

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

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

July 30, 2018

Mr. Matthew Biben
146 South Knapp Court
Kent, NY 10512

Re: Biben Property – TM: 10.-1-1

Dear Mr. Biben:

As requested the Planning Board recommended that your Erosion Control Bond be returned. The Town Board approved this recommendation at their meeting held on July 24, 2018. Please find attached the following items:

- Resolution #8 from the Kent Planning Board & supporting documents
- A Resolution from the Town Board recommending that \$8,273.00 be returned to you at this time
- Mahopac National Bank Check 266

If you have any questions pertaining to this matter or need anything further from the Kent Planning Board, please feel free to call.

Sincerely,



Vera Patterson
Kent Planning Board Secretary

REFERENCE	DATE	AMOUNT	
TM10.-1-1BO	07/24/18	8,273.00	VCH 200147202; EROSION CONTROL BOND REFUND FOR BIBEN PROPERTY TM 10.-1-1
VENDOR NO. SAFEGUARD MBIBEN		CHECK NO. 00000266	CHECK DATE 07/26/18
			TOTAL AMOUNT PAID *****8,273.00

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

TOWN OF KENT

25 SYBIL'S CROSSING
KENT LAKES, NY 10512



MAHOPAC NATIONAL BANK
BREWSTER, NY 10509

50-1139/219

CHECK NUMBER
00000266

CHECK DATE
07/26/18

NOT VALID AFTER 90 DAYS

*EIGHT THOUSAND TWO HUNDRED SEVENTY-THREE AND 00/100 DOLLARS*****

CHECK AMOUNT
\$*****8,273.00

PAY TO THE ORDER OF
MATTHEW BIBEN
146 SOUTH KNAPP COURT
KENT, NY 10512

Matthew Biben

⑈000266⑈ ⑆021911398⑆ 108005887⑈

Planning Kent

From: Lana Cappelli
Sent: Wednesday, July 25, 2018 12:20 PM
To: Planning Kent; Accountant
Subject: FYI

- Authorizing Release of Erosion Control Bonds

On a motion by Councilwoman McGlasson
Seconded by Councilwoman Woolley

WHEREAS, following a request by the owners of the properties, the Planning Board, at their meeting held on July 12, 2018, approved Resolution Nos. 8-10 of Year 2018 recommending the release of the erosion control bonds on the following properties in the following amounts:

<u>Address:</u>	<u>Tax Map No.</u>	<u>Bond Release</u>
146 South Knapp Court	10.-1-1	\$ 8,273.00
95 Deer Hill Court	32.-1-62	\$11,000.00
Woodland Road	10.20-1-3	\$ 6,765.00

; and

WHEREAS, the Planning Board approved Resolution Nos. 11-12 of the Year 2018 recommending the release of a portion of the erosion control bonds on the following properties in the following amounts:

Dean Road	10.-2 & 10.-3	\$ 6,988.05
Dean Road	10.-2-10.-2	\$ 8,033.04

; and

WHEREAS, Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the release of the erosion control bonds on the above referenced properties
Motion carried unanimously

Yolanda "Lana" Cappelli

Kent Town Clerk
25 Sybil's Crossing
Kent Lakes, NY 10512
845/225-2067 Telephone
845/306-5282 Fax
lcappelli@townofkentny.gov
www.townofkentny.gov

Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov

Tel: (845) 225-7802
TM: 31.17-1-7

Fax: (845)306-5283

RESOLUTION #8
Year 2018

Date: July 23, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Paul Denbaum
Bill Huestis
Jaimie McGlasson
Christine Woolley
CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att
T. Harrison - w/Att.
Finance Department -- w/Att.
Re: Request to return Erosion Control Bond to:
Matthew Biben
146 South Knapp Court
Kent, NY 10512
TM: 10.-1-1

Resolved: On July 12, 2018 the Kent Planning Board reviewed material pertaining to the property noted above and agreed that it was appropriate to comply with the request to return the Erosion Control bond in the amount of \$8,273.00 to the owner of the property.

Mr. Tolmach asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Stephen Wilhelm and seconded by Simon Carey. The roll call vote was as follows:

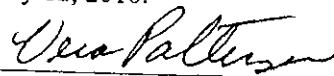
Phil Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 12, 2018.

Dated: July 12, 2018



Vera Patterson
Planning Board Secretary



Memorandum

<p>To: Planning Board Town of Kent</p> <p>From: Julie S. Mangarillo, P.E., CPESC</p> <p>Date: July 11, 2018</p>	<p>Attn: Philip Tolmach Chairman</p> <p>Subject: Erosion Control & Wetland Permit Close-out</p> <p>Project: Biben Residence Guest House Addition TM # 10.-1-1 S. Knapp Ct</p>
--	--

The following is offered for consideration by the Planning Board:

1. Stabilization Inspection:

A final stabilization inspection was conducted for this project on June 20, 2018. A previous inspection was conducted on December 8, 2017.

During the December 8, 2017 inspection, most of the disturbed area was stabilized. However, there was an area between the garage and the pond that was not sufficiently vegetated and wetland mitigation plantings had not been completed.

Via email, the owner requested the wetland mitigation planting of bushes be exchanged for decorative grasses.

During the 6/20/2018 inspection, it was observed that the decorative grasses had been planted and all disturbed areas were fully stabilized.

The previously disturbed area is now considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002.

2. Notice of Termination (NOT):

A Notice of Termination is not required for this project. The project is within the NYCDEP East of Hudson watershed but disturbed less than 5,000 SF of land. Therefore, coverage under coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 was not required.

The need for a Town of Kent Erosion Control Permit was triggered by the need for a Wetland Permit per §66-5.A(3).

3. Wetland Permit close-out:

The additions are within the 100 foot buffer of a Town of Kent wetland, therefore a Town of Kent Erosion Control Permit is also required per §66-5.A(3), in addition to the wetland permit.

The Planning Board Environmental Consultant, Bruce Barber, conducted a site visit June 20, 2018 to inspect stabilization of the disturbed areas within the wetland buffer. It is our understanding that the stabilization within the wetland buffer was determined to be satisfactory.

4. Erosion Control Bond:

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


The site achieved final stabilization as of the 6/20/2018 inspection. The two-year waiting period began on 6/20/2018.

For other single-family home projects, the Planning Board has reduced the two year waiting period for bond return. This project was for an addition to an existing single-family house. There was less than 5,000 SF of disturbance. The majority of the disturbed area was stabilized last fall, with only the area between the garage and pond needing to be re-seeded. The grass survived the winter.

Additionally, the erosion control bond was initially posted for a previous project on the property with a much larger area of disturbance for a swimming pool relocation. That work has been completed and that area has been fully stabilized for a couple of years. That bond was "rolled over" to this project for the house addition. Our records show the bond amount is \$8,273.00.

We recommend that the Planning Board consider reducing the two year bond return waiting period for this project and recommend to the Town Board to release the erosion control bond.

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



Julie S. Mangano, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
Bruce Barber via email
11-261-999-127

TOWN OF KENT
25 Sybil's Crossing
Kent Lakes, New York 10512

Yolanda D. Cappelli
Town Clerk

Administrative Office
Tel. (845) 225-2067
Fax. (845) 306-5282



RESOLUTION

Resolution #310 – Planning Accept Erosion Control Bond, Biben Property

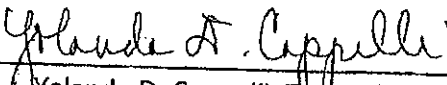
On a motion by Councilman Greene
Seconded by Supervisor Doherty

Resolved: On the recommendation of the Planning Board the Erosion Control and Stormwater Bond for Mr. Biben, TM#10.-1-1-1, 146 South Knapp Court, Town of Kent, in the amount of \$8,273.00 and 4% Inspection fee in the amount of \$348.92 was accepted.

Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, does hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on April 17, 2012.

April 19, 2012



Yolanda D. Cappelli, Town Clerk

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

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

Memo

DATE: April 9, 2012

TO: Supervisor Doherty and
The Kent Town Board

FROM: Russell Fleming, Chairman and
The Town of Kent Planning Board

CC: J. Butler, Building Inspector
L. Cappelli, Town Clerk
M. Williams, Finance Department

RE: Biben Property – TM: 10.-1-1
146 South Knapp Court, Kent, NY 10512
Combined Erosion Control and Stormwater Bond

Please be advised that an Erosion Control and Stormwater Control plan was submitted to the Planning Board by River Architects for:

Mr. Mathew Biben
146 South Knapp Court
Kent, NY 10512
TM: 10.1-1

Mr. Michael Soyka, Planning Board Engineer, reviewed and approved this plan.

Mr. Biben has submitted the following (copies attached):

• Combined Erosion Control and Stormwater Bond, dated March 23, 2012	
JP Morgan Chase Bank/Columbus, OH - Check #8813428157	\$ 8,273.00
• 4% Inspection Fee, Dated March 23, 2012	
JP Morgan Chase Bank/Columbus, OH - Check #8813428158	<u>348.92</u>
Total	\$ 8,621.92

Please note that the Town of Kent Planning Board has approved this Erosion Control Plan and Stormwater Bond and is asking that the Town Board review these documents and, if in agreement with the Planning Board, approve this bond and pass a Resolution accepting it at their next meeting.

Please note that the checks are being held in our accounting office until the resolution is passed, at which time the checks will be processed.

RECEIPT

TOWN OF KENT, RAMPOUR, N.Y.
 MILLS CROSSING
 LAKE, NY 10845
 516-780-7802

3086
 Mar 27 1992

348.92
 DOLLARS

AMOUNT OF ACCOUNT			
THIS PAYMENT			
BALANCE DUE			

CHASE

282111107 NEW 01/08 8810004308

8813428158

MEMORANDUM

THE HUNDRED FORTY EIGHT DOLLARS AND NINE CENTS

THE TOWN OF KENT

Morgan Chase Bank, N.A.

⑈8813428158⑈ ⑆044000070⑆ 758661433⑈

RECEIPT

TOWN OF KENNY
 MILLS CROSSING
 KENNY, NY 105
 (914) 780-2100

DATE *Mar 27 2002*

AMOUNT *8273* DOLLARS

AMOUNT OF ACCOUNT		<input type="checkbox"/>
THIS PAYMENT		<input type="checkbox"/>
BALANCE DUE		<input type="checkbox"/>

CHASE

282111107 NEW 01/08 881004908

PAID TO THE ORDER OF

THOUSAND TWO HUNDRED SEVENTY THREE AND NO/100

BY MICHAEL J. DOWNER KENNY

CHASE BANK

⑈8813428157⑈ ⑆044000037⑆ 758661433⑈



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

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

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

Memorandum

To: Planning Board
Town of Kent

Attn: Russ Fleming
Chairman

From: Michael W. Soyka, P.E.

Subject: Erosion Control/Stormwater – Bond Amount

Date: March 8, 2012

Project: Biben Pool
TM #10.-1-1

The erosion control plan is approved as submitted. The combined erosion control and stormwater bond amount is as follows:

ITEM	QUANTITY	UNIT COST	TOTAL COST
Grass swale ¹	90 LF	5.00/LF	450.00
Erosion blanket ²	45 SY	\$2.00/SY	90.00
Soil stockpiles ²	1 EA	500.00/EA	500.00
Seed and mulch ²	41,650 SF	\$0.06/SF	2,493.00
Stabilized construction entrance ²	2 EA	750.00 EA	1,500.00
Silt fence ²	810 LF	4.00/LF	3,240.00
		Sub-Total:	\$8,273.00
		Inspection – 4%:	\$ 348.92
		TOTAL:	\$8,621.92

¹ Stormwater bond item

² Erosion control bond item

Michael W. Soyka
Michael W. Soyka, P.E.

cc: Planning Office via email
Julie Butler via email
Julie Mangarillo via email
Neal Wilson via email
Bruce Barber via email
Juhee Lee-Hartford via email
11-261-999-127

BOND AGREEMENT

Bank Check in Lieu of Fiduciary Bond

AGREEMENT made this day of , 2012, by and between the **Town of Kent** and **Matthew Biben (Owner)**, 146 South Knapp Court, Kent, NY 10512; Tax Map #10.-1-1, ("Biben").

WHEREAS the said "Biben" has requested permission of the **Planning Board** of the **Town of Kent** to demolishing and reconstructing a pool and poolhouse on their property (Tax Map #10.-1-1); and

WHEREAS the **Planning Board** of the **Town of Kent** has granted permission subject to posting two bank checks, totaling \$8,621.92; and


WHEREAS "Biben" is desirous of posting a bank check from CHASE Bank in the total sum of \$8,621.92, which bank checks will be in the name of "Town of Kent"; now therefore the parties hereto agree as follows:


1. "Biben" shall deliver the aforesaid sum of \$8,621.92 (total) from CHASE Bank in two bank checks which will be in the name of the **Town of Kent**. These checks shall be drawn to **The Town of Kent** as follows:

• Sub-Total	-	\$8,273.00
• Inspection Fee (4%)	-	<u>348.92</u>
TOTAL	-	<u>\$8,621.92</u>
2. The said bank checks shall be delivered to the **Town of Kent** and be deposited in an escrow account pending the completion of the project for which the erosion and stormwater control measures are necessary;
3. 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;
4. 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 "Biben";
5. In the event the erosion and stormwater control work allowed shall not have been duly completed by "Biben" 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 "Biben" with full use of said sums as the Town requires;

6. When the work shall have been fully completed as required by the conditions and specifications of the Planning Board either by "Biben" 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 "Biben."
7. This bond may not be assigned or transferred without the prior written approval of the Planning Board of The Town of Kent.
8. 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.

IN WITNESS whereof the parties hereto have set their hands and seals the day and date first above written.

By: 
MATTHEW BIBEN
146 SOUTH KNAPP COURT
KENT, NY 10512


JULIE O'DONNELL
Notary Public, State of New York
No. 01OD6006471
Qualified in Kings County
Commission Expires May 4, 2014

Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov

Tel: (845) 225-7802
TM: 31.17-1-7

Fax: (845)306-5283

RESOLUTION #9
Year 2018

Date: July 23, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Paul Denbaum
Bill Huestis
Jaimie McGlasson
Christine Woolley
CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att
T. Harrison - w/Att.
Finance Department - w/Att.
Re: Request to return Erosion Control Bond to:
John Kelly
95 Deer Hill Court
Kent Lakes, NY 10512
TM: 32.-1-62

Resolved: On July 12, 2018 the Kent Planning Board reviewed material pertaining to the property noted above and agreed that it was appropriate to comply with the request to return the Erosion Control bond in the amount of \$11,000.00 to the owner of the property.

Mr. Tolmach asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Simon Carey and seconded by Stephen Wilhelm. The roll call vote was as follows:

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

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 12, 2018.

Dated: July 12, 2018



Vera Patterson
Planning Board Secretary

Planning Kent

From: jmangarillo@rsaengrs.com
Sent: Wednesday, July 11, 2018 7:49 PM
To: Planning Kent; 'Phil Tolmach'; Building Inspector; 'Bruce Barber'; Liz Axelson
Cc: 'janet donahue'
Subject: Kelly - Deer Hill Ct, TM 32.-1-62
Attachments: 2018-07-11 permit closeout_Kelly Deer Hill TM 32.-1-62.pdf; Notice of Termination_signed_Kelly TM 32.-1-62.pdf; NYSDEC ltr of ack NOI_Kelly.pdf

Categories: Red Category

Please see the following attached documents regarding Kelly Erosion Control Permit, TM 32.-1-62:

1. Memo regarding Erosion Control Permit close-out, dated 7/11/2018
2. Notice of Termination (NOT) with MS4 sign-off.
3. NYSDEC letter of acknowledgment of NOI, dated 1/28/2013 (for reference)

Vera, please circulate to the Planning Board members. Please be sure a hardcopy of the attached documents is added to the project file.

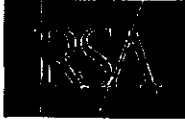
Bill Walters – Please print out and keep a copy of the attached documents in the project file. Please include with MS4 stormwater documentation.

Owner/operator– It is up to you to mail the NOT to NYSDEC. I don't believe the NYSDEC requires original signatures. However, if you would like the hardcopy with original signatures, please let me know to arrange mailing of the original NOT.

If any one has any questions, please do not hesitate to ask.

Thank you,
Julie

Julie S. Mangarillo, P.E., CPESC
Rohde, Soyka & Andrews Consulting Engineers, P.C.
40 Garden Street, Poughkeepsie, NY 12601
845-452-7515 (phone)
845-452-8335 (fax)



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control--
Permit close-out

Date: July 11, 2018

Project: Kelly ECP – Deer Hill Ct
TM # 32.-1-62

The following is offered for consideration by the Planning Board:

1. Stabilization Inspection:

A final stabilization inspection was conducted for this project on June 7, 2018. Previous inspections were conducted on August 1, 2017 and October 2, 2017.

During the October 2, 2017 inspection, most of the disturbed area was stabilized with other items from the August 1, 2017 inspection addressed. There were isolated areas that had been re-seeded, but grass had not fully grown in at that time.

The previously disturbed area is now considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002.

2. Notice of Termination (NOT):

Submitting the completed NOT (including completed MS4 sign-off on Page 2) to NYSDEC will close-out coverage under NYSDEC GP-0-15-002 and the Town of Kent Erosion Control Permit. Having the 'Qualified Professional' sign the Notice of Termination fulfills the requirement per Town of Kent Town Code, Chapter 66, §66-6.K(5) for a certification of completion of work.

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

The fully completed NOT with MS4 sign-off is attached hereto. It is the owner/operator's responsibility to submit this form to NYSDEC.

3. Erosion Control Bond:

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

The site achieved final stabilization as of the 6/7/2018 inspection. The two-year waiting period began on 6/7/2018.

It is our understanding that the Town is holding an \$11,000 erosion control bond.

Memorandum
Kelly ECP – Deer Hill Ct
TM # 32.-1-62
July 11, 2018
Page 2 of 2

For other new single-family home construction projects, the Planning Board has reduced the two year waiting period for bond return. The majority of the disturbed area was stabilized last fall, with only some isolated areas that needed to be re-seeded. The grass survived the winter.

We recommend that the Planning Board consider reducing the two year bond return waiting period for this project and recommend to the Town Board to release the erosion control bond.

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


Julie S. Mangarillo, P.E., CPESC

Enclosure: Notice of Termination including MS4 sign-off

cc: Planning Board via email
William Walters via email
Bruce Barber via email
11-261-999-125

New York State Department of Environmental Conservation
Division of Water
Bureau of Water Permits, 4th Floor
625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 • Fax: (518) 402-9029
Website: www.dec.ny.gov



Joe Martens
Commissioner

1/28/2013

JOHN KELLY
JOHN KELLY
761 KING STREET
CHAPPAQUA NY 10514-

**Re: ACKNOWLEDGMENT of NOTICE of INTENT for
Coverage Under SPDES General Permit for Storm
Water Discharges from CONSTRUCTION
ACTIVITY General Permit No. GP-0-10-001**

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-10-001 for the construction activities located at:

**JOHN KELLY RESIDENCE
DEER HILL COURT
KENT NY 10512-**

County: PUTNAM

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, ECL Article 70, discharges in accordance with GP-0-10-001 from the above construction site will be authorized 5 business days from 1/22/2013 which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: NYR 10W298. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on 1/22/2013 is accurate and complete.
2. You have developed a Stormwater Pollution Prevention Plan (SWPPP) that complies with GP-0-10-001 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-10-001.

4. Payment of the annual \$100 regulatory fee, which is billed separately by the Department in the late fall. The regulatory fee covers a period of one calendar year. In addition, since September 1, 2004, construction stormwater permittees have been assessed an initial authorization fee which is now \$100 per acre of land disturbed and \$600 per acre of future impervious area. The initial authorization fee covers the duration of the authorized disturbance.
5. Your SWPPP has been reviewed by the regulated, traditional land use control MS4 where your project is located and has been determined to be in substantive conformance with the requirements in the SPDES General Permit for Stormwater Discharges from MS4s.
6. When applicable, project review pursuant to the State Environmental Quality Review Act (SEQRA) has been satisfied.
7. You have obtained all necessary Department permits subject to the Uniform Procedures Act (UPA). You should check with your Regional Permit Administrator for further information.

*Note: Construction activities cannot commence until project review pursuant to SEQRA has been satisfied, when SEQRA is applicable; and, where required, all necessary Department permits subject to the UPA have been obtained.

Please be advised that the Department may request a copy of your SWPPP for review.

Should you have any questions regarding any aspect of the requirements specified in GP-0-10-001, please contact Dave Gasper at (518) 402-8114 or the undersigned at (518) 402-8109.

Sincerely,



Toni Cioffi

Environmental Program Specialist 1

cc: RWE - 3
SWPPP Preparer

RYAN PLANNING & ENGINEERING, PC
COYNE RYAN
12 ELIZABETH STREET
RYE NY 10580-

New York State Department of Environmental Conservation
Division of Water

625 Broadway, 4th Floor
Albany, New York 12233-3505

(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized
under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYR LDW298

I. Owner or Operator Information

1. Owner/Operator Name: John Kelly
2. Street Address: 95 Deer Hill Court
3. City/State/Zip: Kent Lakes NY 10512
4. Contact Person: Janet Donahue 4a. Telephone: 845-531-7103
4b. Contact Person E-Mail: manafour1994@gmail.com

II. Project Site Information

5. Project/Site Name: John Kelly Home
6. Street Address: 95 Deer Hill Court
7. City/Zip: Kent Lakes 10512
8. County: Putnam

III. Reason for Termination

9a. All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. *Date final stabilization completed (month/year): June 2018

9b. Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR _____
(Note: Permit coverage can not be terminated by owner identified in 1.1. above until new owner/operator obtains coverage under the general permit)

9c. Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? yes no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? yes no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? yes no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.
- For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? 0.3 Acres

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? yes
 no
(If Yes, complete section VI - "MS4 Acceptance" statement)

V. Additional Information/Explanation:
(Use this section to answer questions 9c. and 10b., if applicable)

VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name: John V. Andrews, Jr. P.E.

Title/Position: Topnotch Water Management & Remediation ENGINEER

Signature: [Handwritten Signature]

Date: 6.21.2018

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Vincenzo Federici, CRESE

Signature: *X Vincenzo Federici*

Date: 6/8/18

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

N/A

Title/Position:

Signature:

Date:

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name: *X John Kelly*

Title/Position:

Owner

Signature: *[Signature]*

Date: 6/9/18

Memo

DATE: December 4, 2012

TO: Finance Department

FROM: Vera Patterson for R. Fleming, Chairman of the Kent Planning Board

CC: J. Butler, Building Inspector
L. Cappelli, Town Clerk
T. De Leon-Connors
Finance Department

RE: John Kelly Property
TM: 32.-1-62
Deer Hill Court
Kent, NY 10512
TM: 32.-1-62

Please find the following documents pertaining to the property noted above:

- Citibank Check 112305713/dated November 26, 2012 in the amount of \$1,000.00 – Erosion Control Bond Inspection Fee
- Citibank Check 112305714/dated November 26, 2012 in the amount of \$11,000.00 – Erosion Control Security Bond
- Resolution from the Town of Kent accepting an Erosion & Sediment Control Bond for the Kelly residence/Tax Map: 32.-1-62, dated November 30, 2012
- Memo & Resolution from the Town of Kent Planning Board, dated November 8, 2012 asking the Kent Town Board to approve an Erosion & Sediment Control Bond for the Kelly residence/Tax Map: 32.-1-62 in the amount of \$11,000 and an inspection fee of \$1,000, as recommended at the Kent Planning Board meeting of November 8, 2012
- Final Erosion and Sediment Control Bond, signed and notarized on November 12, 2012

Please retain the above documents for your records and deposit the two checks in the appropriate account.

Thanks very much.

TOWN OF KENT
25 Sybil's Crossing
Kent Lakes, New York 10512

Yolanda D. Cappelli
Town Clerk

Administrative Office
Tel. (845) 225-2067
Fax. (845) 306-5282



RESOLUTION

Planning - Accept Erosion and Sediment Control Bond - Kelly TM#32.-1-62

On a motion by Councilwoman Osborn

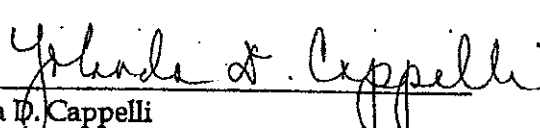
Seconded by Councilman Tartaro

Resolved: On the recommendation of the Planning Board the Erosion and Sediment control Bond in the Amount of \$11,000 and initial inspection fee of \$1,000 was approved for the property owned by John Kelly TM #32.-1-62 Deer Hill Court.

Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a Resolution adopted by the town board of the town of Kent at a meeting of said Board on November 27, 2012.

November 30, 2012


Yolanda D. Cappelli

Memo

DATE: November 8, 2012

TO: Supervisor Doherty and The Kent Town Board

FROM: Russell Fleming, Chairman and The Town of Kent Planning Board

CC: J. Butler, Building Inspector T. De Leon-Connors
L. Cappelli, Town Clerk Finance Department

RE: John Kelly Property
TM: 32.-1-62
Deer Hill Court
Kent, NY 10512

Please find attached the recommended Bond and supporting documentation from the Planning Board requesting the Town Board approve the recommended Erosion and Sediment Control Bond in the amount of \$11,000 and an initial inspection fee deposit of \$1,000.

Please be advised that the following plans were submitted to the Planning Board by Luigi Demasi Architecture for the property referenced above, which is owned by Mr. John Kelly.

These plans have been reviewed and approved by:

Mr. Bruce Barber, Environmental Consultant
Planner

Mr. Neil Wilson, Town of Kent

Ms. Julie Butler, Town of Kent Building Inspector

The Kent Planning Board

Ms. Julie Mangarillo, Planning Board Engineer

Also attached is the Resolution passed by the Kent Planning Board, dated November 8, 2012, accepting this bond.

Very truly yours,



Vera Patterson.
Planning Board Clerk

(845) 225-7802

TOWN OF KENT
PLANNING BOARD
25 SYBIL'S CROSSING
KENT LAKES, NEW YORK 10512

Fax (845) 306-5283



RESOLUTION

Recommendation from the Kent Planning Board to Accept an Erosion Control Bond for:
John Kelly, Deer Hill Court, Kent, NY - TM: 32.1-62

On a motion by: Michael McDermott

Seconded by: Phil Tolmach

The vote was unanimously approved by the Planning Board and the motion carried.

Resolved: On the recommendation of Ms. Julie Mangarillo, Kent Planning Board Engineer, who attested that she has reviewed the plans and property noted above and recommended that the Erosion Control Bond accepted on November 8, 2012.

The bond is in the amount of \$11,000.00 and an initial inspection fee deposit of 1,000.00. The Kent Planning Board reviewed the attached documents at their November 8, 2012 meeting, which support this decision, and resolved that the request to accept the bond be forwarded to the Town Board for their approval.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on November 8, 2012.

Dated: November 8, 2012

Vera Patterson
Planning Board Secretary

cc: Building Inspector
Planning Board
Finance Department

RECEIPT

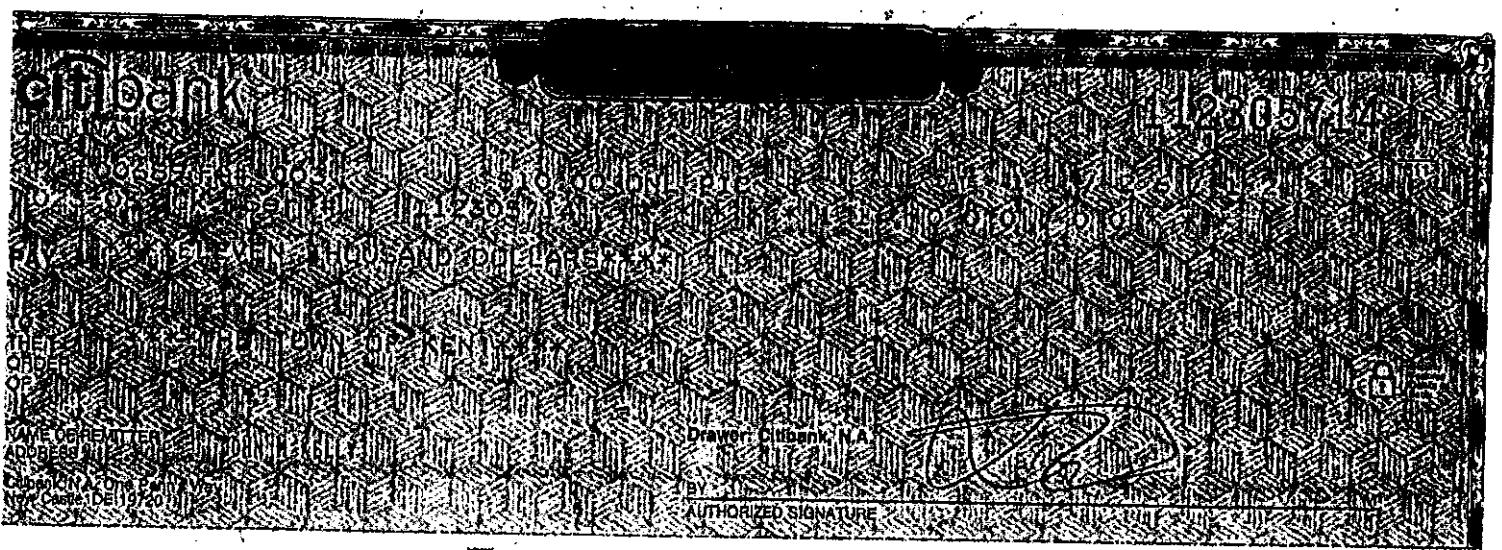
TOWN OF KENT PLANNING BOARD
 25 SYBILS CROSSING
 WOODLAKE, NY 10572
 (914) 225-7802

DATE: *Dec 31 1992*

AMOUNT: *11,000.00* DOLLARS

AMOUNT OF ACCOUNT		<input type="checkbox"/>
THIS PAYMENT		<input checked="" type="checkbox"/> CHECK
BALANCE DUE		<input type="checkbox"/>

Signature: *[Handwritten Signature]*



⑈ 12305714 ⑈ ⑆ 031100209⑆ 38762924 ⑈

RECEIPT

TOWN OF KENT PLANNING BOARD
 23 BILS CROSSING
 KENT LAKE, NY 10572
 (516) 225-7802

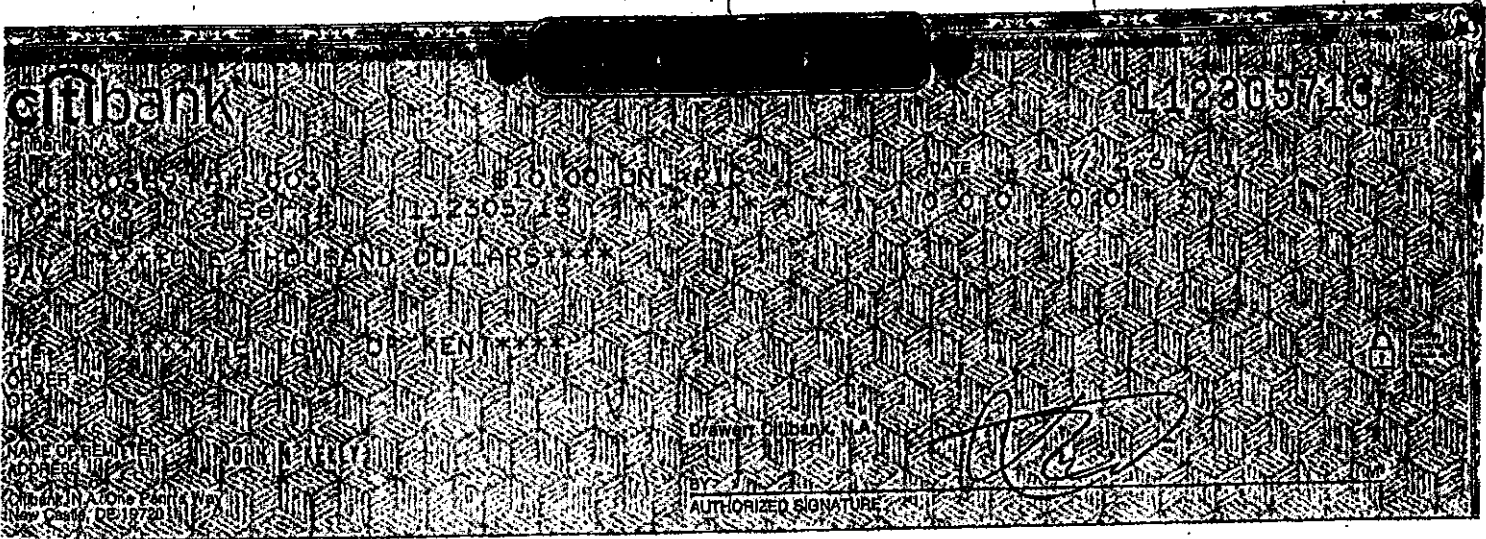
DATE: 3116
Dec. 31 2016

PAID TO: John Kelly
Luca
Christina Kelly

AMOUNT: 1,000.00
 DOLLARS

AMOUNT OF ACCOUNT		<input type="checkbox"/>
THIS PAYMENT		<input checked="" type="checkbox"/> CHECK
BALANCE DUE		

CHANK



⑆112305713⑆ ⑆03100209⑆ 38782924⑆

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

John Kelly Residence

Deer Hill Court

Kent, NY 10512

Tax Map: 32.-1-62

Bond given by JOHN KELLY, whose property is located on Deer Hill Court/Tax Map: 32.-1-62, Kent Lakes, New York, 10512 ("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 November 8, 2012.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$11,000, 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 is seeking a Steep Slope and Erosion Control Permit from the Obligee for construction of a one family residence entailing a disturbance on steep slopes, as that term is defined in Town of Kent Town Code (the "Code") Chapter 66, on certain real property located in the Town of Kent, in connection with which an erosion and sediment control plan (the "Erosion and Sediment Control Plan") 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 application, the Obligor has submitted to the Obligee, plans and specifications for the project known as the "Kelly Residence" ("Project Plans") and the Erosion and Sediment Control Plan, prepared by Luigi Demasi Architecture, 16 Oakbrook Road, Ossining, New York, 10562 and such Project Plans and Erosion and Sediment Control Plan have been reviewed and approved by the Obligee; and

WHEREAS, as condition to the issuance and approval of a Steep Slope and 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 or a certified check drawn upon a national or state bank 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, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work permitted by the Steep Slope and Erosion and Control Permit has been completed in accordance with such Permit and all plans and specifications forming the basis of such approved Permit.

This performance bond may not be assigned or transferred without the prior written approval of the Town Board of the Town of Kent.

1. The said bank checks shall be delivered to the **Town of Kent** and be deposited in an escrow account pending the completion of the project for which the erosion control measures are necessary;
2. 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;
3. 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 **John Kelly**;
4. In the event the erosion control work allowed shall not have been duly completed by **John Kelly** 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 **John Kelly** with full use of said sums as the Town requires;
5. When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **John Kelly** 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 **John Kelly**.
6. This bond may not be assigned or transferred without the prior written approval of the **Planning Board of The Town of Kent**.
7. 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 **John Kelly**.

Dated: 11/14, 2012

JOHN KELLY
By: [Signature]
(signature)

JOHN KELLY
(print/type signatory's name)
John Kelly

Owner/Obligee
(print/type signatory's title)

STATE OF New York,
COUNTY OF New York,) ss.:

On the 14th day of NOVEMBER, 2017, before me, the undersigned, a notary public in and for said state, personally appeared JOHN KELLY, 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.

Olive Frankovic
NOTARY PUBLIC

John Kelly
[Signature]
(signature)

Owner
(print/type signatory's title)

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

OLIVE FRANKOVIC
Notary Public, State of New York
No. 01FR5041787
Qualified in Suffolk County
Certificate Filed in New York County
Commission Expires April 10, 2018

Vera Patterson, Town of Kent Planning Board Secretary

From: Julie Mangarillo [JMangarillo@rsaengrs.com]
Sent: Friday, November 09, 2012 2:44 PM
To: john.kelly@ddbremedy.com
Cc: planning@townofkentny.gov; Vinny Federici
Subject: Kelly Property - Update on 11/8/2012 Planning Board meeting
Attachments: 2012-11-08 Review Comments_Kelly.pdf; 2012-11-08 Kent ESC Bond Estimate_Kelly.pdf

John,

At last night's Planning Board meeting, a bond amount of \$11,000 was approved by the Planning Board and recommended to the Town Board for acceptance for your project.

This is higher than the estimate of \$8,000 Vinny Federici came up with, but it is significantly lower than the estimate of \$54,000 I calculated.

In order for the Town Board to accept the bond, it has to be paid prior to the Town Board meeting. I recommend talking to Vera. She has the bond form and should be able to tell you when the bond will need to be in prior to next Town Board meeting.

Please feel free to give me a call if you have any questions.

Thank you,
Julie

Julie S. Mangarillo, P.E., CPESC
Rohde, Soyka & Andrews Consulting Engineers, P.C.
40 Garden Street Poughkeepsie New York 12601
Phone: 845-452-7515 Fax: 845-452-8335

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

40 Garden Street
Poughkeepsie, NY 12901
Phone: (845) 452-7515 Fax: (845) 452-8335
E-Mail Address: info@rseengrs.com

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

To: Planning Board Town of Kent
From: Julie S. Mangarillo, P.E., CPESC
Date: 11/8/2012

Attn: Russ Fleming, Chairman
Subject: Erosion Control Bond Amount
Project: Kelly Property
TM: 32.-1-62

The stormwater bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Grass swale w/ checkdams	80	LF	\$ 7.50	\$ 600.00
Riprap swale	930	LF	\$ 15.00	\$ 13,950.00
Inlet protection	12	EA	\$ 500.00	\$ 6,000.00
Soil stockpiles	2	EA	\$ 500.00	\$ 1,000.00
End sections w/ riprap pads	6	EA	\$ 500.00	\$ 3,000.00
8" dia drainage pipe	198	LF	\$ 13.50	\$ 2,673.00
6" dia drainage pipe	26	LF	\$ 10.50	\$ 273.00
Catchbasins/drain inlets/dry wells	15	EA	\$ 1,600.00	\$ 22,500.00
Seed and mulch	30,056	SF	\$ 0.06	\$ 1,803.38
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Silt Fence	460	LF	\$ 4.00	\$ 1,840.00
			Sub-Total:	\$ 54,389.38
			TOTAL:	\$ 54,389.38



Memorandum

To: Planning Board
Town of Kent

Attn: Russ Fleming
Chairman

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

Subject: Erosion Control Plan

Date: November 8, 2012

Project: Kelly Property
TM #32.-1-62

The following materials were reviewed:

- Cover letter dated September 28, 2012
- Town of Kent Planning Board Combined Application Form, signed July 28, 2012
 - Planning Board Affidavit, Page 11 undated (other affidavits were previously submitted), received by this office 10/4/2012
- Stormwater Pollution Prevention Plan Report, prepared by Ryan Planning & Engineering, PC, revised September 28, 2012
 - Appendix A Design Data Sheet – Storm Water System (2 Sheets), dated April 21, 2012
 - Contractor Certification Form
- NYSDEC Notice of Intent (NOI), signed 9/28/2012
- Bond estimate cost breakdown, submitted via email 11/8/2012
- Drawing Set - New Residence for John Kelly, prepared by Luigi Demasi Architecture, sheet 1 of 5 through sheet 5 of 5, revised 9/28/2012

New or revised comments are shown as **bold**.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided from the comment memo dated 5/29/2012:

Refer to the SWPPP:

1. Within the SWPPP Narrative include:
 - a. Include soils information including Hydrologic Soil Group (HSG) per GP-0-10-001, Part III.B.1(c).
 - i. **Table 1 in Section B of the revised SWPPP has been provided for on-site soils. However, it appears the HSG provided is the third letter from the soil symbol. The HSG can be found in Table 18 "Soil and Water Features" in the "Soil Survey of Putnam and Westchester Counties, New York." The Hydrologic Soil Group (HSG), should be limited to types A, B, C or D; or combinations of the letters A through D. Revise the table.**

2. Under Section C 'Erosion and Sediment Control Plan', include the check dams, water bars, grass swale, riprap swale and dry wells. The deep and percolation tests performed for the dry wells should be incorporated into the SWPPP.
 - a. Provide information/discussion regarding the dry well in the SWPPP narrative.
 - i. The 9/28/2012 cover letter indicates a "brief description of the drywells has been provided..." Only a single reference to drywells was located with no description or additional information. Provide a description as to purpose, sizing, and maintenance of drywell within the SWPPP.

The following comments are provided from the comment memo dated 9/5/2012:

1. The project previously proposed gravel swales in some locations and grassed swales in others. In this submittal, the gravel swales were eliminated and replaced with grass swales. Due to the steepness of the slopes, the velocity of the runoff within the grass swales will likely cause rutting and erosion. Further consideration should be given to determining the use of grass swales versus riprap-lined swales designed in accordance New York State Standards and Specifications for Erosion & Sediment Control (aka The Blue Book) in Section 5B. For riprap-lined swales, provide information on riprap size and gradation. Alternatively, provide calculations that the velocity within the grass swales will not exceed non-erosive velocities.
 - a. Riprap swales have been re-instated on the plans. Information regarding riprap swales should be added to Section C of the SWPPP. Information relating to when riprap swales should be used as opposed to the grassed swales should be included.
5. Refer to the NOI:
 - d. Item #16 on Page 5, according to the soils information provided on Drawing Sheets 1 and 3 of 5, the project disturbs land with no existing impervious cover with a Soil Slope Phase of "E". This is the area within soil type ChE. The third letter of the HSG indicates the Soil Slope Phase. For Item #16, indicate "yes" and provide the area of disturbance within soil type ChE.
 - i. Per the NOI, the area of disturbance within soil type ChE is to be provided in acres, not square feet. Revise the response.
7. The revised driveway layout should be reviewed by William Walters, the Town of Kent Fire Inspector and Chief Justyn Lewis of the Lake Carmel Fire Department in accordance with their review letters dated June 14 and July 2, 2012 respectively.
 - a. William Walters, Fire Inspector, provided a letter dated 10/18/2012, stating "... all items that were discussed at the last meeting have been addressed."

New Comments:

1. Refer to the SWPPP:
 - a. Section C, "Inlet Protection" – Section has been revised per our request to indicate inlet protection will be installed "around" the inlet instead of "in" the inlet. However, the section has been further revised to indicate the inlet protection will be installed "after... the site is completely constructed and stabilized..." The purpose of inlet protection is to prevent sediment from entering the inlet (catchbasins, drywells) during construction while the land is disturbed. Inlet

protection is a temporary measure and is to be removed once construction is completed and the disturbed land is stabilized. This section should be revised.

2. Refer to the NOI:
 - a. Page 10, #39 – Indicate "Yes" that the MS4 SWPPP Acceptance Form has been signed. Upon the completion of the SWPPP and NOI prepared in accordance with the requirements of Permit No. GP-0-10-001, the signed MS4 SWPPP Acceptance Form will be provided.
3. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed.
4. Refer to the Drawings:
 - a. On Sheets 2 and 3, it appears the hatch for the driveway has shifted.
 - b. Sheet 2, along the driveway between Station 1+00 and 2+00, as well as 5+00 and 6+00 there is a label for "grassed swale" pointing to the hatch for "riprap swale." Coordinate hatch and label.
 - c. On sheet 2, provide pipe size and lengths from roof leaders and catchbasins to set of three (3) drywells on the south side of the house.
 - d. On Sheet 3, show inlet protection for the 2'x2' drain inlets for the drywells.
 - e. On Sheet 3, ensure silt fence does not extend beyond the limits of disturbance.
5. In the 9/28/2012 cover letter, the Applicant's Architect provides an erosion control bond estimate of \$8,000.00. An Itemized break-down was submitted via email on 11/8/2012. The architect's breakdown did not include costs for seeding, riprap swales, catchbasins, drywells and piping. Using the bond estimate form which is used for projects within the Town of Kent, a bond estimate of \$54,389.38 was calculated (see attached). This seems excessive for construction of a single-family residence. We recommend further discussion at the Planning Board meeting.
6. The applicant is responsible for full payment of actual costs of erosion control inspections. An Initial Inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board Secretary via email
Julie Butler via email
10-261-999-125

Bruce Barber via email
Neil Wilson via email
John Kelly, via email

Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov

Tel: (845) 225-7802
TM: 31.17-1-7

Fax: (845)306-5283

RESOLUTION #10
Year 2018

Date: July 23, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Paul Denbaum
Bill Huestis
Jaimie McGlasson
Christine Woolley
CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att
T. Harrison - w/Att.
Finance Department - w/Att.
Re: Request to return Erosion Control Bond to:
Patrick O'Mara
73 Fairfield Drive
Patterson, NY 12563
For Property on Woodland Road
TM: 10.20-1-3

Resolved: On July 12, 2018 the Kent Planning Board reviewed material pertaining to the property noted above and agreed that it was appropriate to comply with the request to return the Erosion Control bond in the amount of \$6,765.00 to the owner of the property.

Mr. Tolmach asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Giancarlo Gattucci and seconded by Stephen Wilhelm. The roll call vote was as follows:

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

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 12, 2018.

Dated: July 12, 2018



Vera Patterson
Planning Board Secretary

Planning Kent

From: jmangarillo@rsaengrs.com
Sent: Wednesday, July 11, 2018 7:51 PM
To: Planning Kent; 'Phil Tolmach'; Building Inspector; 'Bruce Barber'; Liz Axelson
Cc: Patrick O'Mara
Subject: O'Mara bond return request, Woodland Terrace TM 10.20-1-3
Attachments: 2017-12-12 permit closeout_OMara TM 10.20-1-3 Woodland Terrace.pdf; 2018-07-11 bond release request_OMara TM 10.20-1-3 Woodland Terrace.pdf

Categories: Red Category

Please see attached memo regarding the erosion control bond return request for the O'Mara project on Woodland Terrace, TM 10.20-1-3.

Also attached is the 12/12/2017 memo for reference.

Vera – Please circulate.

Thank you,
Julie

Julie S. Mangarillo, P.E., CPESC
Rohde, Soyka & Andrews Consulting Engineers, P.C.
40 Garden Street, Poughkeepsie, NY 12601
845-452-7515 (phone)
845-452-8335 (fax)



Memorandum

To: Planning Board
Town of Kent

Attn: Phillip Tolmach
Chairman

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

Subject: Erosion Control Permit
Bond release request

Date: July 11, 2018

Project: OMara ECP – Woodland Terrace
TM #10.20-1-3

The following is offered for consideration by the Planning Board:

Refer to previous memo dated December 12, 2017.

1. Erosion Control Bond:

Per Chapter 66, §86-7.A(2) regarding return of the erosion control bond: "The security shall remain in full force until the applicant and/or developer is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance..."

The site achieved final stabilization as of the 9/22/2017 inspection. The two-year waiting period began on 9/22/2017. General stabilization had been achieved in May 2017. The Notice of Termination was issued 12/12/2017. At that time, the applicant requested the two year waiting period be reduced and the erosion control bond be released. Our recommendation was to wait at least one winter to ensure the vegetation survived.

For other single-family home projects, the Planning Board has reduced the two year waiting period for bond return. The property was generally stabilized in May 2017, with some areas that needed to be addressed. Those areas were satisfactorily addressed at the 9/22/2017 site inspection. A follow-up inspection was conducted on June 20, 2018. The vegetation (lawn) is well-established and survived the winter.

It is our understanding that the Town is holding a \$6,765 erosion control bond.

We recommend that the Planning Board consider reducing the two year bond return waiting period for this project and recommend to the Town Board to release the erosion control bond.

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


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
William Walters via email
Bruce Barber via email
15-261-999-145



Memorandum

<p>To: Planning Board Town of Kent</p> <p>From: Julie S. Mangarillo, P.E., CPESC</p> <p>Date: December 12, 2017</p>	<p>Attn: Michael McDermott Chairman</p> <p>Subject: Erosion Control- Permit close-out</p> <p>Project: OMara ECP – Woodland Terrace TM #10.20-1-3</p>
--	---

The following is offered for consideration by the Planning Board:

1. Stabilization Inspection:

A final stabilization inspection was conducted for this project on September 22, 2017.

The previously disturbed area is now considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002.

2. Notice of Termination (NOT):

Submitting the completed NOT (including completed MS4 sign-off on Page 2) to NYSDEC will close-out coverage under NYSDEC GP-0-15-002 and the Town of Kent Erosion Control Permit. Having the 'Qualified Professional' sign the Notice of Termination fulfills the requirement per Town of Kent Town Code, Chapter 66, §66-6.K(5) for a certification of completion of work.

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

The fully completed NOT with MS4 sign-off is attached hereto. It is the owner/operator's responsibility to submit this form to NYSDEC.

3. Erosion Control Bond:

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

The site achieved final stabilization as of the 9/22/2017 inspection. The two-year waiting period began on 9/22/2017.

For other single-family home projects, the Planning Board has reduced the two year waiting period for bond return. However, this was construction of an entire house, driveway, septic system and related site work with 0.4 acres of disturbance as opposed to just an addition or swimming pool. If the Planning Board is interested in reducing the two year bond return waiting period, we recommend the erosion control bond be held for at least one year to ensure the vegetation survives at least one winter.

Memorandum
O'Mara ECP – Woodland Terrace
TM # 10.20-1-3
December 12, 2017
Page 2 of 2

The property was generally stabilized in May 2017, with some areas that needed to be addressed. Those areas were satisfactorily addressed at the 9/22/2017 site inspection. Our recommendation is to hold the bond until spring 2018 to ensure the grass survives the winter.

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


Julie S. Mangarillo, P.E., CPESC

Enclosure: Notice of Termination including MS4 sign-off, signed 12/5/2017

cc: Planning Board via email
William Walters via email
Bruce Barber via email
Neil Wilson via email
Jack Karell, PE, via email
15-261-999-145



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control--
Permit close-out

Date: December 12, 2017

Project: OMara ECP – Woodland Terrace
TM #10.20-1-3

The following is offered for consideration by the Planning Board:

1. Stabilization Inspection:

A final stabilization inspection was conducted for this project on September 22, 2017.

The previously disturbed area is now considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002.

2. Notice of Termination (NOT):

Submitting the completed NOT (including completed MS4 sign-off on Page 2) to NYSDEC will close-out coverage under NYSDEC GP-0-15-002 and the Town of Kent Erosion Control Permit. Having the 'Qualified Professional' sign the Notice of Termination fulfills the requirement per Town of Kent Town Code, Chapter 66, §66-6.K(5) for a certification of completion of work.

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

The fully completed NOT with MS4 sign-off is attached hereto. It is the owner/operator's responsibility to submit this form to NYSDEC.

3. Erosion Control Bond:

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

The site achieved final stabilization as of the 9/22/2017 inspection. The two-year waiting period began on 9/22/2017.

For other single-family home projects, the Planning Board has reduced the two year waiting period for bond return. However, this was construction of an entire house, driveway, septic system and related site work with 0.4 acres of disturbance as opposed to just an addition or swimming pool. If the Planning Board is interested in reducing the two year bond return waiting period, we recommend the erosion control bond be held for at least one year to ensure the vegetation survives at least one winter.

Memorandum
O'Mara ECP - Woodland Terrace
TM # 10.20-1-3
December 12, 2017
Page 2 of 2

The property was generally stabilized in May 2017, with some areas that needed to be addressed. Those areas were satisfactorily addressed at the 9/22/2017 site inspection. Our recommendation is to hold the bond until spring 2018 to ensure the grass survives the winter.

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

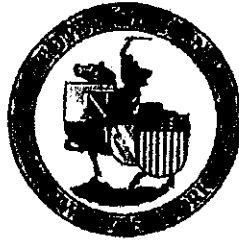


Julie S. Mangafillo, P.E., CPESC

Enclosure: Notice of Termination including MS4 sign-off, signed 12/5/2017

cc: Planning Board via email
William Walters via email
Bruce Barber via email
Neil Wilson via email
Jack Karell, PE, via email
15-261-999-145

Yolanda D. Cappelli
Town Clerk



Phone: (845) 225 - 2067
Fax: (845) 306-5282
lcappelli@townofkentny.gov

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

RESOLUTION

Resolution #168 - Accepting Erosion Control Bond & Escrow Fund - O'Mara TM#10.20-1-3

On a motion by Councilman Denbaum
Seconded by Supervisor Fleming

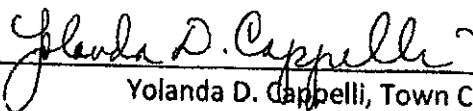
WHEREAS, the Planning Board, at their meeting held on April 14, 2016, approved Resolution #5 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$6,765.00 and an Escrow Fund for an initial inspection fee in the amount of \$1,000 from the owners of a parcel of land located at Woodland Terrace, Kent, New York 10512, identified as Tax Map No. 10.20-1-3 (the "Lot"), with regard to the development of the Lot; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$6,765.00 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000 for the development of the Lot on Woodland Terrace.
Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a Resolution adopted by the town board of the town of Kent at a meeting of said Board on April 26, 2016.

April 28, 2016



Yolanda D. Cappelli, Town Clerk

RESOLUTION # 5
Year 2016

Date: April 25, 2016

From: The Kent Planning Board

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

CC: W. Walters, Building Inspector - w/Att J. Ramos - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
H. Nichols P. O'Mara

RE: Request to Accept Erosion Control Bond and Escrow fund by:
Patrick & Kelly O'Mara
Property located on:
Woodland Terrace
Kent, NY 10512
TM: 10.-20-1-3

Resolved: On April 14, 2016 the Town of Kent Planning Board recommended that an Erosion Control Bond in the amount of \$6,765.00 and inspection fee in the amount of \$1,000 be approved and accepted. The motion was made by Mr. Charles Sisto and seconded by Mr. Dennis Lowes. The vote was as follows:

Michael McDermott, Chairman	-	<u>Aye</u>
Mr. Dennis Lowes, Vice Chairman	-	<u>Aye</u>
Ms. Janis Bolbrock	-	<u>Aye</u>
Mr. George Brunner	-	<u>Aye</u>
Mr. Gary Lam	-	<u>Aye</u>
Mr. Charles Sisto	-	<u>Aye</u>
Mr. Phillip Tolmach	-	<u>Aye</u>

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on April 14, 2016.

Dated: April 22, 2016



Vera Patterson
Planning Board Secretary

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

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

Memorandum

DATE: March 28, 2016
TO: Finance Department
CC:
FROM: Vera Patterson
RE: Patrick O'Mara Property - TM: 10.20-1-3
Erosion Control Bond

Please find enclosed the following for the above mentioned erosion control bond:

- Putnam County National Bank Check 010377, dated March 23, 2016 - \$1,000.00 for Escrow/Review fund
- Putnam County National Bank Check 010378, dated March 23, 2016 - \$6,765.00 for Erosion Control Bond

Also attached is a copy of the bond itself, which should be held until the Planning Board and Town Boards approve them at their April meetings.

RECEIPT		DATE <u>Mar 28, 2016</u>	No. <u>373681</u>
RECEIVED FROM <u>Patrick O'Mara</u>		<u>\$1,000.⁰⁰/₁₀₀</u>	
<u>One thousand and 00/100</u>		DOLLARS	
<input type="checkbox"/> FOR RENT		<u>Escrow/Rev Fee - TM: 10.20-1-3</u>	
<input checked="" type="checkbox"/> FOR			
ACCOUNT		<input type="checkbox"/> CASH	<u>10377</u>
PAYMENT		<input checked="" type="checkbox"/> CHECK	
BAL DUE		<input type="checkbox"/> MONEY ORDER	
		<input type="checkbox"/> CREDIT CARD	
		FROM <u>V. Patterson</u>	TO <u>P. O'Mara</u>
		BY	

RECEIPT		DATE <u>Mar 28, 2016</u>	No. <u>373682</u>
RECEIVED FROM <u>Patrick O'Mara</u>		<u>\$6,765.⁰⁰/₁₀₀</u>	
<u>Six thousand Seven Hundred Sixty five and 00/100</u>		DOLLARS	
<input type="checkbox"/> FOR RENT		<u>Erosion Control Bond - TM: 10.20-1-3</u>	
<input checked="" type="checkbox"/> FOR			
ACCOUNT		<input type="checkbox"/> CASH	<u>10378</u>
PAYMENT		<input checked="" type="checkbox"/> CHECK	
BAL DUE		<input type="checkbox"/> MONEY ORDER	
		<input type="checkbox"/> CREDIT CARD	
		FROM <u>V. Patterson</u>	TO <u>P. O'Mara</u>
		BY	

OFFICIAL CHECK

Putnam County National Bank

50-880
219

010377

CARMEL, NY March 23, 2016

PAY TO THE ORDER OF Town of Kent***** \$ ***1,000.00***

Patrick Omara
NAME OF REMITTER

now Rev. Fees - TM; 10.20-1-3

1000

Barbara Letzacher
AUTHORIZED SIGNATURE

⑈010377⑈ ⑆021906808⑆ 10 0023 3⑈

OFFICIAL CHECK

Putnam County National Bank

50-880
219

010378

CARMEL, NY March 23, 2016

PAY TO THE ORDER OF Town of Kent***** \$ ***6,765.00***

Patrick O'Mara
NAME OF REMITTER

Excise Cont rol Bond - TM; 10.20-1-3

6765

Barbara Letzacher
AUTHORIZED SIGNATURE

⑈010378⑈ ⑆021906808⑆ 10 0023 3⑈

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Patrick O'Mara Property

Brewster, NY 10509

Tax Map: 10.20-1-3

Bond given by PATRICK O'MARA, whose property is located on Woodland Terrace/Tax Map: 10.20-1-3, Kent Lakes, New York, 10512 ("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 23, 2016.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$6,765.00, 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 is seeking a Steep Slope and Erosion Control Permit from the Obligee for construction of a one family residence entailing a disturbance on steep slopes, as that term is defined in Town of Kent Town Code (the "Code") Chapter 66, on certain real property located in the Town of Kent, in connection with which an erosion and sediment control plan (the "Erosion and Sediment Control Plan") 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 application, the Obligor has submitted to the Obligee, plans and specifications for the project known as the "O'Mara Residence" ("Project Plans") and the Erosion and Sediment Control Plan, prepared by Harold Nichols, P. O. Box 252, Brewster, New York, 10509 and such Project Plans and Erosion and Sediment Control Plan have been reviewed and approved by the Obligee; and

WHEREAS, as condition to the issuance and approval of a Steep Slope and 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 or a certified check drawn upon a national or state bank 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, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work permitted by the Steep Slope and Erosion and Control Permit has been completed in accordance with such Permit and all plans and specifications forming the basis of such approved Permit, and to pay an inspection fee in an amount as set from time to time by the Town of Kent Planning Board; and

WHEREAS, the Planning Board of the Town of Kent has granted the Steep Slope and Erosion Control Permit subject to the posting of two checks, on in the amount of \$6,765.00 as a performance guarantee and a second in the amount of \$1,000.00 as the final inspection fee, made out to the Town of Kent and delivered to:

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

NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor shall well and truly construct the aforesaid Project Plans in accordance with the Steep Slope and Erosion Control Permit approved by the Obligee and in accordance with the Erosion and Sediment Control Plan, and if said improvements are deemed complete and accepted by the Obligee, and Obligor is released from liability by the Obligee, then this obligation shall be null and void; otherwise, the obligation shall remain in full force and effect.

The Obligor shall at all times provide the Obligee with such security or surety as the Obligee shall deem sufficient. In furtherance of this covenant, the Obligor has obtained and hereby delivers to the Obligee the following security for faithful performance of this obligation:

Cash deposit in the form of an Official Bank Check drawn upon _____ and delivered to the Town of Kent Planning Board Clerk on _____, 2016.

In the event the work according to the Erosion and Sediment Control Plan shall not have been fully completed as required by conditions and specifications of the Steep Slope and Erosion Control Permit, the Obligee shall have the right to withdraw the aforesaid cash deposit and complete the work with full use of said sums as the Obligee requires.

The Obligor agrees to execute and/or endorse and deliver to the Obligee and/or the aforesaid Bank any documents required for the Obligee to call upon said cash deposit.

When the work according to the Erosion and Sediment Control Plan shall have been fully completed, either by the Obligor or Obligee, and the Obligor is released from its liability by the Obligee, the aforesaid cash deposit or the balance of the funds remaining after the work has been completed by the Obligee, if any, shall be returned or refunded to the Obligor.

The Obligee and its agents, employees, engineers and/or planners are hereby expressly authorized to enter upon the Owner's property for the purpose of inspecting the erosion and sediment control system and the site work being performed in accordance with the approved Project Plans, Erosion and Sediment Control Plan and Steep Slope and Erosion Control Permit and to complete the work in the event the Obligee fails to do so.

This performance bond may not be assigned or transferred without the prior written approval of the Town Board of the Town of Kent.

1. The said bank checks shall be delivered to the **Town of Kent** and be deposited in an escrow account pending the completion of the project for which the erosion control measures are necessary;
2. 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.
3. 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 **Patrick O'Mara**;
4. In the event the erosion control work allowed shall not have been duly completed by **Patrick O'Mara** 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 **Patrick O'Mara** with full use of said sums as the Town requires;
5. When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **Patrick O'Mara** 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 **Patrick O'Mara**.
6. This bond may not be assigned or transferred without the prior written approval of the **Planning Board of The Town of Kent**.

1. 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 Paatrick O'Mara.

Dated: 3-23-, 2016

PATRICK O'MARA

By: *Patrick O'Mara*
(signature)

PATRICK O'MARA

(print/type signatory's name)

Patrick O'Mara

Owner/Obligee

(print/type signatory's title)

STATE OF New York)
COUNTY OF Putnam) ss.:

On the 23rd day of March, 2016, before me, the undersigned, a notary public in and for said state, personally appeared Patrick O'Mara 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.

Gloria Rosenzweig
NOTARY PUBLIC

GLORIA ROSENZWEIG
Notary Public, State of New York
No. 01R06098321
Qualified in Westchester County
My Commission Expires 9/8/19

Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov

Tel: (845) 225-7802
TM: 31.17-1-7

Fax: (845)306-5283

RESOLUTION #12
Year 2018

Date: July 23, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att. Jaimie McGlasson
Paul Denbaum Christine Woolley
Bill Huestis
CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att T. Harrison - w/Att.
Finance Department - w/Att.
Re: Request to return Erosion Control Bond to:
SSEL Corporation
Attn: Albert D'Alisa
2241 Route 6
Brewster, NY 10509
For Property on Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Resolved: On July 12, 2018 the Kent Planning Board reviewed material pertaining to the property noted above and agreed that it was appropriate to comply with the request to return a portion of the Erosion Control bond in the amount of \$8,033.04 to the Mr. D'Alisa. There was some damage to the property when the tornado occurred and, although the property is stabilized, the Planning Board recommended that 10% of the bond, which was \$8,925.60 (\$892.56), be held until next Spring.

Mr. Tolmach asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Stephen Wilhelm and seconded by Giancarlo Gattucci. The roll call vote was as follows:

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

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 12, 2018.

Dated: July 12, 2018



Vera Patterson
Planning Board Secretary

Planning Kent

From: jmangarillo@rsaengrs.com
Sent: Friday, July 20, 2018 4:47 PM
To: Planning Kent
Cc: scottwfrey@yahoo.com
Subject: Dean Road - Alou & SSEL

Vera,

I did my follow up inspection this morning on Dean Road for Alou and SSEL parcels. The outstanding items have been addressed. The site is fully stabilized and acceptable for MS4 sign-off on the Notice of Termination (NOT).

Unfortunately I wasn't able to get them signed today. However, please move forward with the bond reduction to the Town Board as approved by the Planning Board. I will issue the NOT and permit close-out memo when I return from vacation.

Thank you very much,
Julie

Julie S. Mangarillo, P.E., CPESC
Rohde, Soyka & Andrews Consulting Engineers, P.C.
40 Garden Street, Poughkeepsie, NY 12601
845-452-7515 (phone)
845-452-8335 (fax)

TOWN OF KENT
25 Sybil's Crossing
Kent Lakes, New York 10512

Yolanda D. Cappelli
Town Clerk



Administrative Office
Tel. (845) 225-2067
Fax. (845) 306-5282

RESOLUTION

Resolution #372 - Accept Erosion Control Bond from SSEL Corp. TM#10.-2-10.2

On the motion by Councilman Chin
Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, at their meeting held on December 16, 2016, approved Resolution #15 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$8,925.60 and an Escrow Fund for an initial inspection fee in the amount of \$1,000 from the owners of land located at Dean Road, Kent, New York 10512, identified as Dean Road (the "Lots") TM#10.2-10.-2; and

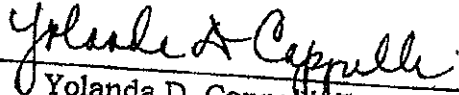
WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$8,925.60 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000.

Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a resolution adopted by the town board of the Town of Kent at a meeting of said board on December 20, 2016.

December 27, 2016



Yolanda D. Cappelli, Town Clerk

June 5, 2018

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

Re: Erosion Control Bond for TM:10.-2 & 10.-2
SSEL Corporation

Dear Kent Planning Board Members:

Please find attached copies of the following:

Mahopac Tompkins Bank Check 1046 - Erosion Control Bond - \$8,925.60
Mahopac Tompkins Bank Check 1047 -- Inspection Fee - \$1,000.00

I have completed construction of the house located on this property, received my Certificate of Occupancy for the house, and sold it.

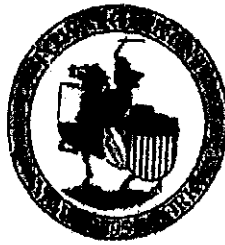
I am respectfully requesting that the Erosion Control Bond be released.

Sincerely,



Scott Frey

YOLANDA CAPPELLI
Town Clerk



Lauren Louderback
Deputy Town Clerk

Blain Abraham-Rigo
Deputy Town Clerk

**Town Clerk's Office
Town of Kent**

Resolution# Accept Erosion Control Bond from SSEL Corp.

On the motion by Councilman Chin

Seconded by Councilwoman McGlasson

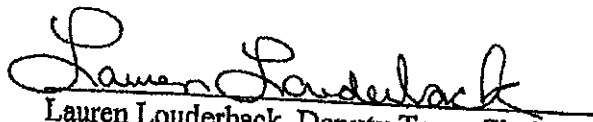
WHEREAS, the Planning Board, at their meeting held on December 16, 2016, approved Resolution #15 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$8,925.60 and an Escrow Fund for an initial inspection fee in the amount of \$1,000 from the owners of land located at Dean Road, Kent, New York 10512, identified as Dean Road (the "Lots"); and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$8,925.60 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000.
Motion carried unanimously

I, Lauren Louderback, Deputy Town Clerk of the Town of Kent, does hereby certify that the above is a true exact copy of a Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on December 20, 2016.

Dated: February 23, 2017


Lauren Louderback, Deputy Town Clerk

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: December 16, 2016
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Scott Chin
Paul Denbaum
CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att

Bill Huestis
Jaimie McGlasson

J. Ramos - w/Att.
Finance Department - w/Att.

SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa

RE: SSEL -- Dean Road - TM: 10.-2-10.-2

RE: Resolution 15
Recommendation to the Kent Town Board to accept an Erosion Control Bond from:
SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa
For
Property Located on:
Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Please find attached the following items pertaining to the project noted above:

Mahopac Tompkins Bank Check # 1046	-	\$ 8,925.60 - Erosion Control Bond
Mahopac Tompkins Bank Check # 1047	-	\$ 1,000.00 - Review Fund
Total		<u>\$9,925.60</u>

Steep Slope & Erosion Control Permit Approval Resolution 15, December 8, 2016
Backup material pertaining to Erosion Control Bond
Resolution 15

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

RESOLUTION #15
YEAR 2016

Date: December 16, 2016

From: The Kent Planning Board

To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Scott Chin

CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att
SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa

RE: Resolution 15
Recommendation to the Kent Town Board to accept an Erosion Control Bond from:
SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa
For
Property Located on:
Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Bill Huestis
Paul Denbaum
Jaimie McGlasson
J. Ramos -- w/Att.
Finance Department -- w/Att.

Resolved: On December 8, 2016 the Kent Planning Board reviewed material pertaining to an erosion control bond for construction of a single family residence on the property noted above. Ms. Mangarillo recommended that the Kent Planning Board accept an Erosion Control Bond in the amount of \$8,925.60 and an inspection fee of \$1,000.00 and that the need for a Public Hearing be waived because the Kent Zoning Board of Appeals held one for this property.

Mr. McDermott asked for a motion to recommend the Town Board approve the Erosion Control Bond in the amount of \$8,925.60 and inspection fees in the amount of \$1,000.00, waive the Public Hearing and move this project to the administrative track. The motion was made by Mr. Tolmach and seconded by Mr. Lam. The roll call votes were as follows:

Michael McDermott, Chairman	<u>Aye</u>	George Brunner	<u>Absent</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>	Gary Lam	<u>Absent</u>
Janis Bolbrook	<u>Aye</u>	Charles Sisto	<u>Absent</u>
		Philip Tolmach	<u>Aye</u>

The motion carried.

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 December 8, 2016.

Dated: December 8, 2016


Vera Patterson
Planning Board Secretary

RECEIPT DATE Dec. 16, 2016 No. 952565

RECEIVED FROM SSEL/A. D'Alonso - J. Frey \$ 8,925.60

Eight Thousand Nine Hundred Twenty five and 60/100 DOLLARS

FOR RENT
 FOR Erosion Control Bond - TM: 10.-2-10.-2.

ACCOUNT		<input type="radio"/> CASH	
PAYMENT		<input checked="" type="radio"/> CHECK	1046
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

FROM J. Frey U. Patterson TO J. Frey

BY _____

SSEL CORP.
 PO BOX 664
 CROSS RIVER, NY 10518

PAY TO THE ORDER OF Town of Trent 1046

Eight thousand nine hundred and Twenty five and 60/100 \$ 8925.60

DATE Dec 15, 16 50-1139-219

TM: 10.-2-10.-2

MAHOPAC NATIONAL BANK
 A Thompson Community Bank
 www.mahopacbank.com

FOR Erosion Control Bond

J. Frey

⑈001046⑈ ⑆021911398⑆ 101001071000⑈

RECEIPT

DATE Dec. 16, 2016

No. 952566

RECEIVED FROM SSEL/ A. D'Alise - S. Frey

One Thousand and 00

\$ 1,000.00

DOLLARS

FOR RENT

FOR

Rev. Fee / Inspection - TM: 10-2-10-2
1047

ACCOUNT	
PAYMENT	
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM V. Patten TO S. Frey

BY _____

SSEL CORP.
PO BOX 684
CROSS RIVER, NY 10518

PAY TO THE ORDER OF

Town of Rent
One thousand 00

1047

DATE Dec 15, 16

50-1139-219

\$ 1000.00

DOLLARS

TM: 10-2-10-2

MAHOPAC NATIONAL BANK
A Tompkins Community Bank
www.westcombanking.com

FOR Final Fee

S. Frey

⑈001047⑈ ⑆021911398⑆ 10100107100⑈

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

SSEL Corporation
2241 Route 6
Brewster, NY 10509
For Property Located on:
Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Bond given by Albert D'Alisa of SSEL Corporation, 2241 Route 6, Brewster, New York, 10509, whose property is located on Dean Road, Kent, NY 10512/Tax Map: 10.-2 & 10.-2 ("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 December 16, 2016

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$8,925.60, 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, Lot Line Adjustment 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 SSEL Corporation ("Project Plans") and the Erosion and Sediment Control Plan, prepared Badey & Watson, 3063 Route 9, Cold Spring, New York 10516. All these plans were reviewed and approved on September 8, 2016 by the Obligee. A Resolution of Approval of land development activity in the nature of a Steep Slope and Erosion Control Permit and Site Plan approval of plans to construct a single family house, with driveway, septic system and a well on a vacant lot in zoning district R-80. 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-0-10-001.

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 or a certified check drawn upon a national or state bank 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 \$8,925.60 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 ALBERT D'ALISA, SSEL CORPORATION, 2241 ROUTE 6, Brewster, New York 10509.

In the event the erosion control work allowed shall not have been duly completed by ALBERT D'ALISA, SSEL CORPORATION, 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 ALBERT D'ALISA, SSEL CORPORATION; 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 ALBERT D'ALISA, SSEL CORPORATION; 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 ALBERT D'ALISA, SSEL CORPORATION;

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 ALBERT D'ALISA, SSEL CORPORATION;

Dated: December 16, 2016

ALBERT D'ALISA

By: Albert D'Alisa
(signature)

By: Albert D'Alisa
(signature)

ALBERT D'ALISA

(print/type signatory's name)
Albert D'Alisa

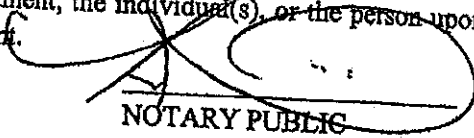
Owner/Obligee, President SSEL Corporation
(print/type signatory's title)

STATE OF New York

) ss.:

COUNTY OF Rattom

On the 16 day of December, 2016, before me, the undersigned, a notary public in and for said state, personally appeared Albert D'Alisa, 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

KIMBERLY S. SPINNING
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SP6276028
Qualified in Dutchess County
Commission Expires Feb. 4, 20 17

June 5, 2018

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

Re: Erosion Control Bond for TM:10.-2 & 10.-2
SSEL Corporation

Dear Kent Planning Board Members:

Please find attached copies of the following:

Mahopac Tompkins Bank Check 1046 – Erosion Control Bond - \$8,925.60
Mahopac Tompkins Bank Check 1047 – Inspection Fee - \$1,000.00

I have completed construction of the house located on this property, received my Certificate of Occupancy for the house, and sold it.

I am respectfully requesting that the Erosion Control Bond be released.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott Frey".

Scott Frey

YOLANDA CAPPELLI
Town Clerk



Lauren Louderback
Deputy Town Clerk

Blain Abraham-Rigo
Deputy Town Clerk

**Town Clerk's Office
Town of Kent**

Resolution# Accept Erosion Control Bond from SSEL Corp.

On the motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, at their meeting held on December 16, 2016, approved Resolution #15 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$8,925.60 and an Escrow Fund for an initial inspection fee in the amount of \$1,000 from the owners of land located at Dean Road, Kent, New York 10512, identified as Dean Road (the "Lots"); and

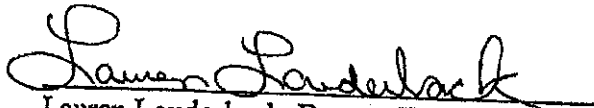
WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$8,925.60 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000.

Motion carried unanimously

I, Lauren Louderback, Deputy Town Clerk of the Town of Kent, does hereby certify that the above is a true exact copy of a Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on December 20, 2016.

Dated: February 23, 2017


Lauren Louderback, Deputy Town Clerk

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: December 16, 2016

From: The Kent Planning Board

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

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

SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa

RE: SSEL - Dean Road - TM: 10.-2-10.-2

RE: Resolution 15
Recommendation to the Kent Town Board to accept an Erosion Control Bond from:
SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa
For
Property Located on:
Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Please find attached the following items pertaining to the project noted above:

Mahopac Tompkins Bank Check # 1046	-	\$ 8,925.60 - Erosion Control Bond
Mahopac Tompkins Bank Check # 1047	-	<u>\$ 1,000.00 - Review Fund</u>
Total		\$9,925.60

Steep Slope & Erosion Control Permit Approval Resolution 15, December 8, 2016
Backup material pertaining to Erosion Control Bond
Resolution 15

Memorandum

RESOLUTION #15
YEAR 2016

Date: December 16, 2016

From: The Kent Planning Board

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

CC: W. Walters, Building Inspector - w/Att. J. Ramos - w/Att.
L. Cappelli, Town Clerk - w/Att. Finance Department - w/Att.
SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa

RE: Resolution 15
Recommendation to the Kent Town Board to accept an Erosion Control Bond from:
SSEL Corporation
2241 Route 6
Brewster, NY 10509
Attn: Albert D'Alisa
For
Property Located on:
Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Resolved: On December 8, 2016 the Kent Planning Board reviewed material pertaining to an erosion control bond for construction of a single family residence on the property noted above. Ms. Mangarillo recommended that the Kent Planning Board accept an Erosion Control Bond in the amount of \$8,925.60 and an inspection fee of \$1,000.00 and that the need for a Public Hearing be waived because the Kent Zoning Board of Appeals held one for this property.

Mr. McDermott asked for a motion to recommend the Town Board approve the Erosion Control Bond in the amount of \$8,925.60 and inspection fees in the amount of \$1,000.00, waive the Public Hearing and move this project to the administrative track. The motion was made by Mr. Tolmach and seconded by Mr. Lam. The roll call votes were as follows:

Michael McDermott, Chairman	<u>Aye</u>	George Brunner	<u>Absent</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>	Gary Lam	<u>Absent</u>
Janis Bolbrock	<u>Aye</u>	Charles Sisto	<u>Absent</u>
		Philip Tolmach	<u>Aye</u>

The motion carried.

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 December 8, 2016.

Dated: December 8, 2016


Vera Patterson
Planning Board Secretary

RECEIPT DATE Dec. 16, 2016 No. 952565

RECEIVED FROM SSEL/A. O'Connell - J. Kray \$ 8,925.60

Eight Thousand Nine Hundred Twenty five and 60/100 DOLLARS

FOR RENT
 FOR Erosion Control Bond - TM: 10.-2-10.-2.

ACCOUNT		<input type="radio"/> CASH	
PAYMENT		<input checked="" type="radio"/> CHECK	<u>1046</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

FROM J. Kray U. Patterson TO J. Kray

BY _____

SSEL CORP.
 PO BOX 664
 CROSS RIVER, NY 10518

PAY TO THE ORDER OF Town of Trent DATE Dec 15, 16 1046

Eight thousand nine hundred and twenty five and 60/100 \$ 8925.60 DOLLARS

TM: 10.-2-10.-2
 FOR Cross River Central Bank

MAHOPAC NATIONAL BANK
 A Tompkins County Bank
 www.welcomebanking.com

⑈001046⑈ ⑈021911398⑈ ⑈10100107100⑈

J. Kray

RECEIPT DATE Dec. 16, 2016 No. **952566**

RECEIVED FROM SSELIA A. D'Alise - S. Frey \$ 1,000.00

One Thousand and 00/100 DOLLARS

FOR RENT FOR Rev. Fee / Inspection - TM: 10.-2-10.-2

ACCOUNT		<input type="checkbox"/> CASH
PAYMENT		<input checked="" type="checkbox"/> CHECK
BAL. DUE		<input type="checkbox"/> MONEY ORDER
		<input type="checkbox"/> CREDIT CARD

1047 FROM V. Patten TO S. Frey

BY _____

SSEL CORP.
PO BOX 664
CROSS RIVER, NY 10518

PAY TO THE ORDER OF Town of Rent 1047

One Thousand and 00/100 DOLLARS

DATE Dec 15, 16 50-1139-219

TM: 10.-2-10.-2

MAHOPAC NATIONAL BANK
A Tompkins Community Bank
www.watcombanking.com

FOR Final and Fee

S. Frey

⑈001047⑈ ⑆021911398⑆ 10100107100⑈

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

SSEL Corporation
2241 Route 6
Brewster, NY 10509
For Property Located on:
Dean Road
Kent, NY 10512
TM: 10.-2 & 10.-2

Bond given by Albert D'Alisa of SSEL Corporation, 2241 Route 6, Brewster, New York, 10509, whose property is located on Dean Road, Kent, NY 10512/Tax Map: 10.-2 & 10.-2 ("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 December 16, 2016

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$8,925.60, 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, Lot Line Adjustment 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 SSEL Corporation ("Project Plans") and the Erosion and Sediment Control Plan, prepared Badey & Watson, 3063 Route 9, Cold Spring, New York 10516. All these plans were reviewed and approved on September 8, 2016 by the Obligee. A Resolution of Approval of land development activity in the nature of a Steep Slope and Erosion Control Permit and Site Plan approval of plans to construct a single family house, with driveway, septic system and a well on a vacant lot in zoning district R-80. 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-0-10-001.

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 or a certified check drawn upon a national or state bank 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 \$8,925.60 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 **ALBERT D'ALISA, SSEL CORPORATION, 2241 ROUTE 6, Brewster, New York 10509.**

In the event the erosion control work allowed shall not have been duly completed by **ALBERT D'ALISA, SSEL CORPORATION**, 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 **ALBERT D'ALISA, SSEL CORPORATION**; 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 **ALBERT D'ALISA, SSEL CORPORATION**; 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 **ALBERT D'ALISA, SSEL CORPORATION**;

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 **ALBERT D'ALISA, SSEL CORPORATION**;

Dated: December 16, 2016

ALBERT D'ALISA

By: Albert D'Alisa
(signature)

By: Albert D'Alisa
(signature)

ALBERT D'ALISA

(print/type signatory's name)

Albert D'Alisa

Owner/Obligee, President SSEL Corporation

(print/type signatory's title)

STATE OF New York

) ss.:

COUNTY OF Rattom

On the 16 day of December, 2016, before me, the undersigned, a notary public in and for said state, personally appeared Albert D'Alisa, 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.

[Signature]
NOTARY PUBLIC

KIMBERLY S. SPINNING
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01SP6276028
Qualified in Dutchess County
Commission Expires Feb. 4, 2017



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan
December Planning Board Meeting

Date: December 8, 2016

Project: SSEL Corp – Dean Rd
TM # 10.-2-10.2

The following materials were reviewed:

- Town of Kent Combined Application Form, signed 10/28/2016, including
 - Owner affidavit, Agent of owner affidavit, Certification of Licensed Professional, Disclosure of Business Interest, agricultural data statement
- Putnam County Department of Health permit for sewage treatment system, 11/7/2016
- Deed
- Easement descriptions
- Short Environmental Assessment Form (EAF), dated November 16, 2016
- Erosion & Sediment Control Bond Estimate, prepared by Badey & Watson
- Notice of Intent (NOI), signed 11/17/2016
- MS4 SWPPP Acceptance Form with Sections I and II completed.
- Survey of property, prepared by Badey & Watson Surveying & Engineering, P.C., dated August 17, 2016
- Erosion & Sediment Control Plan, Sheets 1 and 2, prepared by Badey & Watson Surveying & Engineering, P.C., November 16, 2016
- Subsurface Sewage Treatment System, prepared by Badey & Watson Surveying & Engineering, P.C., revised 9/21/2016
- Architectural drawings, prepared by Rayex, dated July 12, 2016

The project proposes construction of a single family house with private well and septic. Access to the house will be via shared driveway. There is an existing house that currently uses the driveway. The portion of driveway that serves the proposed house was rough graded a number of years ago with some drainage structures installed.

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

1. Provide copies of Health Department approvals for well.
2. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002.

3. Refer to the Notice of Intent – On page 1, provide Federal Tax ID for SSEL Corp.
4. Refer to the Drawings:
 - a. Along the west side of the driveway along the house, between the silt fence and edge of driveway, is a thick line without a label. Provide description of this. Is it a retaining wall?
 - b. Provide detail on the existing "drop inlets" along the shared driveway. The grass swale is proposed to discharge into one of the drop inlets.
 - c. Where will the grass swale on the east (uphill) side of the driveway discharge to? Is a culvert needed beneath where the individual driveway branches from the shared driveway?
5. The applicant provided a bond estimate of \$5,510. We recommend this bond estimate be revised to include topsoil stockpile, stormwater piping from the catchbasin and the rock outlet protection. Please see attached for the calculation of our bond estimate of \$8,925.60. We recommend the bond estimate of \$8925.60 be accepted for the bond amount and recommended for approval by the Town Board.
6. We recommend the public hearing be waived per §66-8.F, as this project would have been subject to a public hearing during the ZBA approval process, even though it was later determined ZBA variances are not required.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-238

Bruce Barber via email
Neil Wilson via email



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

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

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

To: Planning Board Town of Kent
From: Julie S. Mangarillo, P.E., CPESC
Date: December 8, 2016

Attn: Michael McDermott, Chairman
Subject: Erosion Control Bond Amount
Project: SSEL Corp, Dean Road
Tax Map: 10.-2-10.2

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Inlet protection	1	EA	\$ 500.00	\$ 500.00
Soil stockpiles	1	EA	\$ 500.00	\$ 500.00
Seed and mulch	42,060	SF	\$ 0.06	\$ 2,523.60
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Silt Fence	434	LF	\$ 4.00	\$ 1,736.00
12" dia drainage pipe	67	LF	\$ 16.75	\$ 1,122.25
Rock outlet protection	15	CY	\$ 75.00	\$ 1,093.75
Grass swale	140	LF	\$ 5.00	\$ 700.00
			TOTAL:	\$ 8,925.60

Erosion control bond estimate prepared by applicant:

\$ 5,510.00



Memorandum

To: Planning Board
Town of Kent

Attn: Phillip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: July 12, 2018

Project: Route 52 Development
TM # 12.-1-52

The following materials were reviewed:

- Letter prepared by Michael V. Caruso, P.C. dated July 10, 2018
- Combined Application Form – Page 5 only, signed 6/10/2018
- Drawing ECP "Erosion Control Plan" prepared by P.W. Scott Engineering & Architecture, P.C., dated 7/6/2018

This property is subject to an application for a larger development project. This particular application is for an erosion control permit to clear fallen trees from the recent significant storms for the limited purpose of allowing Health Department testing. The recent significant storm was extremely unusual. If not for the storm, the health department testing could have been completed without land disturbance that would trigger the need for an erosion control permit.

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

1. Due to the unusualness of this situation, we recommend that the information required in Chapter 66, §66-6.B.2 be waived.
2. Provide a complete Combined Application Form, including affidavits or other legal documents proving the testing is permitted to be conducted on the property.
3. Provide an estimated time frame for the testing work to be completed.
4. Include stabilization of the existing trails that have been disturbed.
5. Provide improved stabilized construction entrance at Route 52. Recent site traffic appears to be silting in the crushed stone already there.
6. Per §66-6.F, we recommend the public hearing be waived as this is for an unusual circumstance and is limited only to work for Health Department testing.
7. We recommend a bond estimate of \$1000 be accepted for the bond amount and recommended for approval by the Town Board.
8. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.

Memorandum
Route 52 Development ECP
TM # 12.-1-52
July 12, 2018
Page 2 of 2

9. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.
10. We defer to the Planning Board's environmental consultant regarding wetland issues.

Additional comments may be provided.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
18-261-243

Bruce Barber via email
Liz Axelson via email

P.W. Scott

Engineering & Architecture, P.C.

3871 Route 6

Brewster, NY 10509

pwscott2@comcast.net

www.pwscott.com

(845) 278-2110

FAX (845) 278-2166

June 8, 2018

Town of Kent
25 Sybil's Crossing
Kent Lakes, New York 10512

Re: Route 52 Commercial Development

To whom it may concern,

Please accept this request for the clearing of fallen trees on the subject property from the recent storm in order to complete PCDOH testing. The area of disturbance is approximately 4.5 acres out of the 9.5 acres septic field area as is noted on the attached septic testing site plan. We request a site visit and the definition of the permitting required in order to complete the clearing of only the fallen trees, to permit the safe access to the septic testing areas defined. The wood shall be cut into lengths and with an excavator moved to large stock pile areas for future chipping.

Our office is available for the site visit if required to define the areas anticipated. Thank you for your consideration.

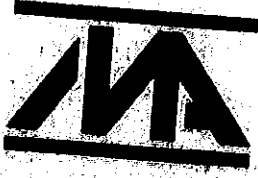
With regards,

Peder Scott

Peder Scott, P.E., R.A.
President

Cc: Mike Caruso, Esq.
Tejpal Sandhu (TJ)
Owner: Charles Bilangino, Authorized Member
Laurel Realty, LLC

ARCHITECTURE * ENGINEERING * SITE PLANNING
SAOPEN PROJECTS\Kent - Site Development-TJ\Correspondence\tree removal request.doc



MORRIS ASSOCIATES

ENGINEERING & SURVEYING CONSULTANTS, PLLC

9 Elks Lane, Poughkeepsie, New York 12601 Tel: (845) 454-3411 Fax: (845) 473-1962
 64 Green Street, Suite 1, Hudson, New York 12534 Tel: (518) 828-2300 Fax: (518) 828-3963

MEMORANDUM

Date: June 13, 2018
To: Town of Kent Planning Board
From: Liz Axelson, AICP
RE: Route 52 Development Site Plan; & Erosion Control Plan, Route 52, Tax Parcel No. 12.-1-52 / MA# 218045.00

I reviewed the materials listed at the end of this memorandum, which were received by my office on April 23, 2018. I also reviewed online mapping resources; the Code of the Town of Kent, Chapter 77, Zoning; and other Kent code chapters. Based on my review, I offer the following comments for the Board's consideration:

Summary

1. The proposal involves site development of a 137.435-acre parcel to create an approximately 54-acre excavated, graded area for mixed use commercial development (see tax parcel listed above) in the IOC (Industrial-Office-Commercial) zoning district. The existing site is vacant, wooded and steeply sloped with 10 wetland areas of various sizes. Proposed site development is located on the western half of the site. Proposed uses include 2 hotels; a conference center; an indoor recreation facility; a truck/rest stop building with retail and restaurants; and a motor vehicle repair and service station with fueling, tire shop and possibly other truck service and repair. All four (4) proposed driveways would provide access from Route 52 just east of Interstate 84 (I-84) exit 17. The site also has frontage on I-84.
2. Steep slopes and large trees throughout the proposed site development area and certain wetlands will necessitate reconfiguration of the site layout. Redesign will make the proposed development more appealing to potential visitors. Please refer to the Statement of Use and Full EAF comments below, which elaborate on zoning and code compliance issues.
3. Key elements of the site plan are missing or require clarification. The motor vehicle repair and service station with fueling, tire shop and possibly other truck service and repair requires a special permit application and plans and materials demonstrating compliance with supplementary requirements and special use objectives. The required special permit would be subject to approval by the Planning Board. Accordingly, the application is not complete.
4. Additional reports, complete and clear plan information and details about the existing conditions and proposed action are required for consideration of Full Environmental Assessment Form (Full EAF).

SEQRA

5. The proposed action appears to be a Type I (1) action as per the SEQRA regulations, Part 617, section 617.4 (b)(6)(i), (iii) and (iv).
6. Additional reports, plan information and details about the existing conditions and proposed action, as well as Full EAF revisions, are required for Planning Board initiation of SEQRA review. Although a report list was submitted, our office did not receive copies of the listed

reports. It is my understanding that the listed reports were not officially submitted. Based on an intensive initial review, it is recommended that the following reports be provided for review under the SEQRA and for compliance with Kent's Town Code as follows:

- a. Narrative and corresponding reports about compliance with code provisions for:
 - i. wildlife and plant biodiversity, including rare, threatened and endangered species' habitat suitability assessment report, in compliance with Town requirements;
 - ii. U.S. Fish and Wildlife Service IPaC (Information for Planning and Assessment) report;
 - iii. environmentally sensitive lands;
 - iv. wetlands delineation and report, including wetland functional values; and hydrology; and wetland and biodiversity assessment report, in compliance with Town requirements;
 - v. tree survey map with report, including trees to be removed and to be preserved;
 - vi. steep slopes;
 - b. Narrative and report pertaining to mined land site reclamation, including mining operations; access; depth requirements; and reclamation schedule;
 - c. Narrative to address the requirements of Chapter 38, Fire Prevention, Article II regarding blasting;
 - d. Visual Impact analysis, including:
 - i. extensive changes to site topography;
 - ii. visibility of proposed buildings and large parking lots;
 - iii. removal of vegetation; and
 - iv. possible impacts on the view of the site from nearby roadways, recreational facilities or other viewpoints within the project site's environs;
 - e. Steep slopes map and expanded narrative;
 - f. Noise impact analysis to address:
 - i. Rock removal and blasting;
 - ii. Construction activities;
 - iii. Tire repair, service aisle and other truck service areas; and
 - iv. Truck traffic;
 - g. Engineering reports for water supply and wastewater treatment;
 - h. Stormwater Pollution Prevention Plan (SWPPP), which must address hotspots for proposed fueling and repair facilities;
 - i. Groundwater study;
 - j. Traffic Impact Study, including car and truck traffic; and construction traffic;
 - k. Air quality analysis and impact report;
 - l. Phase 1A Literature Search and Sensitivity Assessment for cultural (historical and archaeological) resources; and copies of any submittals the NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP; or SHPO via CRIS);
 - m. Housing needs assessment to address the needs of person who would be employed at the various business on the developed site;
 - n. Fiscal Impact Analysis including possible effects on police, fire and other emergency services;
 - o. Market study;
7. Reconfiguration of the site layout will reduce impacts on the site's environmentally sensitive resources including steep slopes, bedrock, trees, wooded areas, and wetlands; and provide a plan that complies with the pertinent code chapters noted herein. These and other plan

revisions are required so that the Planning Board may consider initiation of SEQR at a later date.

Statement of Use and Full EAF

8. I defer to the Planning Board's Engineering and Environmental Consultants about the environmental; engineering; and code issues presented in the submitted Statement of Use and Full EAF.
9. The submitted Statement of Use appears to serve as narrative preceding the Full EAF, which provides more detail about the Proposed Action. Revise the Statement of Use (SoU) and corresponding application and plan elements to address the comments below. The comments follow the order of the submitted SoU:
 - a. Under the SoU heading "Property Description", note that across Route 52 (not 55) there is an R-40 Single-family Residential zoning district in addition to other lands in the IOC zone.
 - b. The Existing Conditions (Sheet EX) should be readable. For example, the following items are illegible: elevation contours and the elevation labels thereon; and wetland boundaries and the various wetland identification numbers.
 - c. Add to or clarify bedrock outcroppings on Sheet EX.
 - d. Delineate steep slopes on Sheet EX or provide a separate steep slopes map.
 - e. Under the SoU section heading "Permitted Uses", it is suggested the listed uses be more consistent with the language of Kent's Zoning for the IOC zone, section 77-24.A. For example, specify "no drive-through for the permitted uses "Retail" and "Service Business".
 - f. Under the SoU section heading "Special Permitted Uses", it is suggested the listed uses be more consistent with the language of the IOC zone, section 77-24.C. Instead of "Commercial Garages", the term "Motor vehicle repair shop, motor vehicle service station, with or without convenience store, with or without car wash and commercial garage" is listed. The proposed use appears to be more consistent with this special use.
 - g. The submitted application form should be revised to reflect a proposed special use.
 - h. "Car wash" and "Gasoline pumps" are not separate uses or special uses, and should not be listed as such. They are aspects of the special use listed as "Motor vehicle repair shop, motor vehicle service station, with or without convenience store, with or without car wash and commercial garage".
 - i. Add a section in the Statement of Use to address each of the requirements for "Motor vehicle repair shop, motor vehicle service station, with or without convenience store, with or without car wash and commercial garage" in zoning subsection 77-24.C. (5)(a) through (j).
 - j. Address the requirements in subsection 77-24.C. (5)(a) through (j) on the site plans.
 - k. In regard to section 77-24.C. (5)(i), it is understood that signage may be addressed in more detail in later site plan review. However, sign plans must be presented to the extent needed to address the visual impact of the proposed action.
 - l. Corresponding to 77-24.C. (5)(j), confirm whether a car wash or truck washing facility is proposed, or not.
 - m. Under the SoU section heading "Proposed Action", clarify what is meant by the terms "truck stop" and "service aisle". Clearly identify these elements on the plans differentiating service aisle with fueling areas.

- n. Revise the items under the SoU section heading "Proposed Action" and the corresponding site plans so that all the terms and areas are consistent on each. For example, the plans show a "food court"; "country store"; "rest area"; and "expansion area". Yet the SoU lists "country store and restaurant" with no mention of the other items.
- o. Describe the need for a wastewater treatment facility, which would discharge to a subsurface discharge area.
- p. Address the requirements in subsection 77-24.C. (5)(a) through (j) under the SoU heading for zoning compliance.
- q. The zoning compliance statement about coverage is conclusive, yet must be supported with coverage numbers.
- r. Although the proposed development appears to be "compact", the design requires wholesale removal of the site's topography; large, mature and specimen trees and wooded areas; and a wetland in the western half of the site. The proposed development appears to be inconsistent with the policies, findings, purposes, objectives, standards and criteria in Kent's code: - Chapter 39A, Freshwater Wetlands, sections 39A-2; 39A-3; and 39A-8; and - Chapter 66, Steep Slope Protection and Stormwater Management, sections 66-2; 66-14; and 66-18. Similarly, the proposal would be inconsistent with the zoning purposes of protecting and promoting aesthetics, appearance, and natural qualities, as per section 77-2. B; and related design standards in section 77-26. A. It is recommended the design be fully revised to work with the site's natural features and contours; and to reduce the extensive vegetation removal and excavation that would be required by the proposed grading plan. The revised site layout should take advantage of these features by placing the hotels and conference center near the site's natural amenities, thus making these facilities more desirable to potential visitors.
- s. Add a heading to the SoU with narrative about land disturbance to address the extensive changes in existing and proposed grades.
- t. Parking requirements will be reviewed in a later submittal pending more complete information and clarity between the plans and the SoU about proposed uses; floor area and building square footage; and building heights.
- u. The information under the SoU heading "Retail Building Data" is unclear, incomplete; and inconsistent with the site plans. Also, the site plans do not provide square footage for all of the apparent structures, so the building data cannot be verified. For example, the "Tire store & Gas Service Aisle Roof" number is much lower (8,396 square feet [SF]) than what appears to be shown on the plans with a tire shop; fueling canopy; and other canopies (30,595 SF). The items listed for "Restaurant/Store" and "Future Country Store Addition" do not correspond to site plan labels and cannot be verified.
- v. The plans must clearly label each building's and each structure's (such as canopy's) dimensions; footprint; total square footage; and number of stories either in the plan view or in a table on the plans.
- w. Under the SoU heading Zoning Requirements, certain zoning requirements are listed, yet not all. It is suggested reference be made to the plans. Also, the maximum building height requirement of 40 feet (40') is listed, yet the plans indicate a proposed building height of 4 stories and 50'. Both values exceed the zoning requirement of 3 stories or 40'. Revised the site plans and corresponding Zoning Tabulation to reflect a project conforming to the Town's zoning height requirements for the IOC zoning as per section 77-25. H. Zoning information is provided in a couple places in the SoU and on

- the plans, which information should be consolidated for clarity; and consistent wherever presented.
- x. The rest of the SoU will be reviewed at a later date when existing conditions plans and the proposed action as per the site plans are complete and clear.
 - y. A "Steep Slope Narrative" is attached to the submittal separate from the SoU or the Full EAF, which should be incorporated. This narrative should be revised in response to site redesign as per the comments above; and to address the Findings of Fact and Purpose in code Chapter 66, Steep Slope Protection and Stormwater Management, section 66-2.
10. As noted above additional reports, complete and clear plan information and details about the site's existing conditions and the proposed action are needed for initiation of review under SEQRA. Accordingly, the submitted Full EAF, Part 1 will be reviewed in more detail at a later date. However, I offer the following initial comments:
- a. In Full EAF section A, the description of the proposed action should refer to the Statement of Use (SoU) after it has been fully revised to demonstrate consistency with the plans and pertinent zoning provisions.
 - b. It is recommended that Full EAF section B. refer to a table presenting required approvals in a more detailed list given the complexity of the proposed action.
 - c. Full EAF section B. must be revised to delete "Special Permit" from row B.a as the Town Board does not have jurisdiction over special uses.
 - d. As noted above, a special use permit is required. As per zoning section 77-24.C., such approval would be from the Planning Board, which should be reflected in row B.b.
 - e. Section B., row B.c indicates building height would be considered by the Zoning Board of Appeals. The plans should be revised to address the building height requirements of the IOC zoning district as per the comments above. Development of the site in compliance with zoning requirements is feasible given the size of the site with proper redesign.
 - f. In row B.g., add the NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP, aka SHPO) as the aerial photography appears to show remains of a former use (estate or farm). Also, there appears to have been a consultation project as per the Cultural Resource Information System (CRIS) mapping for the project site.
 - g. The response to Full EAF question C.2 indicates possible comprehensive plan recommendations for the site. Provide narrative with references to the Town's plan adopted in 2008.
 - h. The response to EAF question C.2.b should be "Yes" identifying the New York City watershed boundary per NYSDEC's EAF Mapper platform.
 - i. The response to question C.2.c should note any recreational facilities, including Wonder Lake State Park, in proximity to the site as per the Town of Kent Recreation Master Plan of 2011 and the maps therein.
 - j. EAF section D. Project Details will be reviewed at a later date based on submittal of a revised, complete plan set that provides clear and consistent information about the proposed action.
 - k. EAF section E. Site and Setting of Proposed Action will be reviewed at a later date based on submittal of a revised, complete plan set that provides clear and consistent information about the site's existing conditions; and related reports about the site's existing conditions.
 - l. In regard to the response to Full EAF question e.3.f, provide a copy of any materials uploaded to the NYS OPRHP's CRIS for consultation about possible historic features or archaeological sensitivity of the site.

- m. The response to EAF question E.3.h may need to be revised depending on the results of a visual impact analysis and any impacts on the view of the site from nearby roadways, recreational facilities or other viewpoints identified within the project site's environs.

Site Plan Application

11. I defer to the Planning Board's Engineering and Environmental Consultants about the specifics of the Erosion Control Permit; and Wetland Delineation. Accordingly, my comments pertain primarily to the site plan.
12. As per the comments above, although the plans appear to depict a somewhat "compact" development, the design requires wholesale removal of the site's topography in the western half of the site. The plans must be revised to show a proposed development that is consistent with the Findings of Fact and Purpose in code Chapter 66, Steep Slope Protection and Stormwater Management, section 66-2. Similarly, plans must be revised to show a proposal, which would be consistent with the zoning purposes of protecting and promoting aesthetics, appearance, and natural qualities, as per section 77-2. B. It is recommended the design be fully revised to work with the site's contours to reduce the extensive excavation that would be required by the proposed grading plan.
13. Based on my review the proposed development includes the following principal permitted uses listed for the IOC district as set forth in zoning section 77-24, A.: commercial recreation facility; conference facility; hotel; restaurant, no drive-through; retail business, no drive-through; and possibly service business, no drive-through. The proposed development also includes the following special use listed for the IOC district as set forth in zoning section 77-24, C.: "Motor vehicle repair shop, motor vehicle service station, with or without convenience store, with or without car wash and commercial garage". As per comments above, the application must be revised to reflect the need for a special permit.
14. As per the comments above, the narrative and plans must be revised to address and to show compliance with the supplementary requirements in zoning section 77-24 C. (5)(a) through (j).
15. The general requirements for Special use permits in zoning section 77-59 must also be addressed.
16. The submitted plans were reviewed in detail per the lot and bulk requirements and design standards in zoning section 77-25 and 77-26, respectively. However, there are concerns expressed in the comments above about redesign with respect to topography, vegetation, wetlands, grading, visual effects, building height, etc., as well as incomplete plans and inconsistencies between the plans and narrative. Accordingly, more detailed comments will be considered following the submittal of a revised application and plans in accordance with all pertinent Kent code provisions.
17. The following general plan comments and questions are offered:
 - a. Consolidate and coordinate site access by deleting 1 of the 4 points of access to Route 52. Specifically, delete the 2-way access to the "Truck Stop", which is the driveway immediately east of the proposed boulevard entrance; and retain the boulevard; and the 2 driveways to the "Truck Fueling" and "Truck Parking" area.
 - b. Add notation or label aspects of the "Truck Stop"; "Truck Fueling" and "Truck Parking" area to clarify whether the following structures; facilities or activities are proposed: service aisle with or without canopy; truck fueling with or without canopy; identify the structure in between the fueling and parking areas; the various types of truck services (tires; oil service other?); truck spaces for overnight use; shower facilities;

- c. Revise the stormwater improvements to the west of the La Quinta hotel to eliminate what appears to be the elimination of a wetland.
- d. Incorporate parking under buildings; add green roofs; or landscaped areas within the center of the site to break up large expanses of "hardscape", that is within relatively continuous areas of buildings; parking and driveways.

Recommendation

18. The Planning Board should direct the applicant to:
 - a. reconfigure the site layout as set forth in the comments above; and
 - b. provide a complete application.
19. The Planning Board should direct the Applicant to provide the application; plan; and reports necessary for initiation of SEQRA review.
20. Since the application requires key changes and is not complete, it is not ready for a public hearing.

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

cc: Bill Walters
Julie Mangarillo
Bruce Barber

Materials Reviewed

- Application for Site Plan; and Steep Slope & Erosion Control, signed 9/6/17 with attached:
 - o Request for Wetland Delineation Confirmation; affidavits; certifications; Agricultural Data Statement;
 - o Putnam County Recording Pages/Deed from 1995;
 - o Authorization letters of January 18, 2018 and August 7, 2017;
 - o Project Information, preparer not indicated, undated;
 - o Statement of Use narrative, preparer not indicated, dated November 20, 2017;
 - o Zoning Tabulation Chart, preparer not indicated, dated 1/9/18;
 - o Full EAF, signed by Peder Scott, PE, P.W. Scott Engineering & Architecture, dated January 18, 2018 with attached NYSDEC Environmental Mapper printout;
 - o Report List, preparer not indicated, undated;
 - o List of Neighbors, received 1/17/18;
 - o Steep Slope Narrative; and
- Plans entitled Route 52 Development, 62 US Route 52, Kent, New York, prepared by PREPARERS NOT INDICATED, P.W. Scott Engineering & Architecture, and others (see below), dated January 10, 2018, including the following
 - o Index Plan (Sheet ID);
 - o Existing Conditions (Sheet EX);
 - o Parking Site Plan (Sheet SY1);
 - o Grading & Drainage Plan (Sheet SY2);
 - o Boundary Survey (Sheet EX1); and
 - o Soil/Wetland Map (Sheet SW).

MICHAEL V. CARUSO, P.C.
ATTORNEY AND COUNSELOR AT LAW

3871 Danbury Road
Brewster, New York 10509
mvcarusolaw@gmail.com
Tel: (845) 207-5452
Fax: (845) 251-0002

July 12, 2018

By Hand Delivery
Town of Kent Planning Board
25 Sybil's Crossing
Kent Lakes, New York 10512
Attn: Phil Tolmach, Chairman

Re: Business plan for Route 52 site development application for real property identified on Kent Assessment Roll as 12.-1-52 (the "Premises")

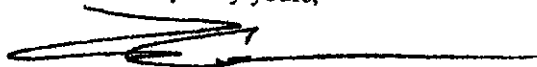
Dear Mr. Chairman:

The applicant proposes to develop the Premise in phases. Phase one would see the truck stop and country store components constructed and, simultaneously, the installation of subsurface treatment utilities and equipment for other phases and pads to be built. The applicant has contacts with protentional operators for these separate uses.

The second phase envisions construction of the LaQuinta hotel and pad to compliment the truck stop and country store uses presumably in operation, and then construction of the Radisson Red hotel and pad. The LaQuinta hotel use is geared toward those utilizing the truck stop while the Radisson Red is intended to be a destination in-and-of itself because, conceptually, it is a newer hotel oriented toward millennials and technology. The expected duration for Radisson Red hotel occupants would be 3-4 days with the LaQuinta expecting around the same duration. The applicant intends to lease these pad sites to the hotel operators with whom the applicant already has pre-existing relationships.

Next, the applicant would build and operate the proposed convention center on the Premises. This convention center would function as a destination drawing visitors to the Premises and working in tandem with the existing hotels to service convention center visitors. The convention center would feature multiple catering halls, kitchens, and the ability to host several events simultaneously. The applicant will not be leasing this convention center to an independent operator and intends to apply its own brand of hospitality and service. The final development phase would see the indoor water park constructed and operated by a third-party. The applicant has existing business relationships with well-known, regional operators of water parks, which could compliment the anticipated visitors to the on-site hotels.

Very truly yours,



Michael V. Caruso



MORRIS ASSOCIATES

ENGINEERING & SURVEYING CONSULTANTS, PLLC

9 Elks Lane, Poughkeepsie, New York 12601 Tel: (845) 454-3411 Fax: (845) 473-1962
 64 Green Street, Suite 1, Hudson, New York 12534 Tel: (518) 828-2300 Fax: (518) 828-3963

MEMORANDUM

Date: June 28, 2018
To: Town of Kent Planning Board
From: Liz Axelson, AICP
RE: Review of Conditions of Approval for Ultimate Auto Site Plan, 94 Route 311 & 18 Longfellow Drive, Tax Parcels No. 22.0-2-12 & 22.74-1-51
MA# 218044.00

I reviewed the materials listed at the end of this memorandum as per the conditions of Site Plan Approval by resolution adopted on May 10, 2018.

Status of Conditions of Approval

Conditions 1 through 9 of the May 10, 2018 approval are shown below with comments about the status of each of the conditions in **bold, italicized text**.

1. Payment of all Planning Board costs and fees, including professional review fees incurred during the review and approval of the application. ***To be determined by the Secretary to the Planning Board.***
2. The site plan described herein shall be revised to address the following:
 - a. Label tax parcel number 22.74-1-51 and provide documentation of right of access over this lot to the parking located on main site tax parcel 22.0-2-12. Or provide evidence of merger of these tax parcels and revise the site plan accordingly. ***The letter by Route 311 LLC should state, and a note must be added to the site plan to specify that there will be "right of access over this lot to the parking located on main site".***
 - b. Add a lot and bulk requirements table with columns for requirements; existing conditions; proposed conditions; and notation indicating certain front and side yards are noncomplying. Revise the site lot area as needed per condition 2.a. ***Provide actual values in the "Proposed" column (copy and paste from the "Existing" column). Add asterisks next to the existing and proposed front and side yard values; and add a note below the table to read as follows: "** Existing noncomplying condition."***
 - c. Add the following notes to the plan:
 - i. "Employee parking is provided behind the building in the area denoted as existing asphalt." ***Condition has been addressed.***
 - ii. "All customer vehicles shall be kept inside the building. No cars shall be parked in front of the building." ***Condition has been addressed.***
 - iii. "No business activities shall occur; nor shall any materials be stored or displayed outside of the building." ***Condition has been addressed.***
 - i. "If the business is discontinued, all business signs shall be removed." ***Condition has been addressed.***
 - d. Add notes to the plan to memorialize the items in the Route 311 LLC letter of March 13, 2018. ***Condition has been addressed.***

- e. Add 3 "No Stopping or Standing" signs to the plan to be located on the front wall of the building; and provide a detail of the proposed signs. **"No Parking Any Time" signs; and the corresponding detail, are shown on the plan and may be acceptable to the Planning Board Chairman.**
- f. Show proposed sign(s) on the site plan including location; size; dimensions; materials; colors; lighting; mounting; and corresponding details, which comply with zoning section 77-37 A. (1) and (2). **Condition remains to be addressed.**
3. Address the comments of the Planning Board's Consulting Professional Engineer as set forth in a memorandum dated May 10, 2018, including necessary plan revisions. **To be determined by the Planning Board's Consulting Professional Engineer.**
4. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated May 10, 2018, including necessary plan revisions. **To be determined by the Planning Board's Environmental Consultant.**
5. Address the forthcoming comments of the Putnam County Planning Department as directed by the Planning Board. **A note must be added to the site plan to specify that there will be "right of access over this lot to the parking located on main site".**
6. The facility shall be constructed in accordance with the plans and specifications as approved herein.
7. The applicant shall obtain all required approvals from the Putnam County Department of Health and the New York City Department of Environmental Protection. **The Applicant's Engineer's response letter indicates no additional approvals are needed, which will be discussed with the Planning Board's Consulting Professional Engineer.**
8. It is the responsibility of the owner/applicant to submit to the Planning Board proof that the conditions of this Site Plan Approval have been completed, and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Consulting Planner verifying that the conditions of this approval have been completed. **Condition remains to be addressed.**
9. This site plan approval shall expire 12 months from the date of approval unless otherwise extended by the Planning Board upon the express written request of the applicant.

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

cc: Bill Walters
Julle Mangarillo
Bruce Barber

Materials Reviewed

- Cover letter by Diego Villareale, PE, John Meyer Consulting, dated June 18, 2018;
- Letter by Ahmad Jamal, on behalf of Route 311 LLC, dated June 11, 2018;
- Combined application form signed by Sabrina Cruz June 4, 2018;
- Site plan prepared by John Meyer Consulting, dated June 18, 2018; and
- floor plan prepared by David Tetro Architect PC, dated April 19, 2018.

Planning Kent

To: KENT PLANNING BOARD 2018; KENT PLANNING BOARD CONSULTANTS 2018; Building Inspector
Attachments: Ultimate Authorization Ltr Jul 2018.pdf; Ultimate Rev Site Plan Jul 2018.pdf

For the July meeting.

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

Received
mo/date/year

JUL - 9 2018

Planning Department
Town of Kent

ROUTE 311 LLC

536 Main Street, New Paltz, NY 12561 Tel: (845) 256-0162 Fax: (845) 255-2305

July 3, 2018

Via Email

Ultimate Auto Detailing LLC
3 William Way
Stormville, NY 12582

Re: Authorization Letter in connection with the property located at 18 Longfellow Drive and 94 Route 311, Carmel, NY 10512 ("Premises").

Dear Ultimate Auto Detailing, LLC:

I, Ahmad Jamal, member of Route 311 LLC ("Owner"), hereby authorize and give permission for you to access the subject property through 18 Longfellow Drive and park up to seven (7) cars on the above Premises, so long as you adhere to the conditions specified herein.

The conditions are as follows: 1) the cars must be parked within the portion of the Premises as specified by the Owner, solely at Owner's discretion; 2) any and all cars and vehicles parked at the Premises must be fully insured and licensed; 3) the portion of the Premises used for parking must only be used for parking and no other purpose; 4) you must not create any waste or contamination at the Premises; and 5) the authorization provided herein is subject to termination or revocation by the Owner at any time and for any reason whatsoever as determined solely at Owner's discretion.

If you should have any questions or need further clarification as to the authorization provided herein, please contact me as soon as possible.

Sincerely,



Ahmad Jamal

On behalf of Route 311 LLC

Planning Kent

To: KENT PLANNING BOARD 2018; KENT PLANNING BOARD CONSULTANTS 2018; Building Inspector
Attachments: Ultimate Authorization Ltr Jul 2018.pdf; Ultimate Rev Site Plan Jul 2018.pdf

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July 3, 2018

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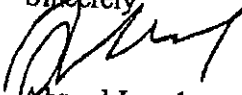
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Sincerely



Ahmad Jamal

On behalf of Route 311 LLC



MORRIS ASSOCIATES

ENGINEERING & SURVEYING CONSULTANTS, PLLC

9 Elks Lane, Poughkeepsie, New York 12601 Tel: (846) 454-3411 Fax: (845) 473-1962
 64 Green Street, Suite 1, Hudson, New York 12534 Tel: (518) 828-2300 Fax: (518) 828-3963

MEMORANDUM

Date: June 28, 2018
To: Town of Kent Planning Board
From: Liz Axelson, AICP
RE: Review of Conditions of Approval for Ultimate Auto Site Plan, 146 Hill and Dale Road
Tax Parcel No. 44.74-1-31
MA# 218036.00

I reviewed the materials listed at the end of this memorandum as per the conditions of Site Plan Approval by resolution adopted on May 10, 2018.

Status of Conditions of Approval

Conditions 1 through 9 of the May 10, 2018 approval are shown below with comments about the status of each of the conditions in **bold, italicized text**.

1. Payment of all Planning Board costs and fees, including professional review fees incurred during the review and approval of the application. ***To be determined by the Secretary to the Planning Board.***
2. The site plan described herein shall be revised to address the following:
 - a. Label tax parcel number 22.74-1-51 and provide documentation of right of access over this lot to the parking located on main site tax parcel 22.0-2-12. Or provide evidence of merger of these tax parcels and revise the site plan accordingly. ***The letter by Route 311 LLC should state; and a note must be added to the site plan to specify that there will be "right of access over this lot to the parking located on main site".***
 - b. Add a lot and bulk requirements table with columns for requirements; existing conditions; proposed conditions; and notation indicating certain front and side yards are noncomplying. Revise the site lot area as needed per condition 2.a. ***Provide actual values in the "Proposed" column (copy and paste from the "Existing" column). Add asterisks next to the existing and proposed front and side yard values; and add a note below the table to read as follows: "* Existing noncomplying condition."***
 - c. Add the following notes to the plan:
 - i. "Employee parking is provided behind the building in the area denoted as existing asphalt." ***Condition has been addressed.***
 - ii. "All customer vehicles shall be kept inside the building. No cars shall be parked in front of the building." ***Condition has been addressed.***
 - iii. "No business activities shall occur; nor shall any materials be stored or displayed outside of the building." ***Condition has been addressed.***
 - i. "If the business is discontinued, all business signs shall be removed." ***Condition has been addressed.***
 - d. Add notes to the plan to memorialize the items in the Route 311 LLC letter of March 13, 2018. ***Condition has been addressed.***

- e. Add 3 "No Stopping or Standing" signs to the plan to be located on the front wall of the building; and provide a detail of the proposed signs. **"No Parking Any Time" signs; and the corresponding detail, are shown on the plan and may be acceptable to the Planning Board Chairman.**
- f. Show proposed sign(s) on the site plan including location; size; dimensions; materials; colors; lighting; mounting; and corresponding details, which comply with zoning section 77-37 A. (1) and (2). **Condition remains to be addressed.**
3. Address the comments of the Planning Board's Consulting Professional Engineer as set forth in a memorandum dated May 10, 2018, including necessary plan revisions. **To be determined by the Planning Board's Consulting Professional Engineer.**
4. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated May 10, 2018, including necessary plan revisions. **To be determined by the Planning Board's Environmental Consultant.**
5. Address the forthcoming comments of the Putnam County Planning Department as directed by the Planning Board. **A note must be added to the site plan to specify that there will be "right of access over this lot to the parking located on main site".**
6. The facility shall be constructed in accordance with the plans and specifications as approved herein.
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