

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

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

---

July 17, 2018

Mr. Peter Major  
16 Westleigh Road  
Carmel, NY 10512

Re: Approved Bond for TM: 44.05-1-63

Dear Mr. Major:

Please find enclosed the following items:

- An Approved Site Plan for your property
- The Kent Planning Board Resolution accepting the bond in the amount of \$500.00 and an inspection fee of \$1,000.00 and recommendation to the Town Board asking that they accept the bond
- The Town Board Resolution accepting the bond

I have given a copy of this material to Bill Walters and am sending a copy to Rob Miller for his files

If you need anything from the Planning Board, please feel free to contact us.

Sincerely,



Vera Patterson  
Planning Board Secretary

vlp/enclosures

cc: Bill Walters  
Rob Miller

## Planning Kent

---

**From:** Lana Cappelli  
**Sent:** Wednesday, July 11, 2018 10:45 AM  
**To:** Planning Kent; Accountant  
**Subject:** FYI

**Categories:** Red Category

### **Resolution # Accept Erosion Control Surety Bond TM#44.05-1-63**

On a motion by Councilwoman Woolley  
Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, by Resolution dated July 5, 2018, has recommended that the Town Board accept an Erosion Control Bond in the amount of \$500 from the owner of the property located at 16 Westleigh Drive, Kent New York, identified as Tax Map No. 44.05-1-63 (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 \$500.  
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](mailto:lcappelli@townofkentny.gov)  
[www.townofkentny.gov](http://www.townofkentny.gov)

## Planning Kent

---

**From:** Planning Kent  
**Sent:** Thursday, July 05, 2018 11:25 AM  
**To:** Maureen Fleming; Lana Cappelli (lcappelli@townofkentny.gov); Tamara Harrison (tharrison@townofkentny.gov); Accountant  
**Cc:** Bruce Barber (barberbruce@yahoo.com); Building Inspector; 'Liz Axelson'; Bruce Barber (barberbruce@yahoo.com); Julie Mangarillo (jmangarillo@rsaengrs.com)  
**Subject:** Erosion Control Bond for the Major Property - TM: 44.05-1-63  
**Attachments:** Major Property Erosion Control Bond Jul 2018.pdf

Please find attached documentation pertaining to an erosion control bond for property owned by Mr. Peter Major. The Planning Board would appreciate it very much if this matter could be placed on the next Town Board Meeting agenda.

Thanks very much.

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

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

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

---

# Memorandum

**DATE:** July 3, 2018

**TO:** Finance Dept. – w/original bond & attachments

**CC:** L. Cappelli – w/original bond & attachments  
Kent Town Board  
T. Harrison

**FROM:** Vera Patterson for the Kent Planning Board

**RE:** Major Erosion Control Bond  
TM: 44.05-1-63

Please find attached documentation for an Erosion Control Bond approved by the Kent Planning Board on June 14, 2018. The reason the bond is so low is because this house is being rebuilt after a fire destroyed it last year and there will be minimal land disturbance since the house will be in the same footprint as the former house.

The Planning Board requests that the Town Board discuss this matter at their next Board meeting.

Thanks very much.

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

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

RESOLUTION FOR MAJOR PROPERTY  
Year 2018

Date: July 5, 2018  
From: The Kent Planning Board  
To: The Kent Town Board:  
Maureen Fleming, Supervisor- w/Att.  
Bill Huestis, Deputy Supervisor  
Paul Denbaum  
Jaimie McGlasson  
Christine Woolley  
CC: W. Walters, Building Inspector - w/Att Tamara Harrison - w/Att.  
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.  
Re: Request to Accept Erosion Control Bond  
Peter Major  
16 Westleigh Drive  
Kent, NY  
TM: 44.05-1-63

Resolved: On June 14, 2018, the Kent Planning Board reviewed material submitted by Rob Miller of RCM Development, who represented Mr. Peter Major, the owner of the property.

Attached are memos from the Planning Board Consultants with their comments and recommendations. At Ms. Mangarillo's request, Mr. Tolmach asked for a motion to waive the requirements for Chapter 66, a Public Hearing, and to accept the bond amount of \$500.00, forward it to the Town Board for them to accept and allow this project to be handled administratively moving forward. The motion was made by Mr. Wilhelm and seconded by Mr. Gattucci. The roll call votes were as follows:

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

The motion carried.

Sincerely,

  
Vera Patterson, Secretary  
Kent Planning Board

**RECEIPT** DATE July 5, 2018 No. 373519

RECEIVED FROM Belfor Group / Peter Major \$500.00

Five Hundred and 00/100 DOLLARS

FOR RENT  
 FOR Erosion Control Bond - TM: 44.05-1-63

ACCOUNT  CASH 1482  
 PAYMENT  CHECK FROM V. Pattino TO Belfor Group  
 MONEY ORDER  
 CREDIT CARD BY \_\_\_\_\_

**RECEIPT** DATE July 5, 2018 No. 373520

RECEIVED FROM Belfor Group / Peter Major \$1,000.00

One Thousand and 00/100 DOLLARS

FOR RENT  
 FOR Res Fees - TM: 44.05-1-63

ACCOUNT  CASH 1483  
 PAYMENT  CHECK FROM V. Pattino TO Belfor Group  
 MONEY ORDER  
 CREDIT CARD BY \_\_\_\_\_

BELFOR-USA GROUP, INC. 1482  
 75 VIRGINIA ROAD  
 NORTH WHITE PLAINS, NY 10803

PAY TO THE ORDER OF Town of Kent DATE 6/22/18 1-2-210

five hundred xx/100 \$ 500.00  
 DOLLARS

FOR EROSION CONTROL BOND  
 TM: 44.05-1-63

CHASE  
 JPMorgan Chase Bank, N.A.  
 www.Chase.com

817465479

NORTH WHITE PLAINS, NY 10803

PAY TO THE ORDER OF Town of Kent DATE 6/22/18 1-2-210

one thousand xx/100 \$ 1,000.00  
 DOLLARS

FOR Inspection Fee - MAJOR  
 TM: 44.05-1-63

CHASE  
 JPMorgan Chase Bank, N.A.  
 www.Chase.com

817465479



# Memorandum

**To:** Planning Board  
Town of Kent

**Attn:** Phillip Tolmach  
Chairman

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

**Subject:** Erosion Control Plan  
Wetland Permit

**Date:** June 14, 2018

**Project:** Major Residence – 16 Westleigh Ct  
TM # 44.05-1-63

**The following materials were reviewed:**

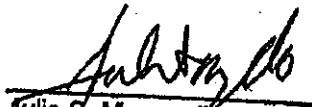
- Combined Application, signed 5/23/2018
- Short Environmental Assessment Form (EAF) signed 5/23/2018
- Drawing prepared by R.C.M. Architectural Design
  - LS-1 Site Plan dated 1/9/2018, received 6/5/2018

The project proposes re-construction of a single-family house that suffered significant fire damage. Information provided indicates the existing well and septic were not damaged by the fire and will continued to be re-used once the house is re-built. The lot is 2.33 acres.

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

1. The proposed project is within the NYCDEP East of Hudson watershed but will not disturb more than 5,000 SF of land. Therefore, coverage under NYSDEC-SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is not required.
2. A Town of Kent Erosion & Sediment Control Permit is required per Town Code Chapter 66-5.A(3) as there is expected disturbance within the 100 foot buffer of a Town wetland. No additional thresholds for a Town erosion control permit are met, such as area of disturbance.
3. As the new house will be constructed within the footprint of the previous house, with only minor modifications, and no additional site work is proposed, we recommend waiving the information requirements as outlined in Chapter 66-6.B.2. The drawing does include notations on erosion and sediment control practices if needed during construction.
4. Per Chapter 66-7.A, a performance is bond is required for erosion control permits. The ability for the Planning Board to waive this requirement could not be located within the chapter. A bond estimate of \$500 is proposed to cover this requirement and any minor areas that may be disturbed. We recommend this bond estimate be accepted for the bond amount and recommended for approval by the Town Board.

5. 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.
6. Per §66-6.F, we recommend the public hearing be waived as this is construction of a single family house in the footprint of the previous house which was damaged by fire.
7. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.
8. We defer to the Planning Board's environmental consultant regarding wetland issues.

  
\_\_\_\_\_  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
18-261-999-159

Bruce Barber via email  
Liz Axelson via email





# Cornerstone Associates

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

June 12, 2018

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **Major Property**  
16 Westleigh Court  
Section 44.05 Block 1 Lot 63  
Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

- Short-form EAF (Part I) executed by Robert Miller, R.A. dated May 23, 2018.
- Plans entitled; "Fire Damage Reconstruction-Major Residence" prepared by RCM Architectural Design dated 01/08/18, 1 sheet: LS-1.
- Architectural Plans entitled; "Fire Damage Reconstruction-Major Residence" prepared by RCM Architectural Design dated 01/09/18, 7 sheets: A-1, A-2, A-3, A-4, A-5, A-6, A-7.
- Property Survey prepared by Link Land Surveyors dated 08/10/17.

**A: Summary of Application:**

Application is to re-construct a fire damaged single-family residence situated on a 2.335 +/- acre parcel in an R-40 zoning district. It is indicated that the house will be essentially the same as prior to the fire damage with a small area of proposed foundation addition. Applicant should provide floor plan and elevations prior to fire.

**B: Environmental review:**

EAF:

Review complete.

Plans.

Requires signature by architect.

Seal and signature required by surveyor.

It is unclear if modifications to the existing shed in the wetland buffer are proposed.

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

Sincerely,

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

**PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL**

Peter Major  
16 Westleigh Rd.  
Carmel, NY 10512  
TM: 44.05-1-63

Bond given by Peter Major, 16 Westleigh Road, Carmel, NY 10512/Tax Map: 44.05-1-63 ("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 June 22, 2018

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

WHEREAS, Obligor has obtained the approvals from the Obligee for land disturbance activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the Town of Kent, in connection with which erosion and sedimentation controls ("Controls") are required; and the Erosion and Sediment Control Plan, 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 Major Property ("Project Plans") and the Erosion and Sediment Control Plan, prepared RCM Architectural Design, 7 Norton Drive, Smithtown, NY 11787. All these plans were reviewed and approved on June 14, 2018 by the Obligee. A Resolution of Approval of land development activity in the nature of a Steep Slope and Erosion Control Permit and Freshwater Wetlands Permit approval of plans to re-build a single family house, with an existing driveway, septic system and a well on a lot in zoning district R-80. The proposed project will not disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required in addition to a Town of Kent Freshwater Wetlands Permit.

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 \$500.00 as a performance guarantee to be deposited into an escrow account pending the completion of the project for which the erosion control measures are necessary; and a second in the amount of \$1,000.00 as the final inspection fee, and delivered to:

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

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

Upon full completion of the work allowed pursuant to the conditions and specifications heretofore imposed by the Planning Board of The Town of Kent, the said escrow monies shall be returned to PETER MAJOR, 16 WESTLEIGH ROAD, CARMEL, NY 10512.

In the event the erosion control work allowed shall not have been duly completed by PETER MAJOR, 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 PETER MAJOR, 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 PETER MAJOR; 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 PETER MAJOR;

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 PETER MAJOR;

Dated: June 29, 2018

PETER MAJOR

By: *Peter Major*  
(signature)

By: \_\_\_\_\_  
(signature)

PETER MAJOR

(print/type signatory's name)  
Peter Major

Owner/Obligee, Peter Major  
(print/type signatory's title)

STATE OF New York,

) ss.:

COUNTY OF New York,

On the 29 day of June, 2018, before me, the undersigned, a notary public in and for said state, personally appeared Peter Major, 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.

**ANTHONY J. HOST**  
Notary Public- State of New York  
No. 01HO6320374  
Qualified in New York County  
My Commission Expires, March 2, 2019

*Anthony J. Host*  
NOTARY PUBLIC