</i>	open water, wetland	x			x		EBIRD
northern goshawk	<i>Accipiter gentilis</i>	forest	x	x		x		NYBBA
peregrine falcon	<i>Falco peregrinus</i>	cliff	x	x			NY	EBIRD
pied-billed grebe	<i>Podilymbus podiceps</i>	wetland	x	x			NY	EBIRD
prairie warbler	<i>Dendroica discolor</i>	young forest, shrubland	x	x				NYBBA
purple finch	<i>Carpodacus purpureus</i>	forest	x					NYBBA
red-headed woodpecker	<i>Melanerpes erythrocephalus</i>	forest	x	xx		x		PHAS
red-shouldered hawk	<i>Buteo lineatus</i>	forest	x	x		x		NYBBA
rose-breasted grosbeak	<i>Pheucticus ludovicianus</i>	forest	x					NYBBA
ruffed grouse	<i>Bonasa umbellus</i>	young forest, shrubland	x	x				PHAS

Sample of tabular data to be represented by the application.

Task 3: Application design

We will develop an attractive and intuitive framework that satisfies the Town of Kent’s requirements for both application design and functionality. As requested, the design will be comparable to The Town of Gardiner Natural Resources Inventory Story Map. In this phase, we will further refine specific project requirements and desired components.



The Town of Gardiner Natural Resources Inventory application

The application will be built in ArcGIS Experience Builder, Esri’s modern configurable application development tool that offers design flexibility and the ability to make modifications or extend the application in the future. Experience Builder is a no-code platform for building compelling web apps. We will design a template and perform a review cycle with the Town to ensure satisfaction before completing configuration and perform another review cycle after development has been completed. The application design will comply with ADA requirements, and will contain the following features:

- Multiple “map tabs” representing each layer group that is published.

- About section describing the project.
 - Standard Map and Layer tools (zooming, layer visibility, etc.).
 - Map Legend.
 - Measurement Tools.
 - Print and Export capability.
-
- Address Search.
 - Shapefile exports (for applicable data).
 - Ability to add additional out-of-the box widgets as needed

We welcome feedback throughout the design phase and will use an iterative process of displaying the status of the application to the client and amending the application as needed. Finally, we will provide application access to the client for usability testing prior to launch.



An example of Experience Builder application: City of Boulder's open space application containing maps and documents for ecological and agricultural resources, land uses & context.

Assumptions:

- To be efficient, we request that the data and maps be delivered as Esri ArcGIS map packages with the desired symbology and configuration from the client. This is the most effective way for the client to communicate which data is needed, and how it should appear on the site.
- We assume the Town will maintain the application upon completion of development. If desired, LaBella is happy to provide an additional quote for on-going support and maintenance.
- Esri software licensing costs are not included in this fee. The Town of Kent will work with Esri on a parallel effort to obtain the necessary ArcGIS Desktop and Online software. (LaBella will help facilitate that effort as a part of this scope.)

Proposed Fee:

Our proposed lump sum fee for this project is:

APPROX HOURS	LUMP SUM COST
180	\$22,000

If you have any questions, please don't hesitate to contact me directly at gconiglio@labellapc.com. Thank you for this opportunity. LaBella is excited to help the Town of Kent with its GIS and NRI needs!

Sincerely,



LABELLA ASSOCIATES, D.P.C.
Greg Coniglio
LaBella Data Intelligence Group



Environmental Systems Research Institute, Inc.
 380 New York St
 Redlands, CA 92373-8100
 Phone: (909) 793-2853
 DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Quotation # Q-506353

Date: September 26, 2023

Customer # 476294 Contract # 305303

Town of Kent
 Land Use Dept
 41 Kent Green Blvd
 Kent, CT 06757

ATTENTION: Ann Campbell
 PHONE: (860) 927-4625
 EMAIL: acampbell@townofkentny.gov

*To expedite your order, please attach a copy of this quotation to your purchase order.
 Quote is valid from: 9/26/2023 To: 12/25/2023*

Material	Qty	Unit Price	Total
165536 ArcGIS Online GIS Professional Standard User Type Annual Subscription	1	\$2,978.17	\$2,978.17
153148 ArcGIS Online Creator Annual Subscription	1	\$542.04	\$542.04
153418 ArcGIS Online Credits; Block of 1,000	1	\$120.00	\$120.00

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Gerard Aiken	Email: gaiken@esri.com	Phone: (909) 793-2853 x3780
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EMAIL: acampbell@townofkentny.gov

Subtotal:	\$3,640.21
Sales Tax:	\$0.00
Estimated Shipping and Handling (2 Day Delivery):	\$0.00
Contract Price Adjust:	\$0.00
Total:	\$3,640.21

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Quoted Advantage Program items are subject to the Esri Advantage Program terms and conditions and can be found here: <https://www.esri.com/content/dam/esrisites/en-us/media/legal/services/e204ap.pdf>

NY State contract details can be found here:

Information Technology Umbrella Contract – Manufacturer Based:
<https://ogs.ny.gov/purchase/snt/awardnotes/7360022802can.HTM>

PLEASE REFERENCE the above contract on your Purchase Order or Ordering Document.

Esri Federal Employer ID: 95-2775732

Please address purchase orders to:

Esri

380 New York St, Redlands, CA 92373

For software downloads and authorization numbers necessary to install and activate your product(s), go to MyEsri.com. If you require physical media, please work with your Esri representative to add the appropriate media kit to your quotation.

*Thank you for your interest in the products and services offered by Esri. I have provided a quotation per your request. Please review the attached "Terms and Conditions" guidelines prior to submitting your order. To place an order for the items referenced in this quote, please follow the instructions provided below:

PURCHASE ORDER: Send your digital, faxed, or original signed purchase order to Esri Customer Service for processing. Faxes may be sent toll-free to (909) 307-3083.

CREDIT CARD: If you would like to purchase the items on the quotation via credit card, please call (800) 447-9778 and reference this quotation.

CHECK/MONEY ORDER: Please mail a copy of your quotation and payment to Esri, P.O. Box 741076, Los Angeles, CA 90074-1076.

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For questions contact: Gerard Aiken	Email: gaiken@esri.com	Phone: (909) 793-2853 x3780
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If you have made ANY alterations to the line items included in this quote and have chosen to sign the quote to indicate your acceptance, you must fax Esri the signed quote in its entirety in order for the quote to be accepted. You will be contacted by your Customer Service Representative if additional information is required to complete your request.

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Please check one of the following:

I agree to pay any applicable sales tax.

I am tax exempt, please contact me if exempt information is not currently on file with Esri.

Signature of Authorized Representative

Date

Name (Please Print)

Title

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For questions contact: Gerard Aiken	Email: gaiken@esri.com	Phone: (909) 793-2853 x3780
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