

Approved: February 11, 2016

**Minutes**  
**Town of Kent Planning Board Meeting**  
**January 14, 2016**

Following the Pledge of Allegiance, the meeting was called to order at 7:30 PM by Mr. Michael McDermott, Chair of the Town of Kent Planning Board.

**In attendance were the following Planning Board members:**

Michael McDermott, Chair  
Janis Bolbrock  
George Brunner

Dennis Lowes, Vice Chair  
Charles Sisto  
Philip Tolmach

**Others in Attendance:**

Bruce Barber, Environmental Consultant  
Bill Walters, Kent Building Inspector  
Neil Wilson, Planner

**Absent:**

Julie Mangarillo, Engineering Consultant  
Glenna Wright

Bill Rohde, Engineering Consultant

• **Approve Planning Board Minutes from December 19, 2015**

Mr. McDermott, Planning Board Chairman, asked for a motion to put the December 19, 2015 Planning Board minutes on the table. The motion was made by Mr. Brunner and seconded by Ms. Bolbrock. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked if any of the Board members had any comments. Mr. Lowes mentioned that there were a couple of "type-o's" and gave the corrections to the Planning Board secretary. Mr. McDermott asked for a motion to adopt the minutes with the changes noted by Mr. Lowes. The motion was made by Mr. Tolmach and seconded by Ms. Bolbrock. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

- **Patrick O'Mara Property, Woodland Road//Nimham Circle, Kent, NY; TM: 10.20-1-3**

Mr. Harry Nichols represented the applicant. Mr. Nichols advised the Planning Board that this project was for approval of a single-family residence and that he had responded to the June of 2015 memo from Ms. Mangarillo of Rohde, Soyka & Andrews. He was given a copy of Mr. Rohde's memo dated January 14, 2016.

Mr. Barber's Comments (memo attached)

Mr. Barber inspected this property on January 13, 2016 and said that there was no substantial site disturbance. Mr. Barber advised the Planning Board that he spoke do Mr. Rohde earlier in the day on January 14, 2016 and they both agreed that there had been no substantial disturbance on this property and Mr. Rohde was satisfied with Mr. Nichols responses to Ms. Mangarillo's June Memo. Mr. Barber reminded the Board that this project had been before them previously and was not completed. Mr. Barber said that he and Mr. Rohde recommended that the Board may approve the project and adopt the erosion control bond in the amount of \$6,765.00 or have it moved to the administrative track at the meeting.

Mr. McDermott asked for a motion to move this project to the administrative track. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to recommend to the Town Board that the Erosion Control Bond in the amount of \$6,765.00 be accepted. The motion was made by Ms. Bolbrock and seconded by Mr. Lowes. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

- **Chris Automotive, Route 52, Kent, NY; TM: 33.18-1-12**

Mr. McDermott asked for a motion to waive the two-year waiting period and recommend to the Town Board that an Erosion Control Bond in the amount of \$5,077.85 be released and returned to Mr. Rini, the proprietor of Chris Automotive. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

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

- Basharat/Mann Property Lot Line Adjustment Review  
105 Towners Road, Kent, NY  
TM: 33.73-1-38 & 33.73-1-39

Mr. Wilson sent a memorandum regarding this project, which was discussed at the workshop held on January 7, 2016, and Mr. Basharat presented some documentation. Mr. Wilson said that he had discussed this matter with Diane Fox, the Town of Kent Clerk in the Assessor's office and suggested tht Mr. Wilson talk to the Putnam County Real Property Director. She advised Mr. Wilson that the County foreclosed on the two lots in 1971 because taxes were not paid and merged them. The deed Mr. Basharat had was dated 1973, when it was returned to the applicant, however the lots remain merged. . As a result, Mr. Basharat needs to work it out with the County and the Planning Board may not act upon the request for the lot-line adjustment. Mr. Basharat may submit an application for a sub-division and the application for the lot line adjustment would be refunded but the escrow would be held until the matter was resolved. Mr. McDermott asked the Planning Board Secretary to forward Mr. Wilson's memorandum regarding his findings.

- Timber Harvest Project/NYSDEP Discussion  
Barrett Circle Paper Court, Kent, NY  
TM: 43.-2-1-7 & 81

Mr. Barber told the Planning Board that he was working with Ms. Locke to inspect the property noted above to determine if a Town of Kent Wetland Permit was necessary and that an erosion control permit would not be required because the work was being done in the Town of Carmel.

- Solar Development Project Discussion  
Mooney Hill Road, Kent, NY  
TM: 12.-3-9 (to attend January Review Meeting)

More information is needed regarding this project.

- Putnam County Savings Bank Permission to install a generator Status Report  
256 NYS Route 52, Kent, NY  
TM: 44.5-2-26

This project is ready for the Chairman's signature.

- Goldfine/Rynn Project Erosion Control Plan Status Report  
Daffodil Lane, Kent, NY  
TM: 11.12-1-21

This project is ready for the Chairman's signature when the bond is submitted.

- Towners Road Mart (Sclafani Property) Amended Site Plan/Change of Use Status Report  
2 Towners Road, Carmel, NY  
TM: 33.64-1-6

We are waiting for re4vised drawings and more information regarding the signs.

- Licari\_Limitone Property Erosion Control/SWPPP Plan Status Report  
14 Lorne Court, Kent, NY  
TM: 22.-2-5

Mr. Barber verified that the netting was installed and he suggested that this be held over.

- Hilltop Estates (Kent Development Corp)Subdivision/Erosion Control Bond/ Status Report  
Peckslip Road, Kent, NY Extension Bond/Pending  
TM: 12.-1-38 & 42

The applications expire in February and, if another time extension is needed, they were informed they needed to submit the material in a timely manner.

- Iglinska Polish Deli Change of Use Status Report  
531 Route 52 – Office #1  
Kent, NY 10512

No new information regarding this project.

- Staley Company Erosion Control/Site Plan Status Report  
5 Bowen Court, Kent, NY Bond/Pending  
TM: 12.-1-69

No new information regarding this project.

- Lema/Rte 52 Corp Site Plan/Wetland Permit Status Report  
Route 52, Kent, NY  
TM: 33.18-1-6, 7, 8, 9

No new information regarding this project.

- Biben Property Erosion Control/Site Plan/ Status Report  
146 South Knapp Court, Kent Lakes, NYWetland permit  
TM: 10.-1-1

No new information regarding this project

- Schulhof-Kravits Erosion Control Status Report  
8 Cat Briar Road/Gipsy Trail, Kent, NY  
TM: 21.19-1-10

No new information regarding this project.

Mr. McDermott asked for a motion to adjourn the meeting at 7:50. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk

Workshop January 07, 2016 (Thursday, 7:30 PM)

JANUARY 2016

Meeting: January 14, 2016 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from December 2015
- Patrick O'Mara Property Erosion Control/Site Plan Review  
Woodland Road/Nimham Circle  
TM: 10.20-1-3
- Chris Automotive Request for Bond Release Review  
Route 52, Kent, NY  
TM: 33.18-1-12

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

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105 Towners Road, Kent, NY  
TM: 33.73-1-38 & 33.73-1-39
- Timber Harvest Project/NYSDEP Discussion  
Barrett Circle Paper Court, Kent, NY  
TM: 43.-2-1-7 & 81
- Solar Development Project Discussion  
Mooney Hill Road, Kent, NY  
TM: 12.-3-9 (to attend January Review Meeting)
- Putnam County Savings Bank Permission to install a generator Status Report  
256 NYS Route 52, Kent, NY  
TM: 44.5-2-26
- Goldfine/Rynn Project Erosion Control Plan Status Report  
Daffodil Lane, Kent, NY  
TM: 11.12-1-21
- Towners Road Mart (Sclafani Property) Amended Site Plan/Change of Use Status Report  
2 Towners Road, Carmel, NY  
TM: 33.64-1-6
- Licari\_Limitone Property Erosion Control/SWPPP Plan Status Report  
14 Lorne Court, Kent, NY  
TM: 22.-2-5
- Hilltop Estates (Kent Development Corp) Subdivision/Erosion Control Bond/  
Peckslip Road, Kent, NY Extension Status Report  
TM: 12.-1-38 & 42 Bond/Pending
- Iglinska Polish Deli Change of Use Status Report  
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- Staley Company Erosion Control/Site Plan Status Report  
5 Bowen Court, Kent, NY Bond/Pending  
TM: 12.-1-69
- Lema/Rte 52 Corp Site Plan /Wetland Permit Status Report  
Route 52, Kent, NY  
TM: 33.18-1-6, 7, 8, 9
- Biben Property Erosion Control/Site Plan/  
146 South Knapp Court, Kent Lakes, NY Wetland permit Status Report  
TM: 10.-1-1
- Schulhof-Kravits Erosion Control Status Report  
8 Cat Briar Road/Gipsy Trail, Kent, NY  
TM: 21.19-1-10

Revised 1/07/16



January 14, 2016

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **O'Mara Property**  
Woodland Terrace  
Tax Map: Section 10.20 Block 1 Lot 3

Dear Chairman McDermott and Members of the Planning Board:

As per your request a site inspection of the above referenced property was conducted on January 13, 2016. There was no substantial site disturbance/alteration noted at the time of inspection.

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

Sincerely,

A handwritten signature in black ink, appearing to be the initials "RB" followed by a stylized surname.

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



## Planning Kent

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**From:** WRohde@rsaengrs.com  
**Sent:** Thursday, January 14, 2016 2:07 PM  
**To:** Planning Kent; 'Bruce Barber'; 'Neil Wilson'; Building Inspector; 'Michael McDermott'  
**Subject:** Review Memo for O'Mara Realty TM 10.20-1-3  
**Attachments:** DOC011416 O'Mara memo-01142016134038.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Greetings to all,

Attached is my last review memo on the O'Mara project for tonight's Planning Board meeting.

So far, I had previously sent out to you, via email, the following memos for tonight's meeting:

- Basharat/Mann TM 11.15-1-35
- NYCDEP Timber Harvest TM 43.-2-1, 2, 5, 6, 7, & 81
- Kent Community Solar development TM 12.-3-9

Thanks

## Bill Rohde

Wilfred A. Rohde, PE  
Rohde Soyka & Andrews  
*Consulting Engineers PC*  
40 Garden Street  
Poughkeepsie NY 12601  
845-452-7515 (Office)  
914-474-0029 (Cell)



# Memorandum

**To:** Planning Board  
Town of Kent

**Attn:** Michael McDermott  
Chairman

**From:** Wilfred A. Rohde, P.E.

**Subject:** Erosion Control Plan  
14 January 2016 Planning Board  
Meeting

**Date:** 14 January 2016

**Project:** O'Mara Realty – Woodland Terrace  
TM 10.20-1-3

The following materials were reviewed:

- Submittal Letter from Harry W. Nichols Jr., dated 17 December 2015.
- Proposed Erosion Control Bond Estimate in the amount of \$6,765, dated 18 May 2015.
- Putnam County DOH Construction Permit for Sewage Treatment was approved 25 August 2014, good for 2 years.
- Putnam County DOH Permit to construct a Water Well was approved 25 August 2014, good for 2 years.
- Application for a variance with the ZBA, dated 27 March 2015.
- Finding of Facts from the ZBA, dated 20 April 2015.
- Indenture (undated) regarding sale of TM 10.20-1-3 to O'Mara Realty Corp from Putnam County on 20 February 2004 per Putnam County Resolution #276 of 2003.
- Revised NYSDEC Notice of Intent (NOI) for GP-0-15-002, signed by owner 8 May 2015.
- MS4 SWPPP Acceptance Form.
- Drawing EC.61 Erosion Control Plan, prepared by Harry Nichols, Jr., but signed and sealed by John Kalin, P.E., revised 17 December 2015

Based upon my review of the above, the following are noted:


1. The **Erosion and Sediment Control Plan**, Drawing EC.61, dated 17 December 2015, has been revised in accordance RSA memo of 11 June 2015 and is hereby found to be acceptable.

Memorandum  
O'Mara Realty ECP  
TM # 10.20-1-3  
14 January 2015  
Page 2 of 2

2. The estimated cost of the **Erosion Control Bond** for **\$6,765** is found to be acceptable.
3. For the **Notice of Intent**, the following has been noted therein:
  - a. The start and end dates for this project is from **1 August 2015 to 30 April 2016**. This is not a phase project.
  - b. No other NYSDEC permits were noted to be required.
4. The **Putnam County Department of Health Approvals** for the construction of the Subsurface Sewage Treatment System and Water Well were both approved on 25 August 2014 and are good until **25 August 2016**.

Based on the foregoing, approval is recommended.

If there are any questions, please feel free to contact me. Thank you



Wilfred A. Rohde, P.E.

cc: Planning Board Secretary via email  
Bill Walters via email  
15-261-999-145

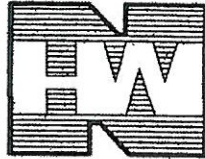
Neil Wilson via email  
Bruce Barber via email

S:\261-Kent\999-Erosion Control\TM 10.20-1-3 O'Mara Realty ECP\2015-06-11 RSA review memo.doc

RECEIVED

DEC 14 2015

Planning Board  
Town of Kent



Harry W. Nichols Jr.  
P.O. Box 252  
Brewster, NY 10509  
Tel. (845)279-4727  
Fax (845)279-4728

December 17, 2015

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

ATT: Chairman McDermott and Board Members

RE: O'Mara Property  
Woodland Terrace  
T.M. #10.20-1-3

Dear Mr. McDermott:

In response to the review memorandum dated June 11, 2015 from Julie S. Mangarillo, PE., CPESC of RSA Consulting Engineers, PC we note the following:

Zoning:

1. Variances were issued on 05/18/15 by the Town of Kent Zoning Board of Appeals. Enclosed is a copy of Findings of Facts and decision of the ZBA.
2. The specific variances granted and the date received has been added to the Zoning Chart on Dwg. EC-61. The specific variances granted are as follows:
  - a. Lot area variance of 63,447 sq. ft.
  - b. Lot width variance of 55 l.f.
  - c. Front yard variance of 10 l.f.
  - d. Rear yard variance of 30 l.f.
3. The Maximum Impervious Surface Area of 30% has been added to the Zoning chart on Dwg. EC-61.

Driveway:

1. Revised driveway notes have been added to Dwg. EC-61.
2. The driveway section detail on Dwg. EC-61 has been revised to show a base Course of 8" and an asphalt course of 3".
3. Comment noted.

Stormwater:

1. Comment noted.
2. a. Information within 50 feet of the limit of disturbance has been added to the plan including the full width of Woodland Terrace and an existing driveway.  
b. Additional topography has been provided for Woodland Terrace.

- c. The source of the soils information has been added to the plan.
- d.
  - i.
    1. The calculation for the area of disturbance is located above the title block.
    2. The map has been revised so that all silt fence is located within the limits of disturbance.
  - ii. A timetable and schedule for completion and installation of all elements of site construction has been added to the plan.
  - iii. A cost estimate for the erosion control measures is enclosed.
  - iv. A maintenance schedule for erosion control measures has been provided on the plan.
3. The requested note has been added to the plan.
4. An erosion and sediment control only SWPPP is provided per GP-0-15-002.
5. Updated Town of Kent notes have been added to the plan.
6. The NOI is revised as follows:
  - a. Page 1- The federal Tax ID for O'Mara Realty Corp. is provided.
  - b. Page 2, #1 The NYTM coordinates are provided.
  - c. Page 3, #7 answer is provided.
  - d. Page 4, #10 Seven Hills Lake is identified as a 303(d) segment.
  - e. Page 13, response provided.
7. A MS4 SWPPP Acceptance Form with sections I and II completed is enclosed.

Other items:

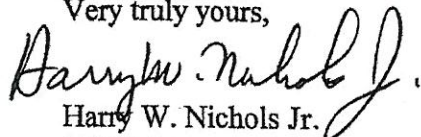
1. Putnam County Health Department approval was last granted on 08/25/14. This date has been added to the plan. A copy of the approved permit is attached.
2. A copy of the deed for the property is enclosed.

Reflecting the above, enclosed are nine (9) sets of the following:

EC-61 "Erosion Control Plan" revised 12/17/15  
NYSDEC Notice of Intent and MS-4 Acceptance form  
Erosion Control Cost Estimate  
Approvals from PCHD for SSTS and well, dated 08/25/14.  
Town of Kent ZBA approvals for variances dated 05/18/15.

Please place this project on the January, 2016 agenda for review.

Very truly yours,



Harry W. Nichols Jr.

HWN: jm

04-062

CC: P O'Mara w/enc.



PUTNAM COUNTY DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH SERVICES

CONSTRUCTION PERMIT FOR SEWAGE TREATMENT SYSTEM

PERMIT # K-8-25/SW-03-07

Located at Woodland Terrace Town or Village Kent

Subdivision name Green Hills Subd. Subd. Lot # 61 Tax Map 10.20 Block 1 Lot 3

Date Subdivision Approved 07/13/00 Renewal  Revision \_\_\_\_\_

Owner/Applicant Name O'Mara Realty Corp. Date of Previous Approval 12-18-12

Mailing Address 73 Fairview Drive Patterson NY Zip 12563

Amount of Fee Enclosed 5000 (paid by applicant)

Building Type Residence Lot Area 975 No. of Bedrooms 2 Design Flow GPD 300

Fill Section Only \_\_\_\_\_ Depth \_\_\_\_\_ Volume \_\_\_\_\_  
PCHD NOTIFICATION IS REQUIRED WHEN FILL IS COMPLETED

Separate Sewerage System to consist of 1000 gallon septic tank and PE L.P. Pipes, Trunklines

Other Requirements: \_\_\_\_\_

To be constructed by TBD Address \_\_\_\_\_

Water Supply: \_\_\_\_\_ Public Supply From \_\_\_\_\_ Address \_\_\_\_\_

or: \_\_\_\_\_ Private Supply Drilled by TBD Address \_\_\_\_\_

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the separate sewage treatment system described above will be constructed as shown on the approved amendment thereto and in accordance with the standards, rules and regulations of the Putnam County Department of Health, and that on completion thereof a "Certificate of Construction Compliance" satisfactory to the Director/Commissioner will be submitted to the Department, and a written guarantee will be furnished the owner, his successors, heirs or assigns by the builder, that said builder will place in good operating condition any part of said sewage treatment system during the period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the original system or any repairs thereto.

Signed: \_\_\_\_\_ P.E. \_\_\_\_\_ R.A. \_\_\_\_\_ Date 8/20/14

Address 1000 Main St. Patterson NY 12564 License # 52774

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the sewage treatment system has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Director/Commissioner. Any revision or alteration of the approved plan requires a new permit. Approved for discharge of domestic sanitary sewage only.

By: [Signature] Title: APIC Date: 8/25/14

White copy - HD File; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Design Professional  
Form CP-97

**PUTNAM COUNTY DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH SERVICES**

**APPLICATION TO CONSTRUCT A WATER WELL**

R-0025/SW-03-07

please print or type

PCHD Permit # \_\_\_\_\_

Well Location	Street Address: <u>Woodland Terrace Kent</u>	Town/Village:	Tax Map #	
Well Owner:	Name:	Address:		Phone #: <u>975-2000</u>
Use of Well:	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Public Supply <input type="checkbox"/> Air/cond/heat pump <input type="checkbox"/> Irrigation <input type="checkbox"/> 1-Primary Business <input type="checkbox"/> Farm <input type="checkbox"/> Test/monitoring <input type="checkbox"/> Other(specify) <input type="checkbox"/> 2-Secondary Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Standby			
Amount of Use	Yield Sought <u>57</u> gpm # People Served <u>3-5</u> Est. of Daily usage <u>300</u> gal.			
Reason for Drilling	<input checked="" type="checkbox"/> Replace Existing Supply <input type="checkbox"/> Test/Observation <input type="checkbox"/> Additional Supply <input checked="" type="checkbox"/> New Supply (new dwelling) <input type="checkbox"/> Deepen Existing Well			
Detailed Reason for Drilling				
Well Type	<input checked="" type="checkbox"/> Drilled <input type="checkbox"/> Driven <input type="checkbox"/> Gravel <input type="checkbox"/> Other			
Is well site subject to flooding?.....				
Is well located in a realty subdivision?..... Yes ___ No <u>X</u>				
Name of subdivision <u>Seven Hills Lake</u> Yes <u>X</u> No ___				
Water Well Contractor: <u>TRD</u> Address: _____ Lot No. <u>61</u>				
Is Public Water Supply available on site?..... Yes ___ No <u>X</u>				
Name of Public Water Supply: _____ Town/Village _____				
Distance to property from nearest water main: _____				
Proposed well location & sources of contamination to be provided on separate sheet/plan.				
Date: <u>5-30-14</u>	Applicant Signature: _____			

**PERMIT TO CONSTRUCT A WATER WELL**

This permit to construct one water well as set forth above, is granted under provisions of Article 10 of the Putnam County Sanitary Code and Subpart 5-2 of Part 5 of the New York State Sanitary Code and provided that within thirty (30) days of the completion of water well construction, the applicant or their designated representative shall: 1) Pump the well until the water is clear. 2) Disinfect the well in accordance with the requirements of the Putnam County Health Department. 3) Submit a Well Completion Report on a form provided by the Putnam County Health Department. 4) The well driller shall abide by all conditions of the permit 5) During all well drilling operations the well driller shall take appropriate action to assure that any and all water and waste products from such well drilling operations be contained on this property and in such a manner as not to degrade or otherwise contaminate surface or groundwater.

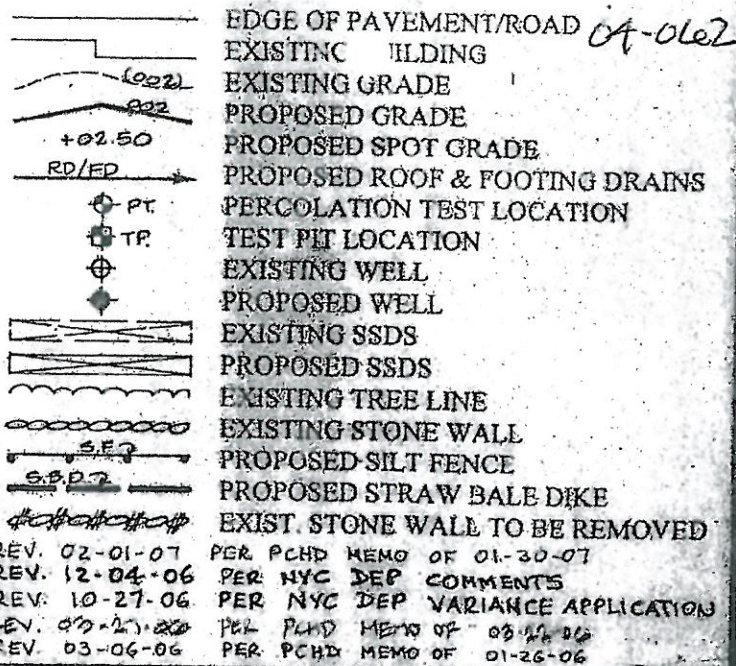
**APPROVED FOR CONSTRUCTION:** This approval expires two years from the date issued unless construction of the well has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Commissioner of Health. Any revision or alteration of the approved plan requires a new permit. Well to be constructed by a water well driller certified by Putnam County.

Date of Issue 8/25/14  
Date of Expiration 8/25/16  
Permit is Non-Transferable

Permit Issuing Official: [Signature], P.E.  
Title: Assistant Public Health Engineer

White copy - HD file; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Well driller






well and SSTS area are comparable to those

AND WELL LOCATIONS ARE TO BE USED LAND SURVEYOR PRIOR TO

PROJECT:  
**PROPOSED SSTS**  
**WOODLAND TERRACE**  
 SEVEN HILLS LAKE SUBDIVISION LOT # 61  
 TOWN OF KENT, NEW YORK

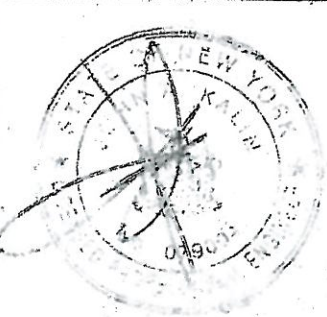
CLIENT  
**O'MARA REALTY CORP.**  
 73 FAIRFIELD DRIVE  
 PATTERSON, NEW YORK

 **Harry W. Nichols Jr.**  
 P.O. Box 252  
 Brewster, NY 10509  
 (845) 279-4727 Fax 279-4728  
 CONSULTING SITE ENGINEERS

DRAWING TITLE  
**PROPOSED SSTS**  
 LOT 61

COUNTY DEPARTMENT OF HEALTH  
 OF ENVIRONMENTAL HEALTH SERVICES.  
 Renewal K-08-05/SW-03-07  
 AS NOTED FOR CONFORMANCE WITH  
 ALL RULES AND REGULATIONS OF THE  
 COUNTY HEALTH DEPARTMENT.

*[Signature]* P.E. 8/25/14  
 DATE  
 APPROVAL STAMP



SCALE 1" = 20'  
 DATE 09-19-03  
 DRAWN BY LT  
 CHECKED BY HWN  
 JOB No. 04-062 00  
 DRAWING No.

**SS-61**

Name of Applicant				
Last	O'MARA	First	PATRICK	MI
Address	Street: 73 FAIRFIELD DRIVE	City/Town	PATTERSON	State NY Zip 12563
Contact Information	Phone: (845)-279-1000	FAX:	email:	
Site Location	Street: WOODLAND TERRACE	City/Town	KENT	County PUTHAM Zip 10312

The following information is being submitted in support of my application for a specific waiver from compliance with one or more standards of 10NYCRR Appendix 75-A, "Wastewater Treatment Standards-Individual Household Systems".

The wastewater treatment system cannot meet the following standards of 10NYCRR Appendix 75-A:

- Separation distances cannot be achieved (75-A.4(b), Table 2, Separation Requirements)
- Excessive Slope (75-A.4(1), Soil and Site Appraisal)
- Design is not addressed in Appendix 75-A
- Technology is not addressed in Appendix 75-A
- Other: BEDROOM COUNT

Explain: \_\_\_\_\_

The following design is proposed to mitigate noncompliance with Appendix 75-A (brief description): \_\_\_\_\_

Supporting information provided:

- Detailed Site Plan
- Detailed Design
- Soil and Site Evaluation
- Neighboring conditions of concern (e.g., wells, waterbodies, wetlands, etc.)
- Other: \_\_\_\_\_

Explain: \_\_\_\_\_

I, (applicant) PATRICK O'MARA (type or print) acknowledge that this waiver request is necessary because it is not practical for an onsite wastewater treatment system to meet the referenced standards of 10NYCRR, Appendix 75-A on this property.

Signature: [Signature] Date: 05-30-14

I, (engineer) John Kalin P.E. (type or print) acknowledge that this waiver request is necessary because it is not practical for an onsite wastewater treatment system to meet the referenced standards of 10NYCRR Appendix 75-A on this property. In my professional opinion, the proposed design described in this application will provide a degree of protection equivalent to the onsite wastewater treatment standard(s) that will not be met for this property and will not create an increased risk to public health or the environment.

Signature: [Signature] PE License #: 079004

For Health Department use only \*

Based upon the information provided in this application to waive the referenced standards of Appendix 75-A and in accordance with 10NYCRR §§ 75.3 and 75.6 (b), the waiver requested is hereby:

Approved as proposed.

Approved; with following conditions: \_\_\_\_\_

Not acted on, because additional information is required: \_\_\_\_\_

Denied, because: \_\_\_\_\_

Note: This waiver may be revoked should any conditions considered before approving this waiver change after approval

Health Department Representative: Michael Buszowski Signature: [Signature] Date: 8-13-14

County of Putnam  
State of New York

**ZONING BOARD OF APPEALS  
TOWN OF KENT**  
25 Sybil's Crossing  
Carmel, NY 10512

ZONING BOARD USE ONLY

Z.B.A. No. ZBA-15-05

Case Adv. \_\_\_\_\_

Meeting \_\_\_\_\_

**REQUEST FOR HEARING  
APPLICATION FOR VARIANCE**

- REQUIREMENTS:**
1. Application must be clearly printed or typed in triplicate.
  2. Application fee of \$ 150.00 must accompany completed form.
  3. (7) Seven copies of survey must be submitted with Application.  
(Applicant's proposal, if any, must be shown)
  4. Applicant or representative must be present at Hearing.
  5. Applications should be submitted on the first day of the month in order to be reviewed the next month. Last Monday
  6. It is the applicant's responsibility to notify all property owner(s) within 500 feet by certified, return receipt requested, letter of their intent to submit an Application for Variance.

**TO BE COMPLETED BY APPLICANT:**

Name and Mailing Address of Applicant:  
 ( PATRICK OMARA ) Date of Application: 3-27-15  
 ( 73 FAIRFIELD DR. ) Location of Property: Nintham Rd  
 ( PATTERSON, NY 12563 ) Lot No. or Acreage: 61 lot # 1.38 AC  
 Phone: 845-279-2228 Tax Map No. 10.20-1-3

1. State actual variance requested:  
Applicant requests 63,447 s.f. lot area variance, 55 ft. lot width variance,  
10 ft. front property line variance, 30 ft. rear property line variances to build  
1 story, single-family, 2 bedroom dwelling.

2. Does the property meet the requirements of Municipal Law 239-m? (Is the property located within 500 ft. of any state or county highway, town boundary, or county, town, city or state properties, etc.)?  
 Yes  No If so, please submit one (1) additional survey copy with application.

3. Has this request been presented to the Zoning Board prior to this date?  Yes  No  
 If so, supply date and decision of Board: 3-16-2010 APPLICATION WAS POSTPONED

4. Signature & Address of Owner:  
 (Signature) [Signature]  
 (Please Print Name of Owner) PATRICK OMARA (OMARA REALTY INC)  
 (Street) 73 FAIRFIELD DR.  
 (City, Town, State, Zip Code) PATTERSON, NY 12563

5. Signature of Applicant if other than owner: \_\_\_\_\_

**ZONING BOARD USE ONLY:**

Decision of Board on above application: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Chairman's Signature)



**TOWN OF KENT  
ZONING BOARD OF APPEALS**

25 Sybil's Crossing  
Kent Lakes, New York 10512

Building Department  
(914) 225-3900

Town Hall  
(914) 225-3943

**FINDING OF FACTS AND DECISION OF ZONING BOARD OF  
APPEALS**

**IN THE MATTER OF:**

Petitioner: Patrick O'Mara  
Location: Lot #61 Ninham Road  
of Property:  
Tax Map #: 10.20-1-3  
Request: Applicant requests 63,447 s.f. lot-area variance;  
55'ft lot-width variance; 10ft front property line  
variance; 30ft rear property line variance to build  
a 1-story, single-family 2-bedroom dwelling

Whereas, Said Board did, on the 20th day of April, 2015 and after due notice hold a public hearing on said appeal, at which hearing any and all persons interested in said appeal were given an opportunity to appear and be heard thereon; and

Whereas: Said Board has examined the application for the aforesaid petition for variance in relation to the circumstances and conditions affecting said property and those applying in the neighborhood of the same;

Now, Therefore, Be It Resolved: That Said Board does hereby find as follows:

**Finding of Fact:**

The applicant owns a .38-acre parcel on Ninham Road. The lot is within a filed subdivision, "Seven Hills Lake", which was created in 1954. The area is now zoned 2-acre residential as the result of upzoning. The applicant purchased the lot in 2004. The applicant received BOH approval for a residential SSDS in 2014.

1. An undesirable change would not be produced in character of neighborhood and there would be no detriment to nearby properties.

Although the preponderance of lots within the subdivision are of a larger size than the applicant's, and some significantly so, the row of nine neighboring dwellings that run along Ninham Road in the immediate area of the proposed dwelling and which the applicant's property bookends, are all on similar sized lots.

2. The benefit sought by applicant cannot be achieved by a feasible alternative to the variance.

Over the years some of the large lots in the subdivision were created by merging smaller contiguous lots. However, in this case there are no available, vacant adjacent properties to acquire for a similar purpose.

3. The requested variances are substantial.

The requested variances are substantial in their arithmetic size because with the up-zoning of the area the lot became severely undersized. However as far as the affect on the community, the requested variances would not produce a substantial impact.

4. The Variance will not have an adverse impact on the physical or environmental conditions in the neighborhood.

Although the lot is small, the land is flat and the subdivision of over eighty lots virtually fully built out. Given that, the addition of a single, two-bedroom residence would have no significant adverse impact on the physical or environmental conditions in the neighborhood

5. The difficulties created by the applicant are not self-made.

Insofar as the lot is part of a preexisting subdivision, and the substandard size of the lot the result of up-zoning and not the independent actions of the applicant, the difficulties encountered by the applicant are not self-created,

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 2004  
before me, the undersigned, personally appeared

ROBERT J. BONDI, County Executive for the  
County of Putnam,

personally known to me or proved to me on the basis  
of satisfactory evidence to be the individual whose  
name is subscribed to the within instrument and  
acknowledged to me that he executed the same in his  
capacity, and that by his signature on the instrument,  
the individual, or the person upon behalf of which the  
individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

**BARGAIN AND SALE DEED WITH  
COVENANTS AGAINST GRANTOR'S  
ACTS**  
-----

**THE COUNTY OF PUTNAM**

to

**O'MARA REALTY CORP.**

Section 10.20  
Block 1  
Lot 3  
Town of Kent  
County of Putnam

**Record and Return To:**

**Carl F. Lodes  
Putnam County Attorney  
County Office Building  
40 Gleneida Avenue  
Carmel, NY 10512**

**845-228-0480**

CLOSING STATEMENT

PURCHASER: O'Mara Realty Corp.

CLOSING DATE: 02/10/04

TOWN: Kent

TAX MAP #: 10.20-1-3

TOTAL DUE: COMMISSIONER OF FINANCE (3 Separate checks)

1. BALANCE OF PURCHASE PRICE

$\$ \frac{21,300.00}{\text{bid amount}} - \$ \frac{2130.00}{\text{deposit}} = \$ \frac{19,170.00}{\text{certified check}}$

2. 200~~3~~/200<sup>4</sup> SCHOOL TAX YEAR (pro-rated)

938.47 yearly total

2.5711 per diem X

142 days =

\$ 365.10  
certified check

3. 200<sup>4</sup> TOWN & COUNTY TAX:

\$ 419.29  
certified check

TOTAL DUE: PUTNAM COUNTY CLERK (1 check)

TRANSFER TAX: \$ 86.00

RECORDING COST: \$ 92.00

TOTAL DUE PUTNAM COUNTY CLERK:

\$ 178.00  
certified check

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the \_\_\_\_\_ day of \_\_\_\_\_, two thousand and four

BETWEEN

THE COUNTY OF PUTNAM, a municipal corporation of the State of New York  
located at 40 Gleneida Avenue  
Carmel, New York 10512

party of the first part,

and O'MARA REALTY CORP., a New York corporation, with its principal place of  
business at 73 Fairfield Drive, Patterson, New York 12563

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other  
valuable consideration paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part  
forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Town of Kent, County of Putnam and State of New York,  
described as Tax Map # 10.20-1-3,

As per Resolution # 276 of 2003,

BEING the same premises conveyed to The County of Putnam, by virtue of a deed dated October  
14, 2003 and recorded in Liber 1637 Page 380 in the Putnam County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any  
streets and roads abutting the above-described premises to the center lines thereof; TOGETHER  
with the appurtenances and all the estate and rights of the party of the first part in and to said  
premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second  
part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered  
anything whereby the said premises have been encumbered in any way whatever, except as  
aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to  
receive such consideration as a trust fund to be applied first for the purpose of paying the cost of  
the improvement and will apply the same first to the payment of the cost of the improvement  
before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture  
so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year  
first above written.

IN PRESENCE OF:

ROBERT J. BONDI, as Putnam County Executive





Recording office time stamp

New York State Department of Taxation and Finance

## Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

Effective September 1, 2003, use this 7/03 version of Form TP-584; previous versions may no longer be used.

See instructions (TP-584-1) before completing this form. Please print or type.

**Schedule A — Information relating to conveyance**

<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	Grantor/Transferor Name (if individual; last, first, middle initial) THE COUNTY OF PUTNAM	Social security number
	Mailing address 40 Gleneida Avenue	Social security number
	City State ZIP code Carmel NY 10512	Federal employer ident. number 14 6002759
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	Grantee/Transferee Name (if individual; last, first, middle initial) O'Mara Realty Corp.	Social security number
	Mailing address 13 Fairfield Drive	Social security number
	City State ZIP code Patterson NY 12563	Federal employer ident. number 0310486145

Location and description of property conveyed

Tax map designation			Address	City/village	Town	County
Section	Block	Lot				
10.20	1	3	Nimham Road		Kent	Putnam

Type of property conveyed (check applicable box)

- |   |   |
|---|---|
| 1 <input type="checkbox"/> one- to three-family house<br>2 <input type="checkbox"/> Residential cooperative.<br>3 <input type="checkbox"/> Residential condominium<br>4 <input checked="" type="checkbox"/> Vacant land | 5 <input type="checkbox"/> Commercial/Industrial<br>6 <input type="checkbox"/> Apartment building<br>7 <input type="checkbox"/> Office building<br>8 <input type="checkbox"/> Other |
|---|---|

Date of conveyance

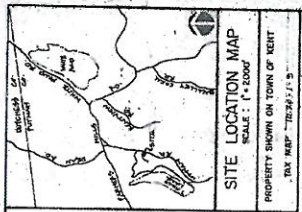
02 10 104  
month day year

Percentage of real property conveyed which is residential real property 100 %  
(see instructions)

Condition of conveyance (check all that apply)

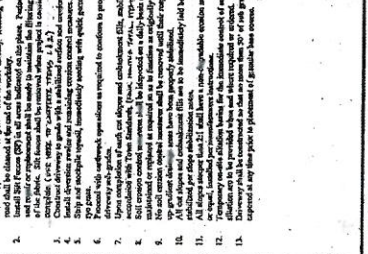
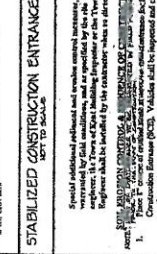
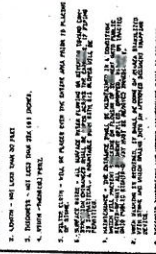
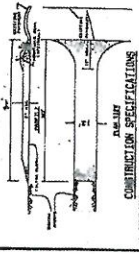
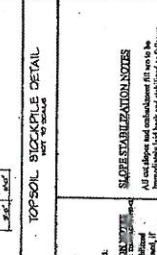
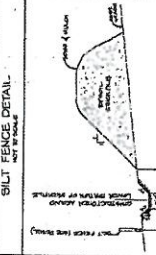
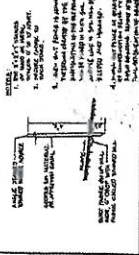
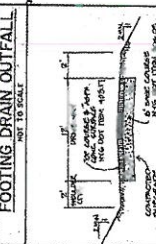
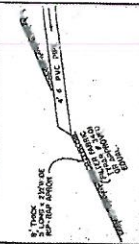
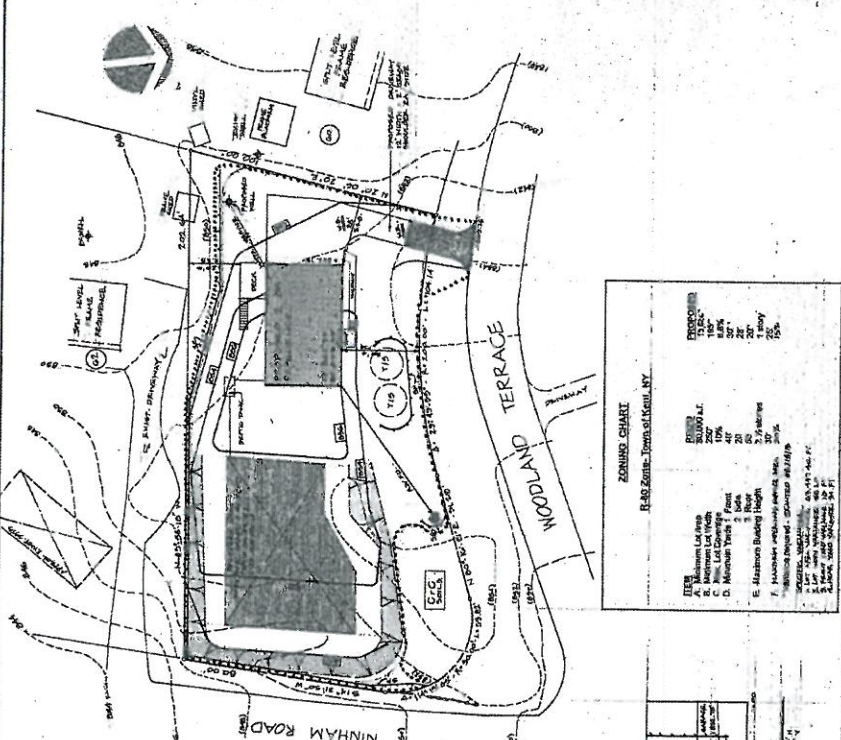
- |  |   |  |
|--|---|--|
| a <input checked="" type="checkbox"/> Conveyance of fee interest<br>b. — Acquisition of a controlling interest (state percentage acquired _____%)<br>c. — Transfer of a controlling interest (state percentage transferred _____%)<br>d. — Conveyance to cooperative housing corporation<br>e. — Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E) | f. — Conveyance which consists of a mere change of identify or form of ownership or organization (attach Form TP-584.1, Schedule F)<br>g. — Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)<br>h. — Conveyance of cooperative apartment(s)<br>i. — Syndication<br>j. — Conveyance of air rights or development rights<br>k. — Contract assignment. | l. — Option assignment or surrender<br>m. — Leasehold assignment or surrender<br>n. — Leasehold grant<br>o. — Conveyance of an easement<br>p. — Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)<br>q. — Conveyance of property partly within and partly outside the state<br>r. <input checked="" type="checkbox"/> Other (describe) As per Putnam County Resolution #276 of 2003 |
|--|---|--|

<i>For recording officer's use</i>	Amount received Schedule B., Part I \$ _____ Schedule B., Part II \$ _____	Date received	Transaction number
------------------------------------	--	---------------	--------------------



PROPERTY SHOWN ON TOWN OF KENT. SCALE: 1" = 2000'. LEGEND: PROPERTY LINE, EXISTING DRIVE, EXISTING SIDEWALK, EXISTING WALKWAY, EXISTING DRIVEWAY, EXISTING FENCE, EXISTING UTILITY LINE, EXISTING EROSION CONTROL MEASURES, EXISTING TERRACE, EXISTING DRIVEWAY, EXISTING DRIVE, EXISTING SIDEWALK, EXISTING WALKWAY, EXISTING DRIVEWAY, EXISTING DRIVE, EXISTING SIDEWALK, EXISTING WALKWAY.

TOTAL AREA OF SITE: 1.85 ACRES. EROSION CONTROL PLAN. J.W. ENGINEERS & ARCHITECTS, INC. 1880 WEST 22ND STREET, SUITE 100, DENVER, CO 80202. PROJECT: 22ND STREET/23RD AVENUE. SCALE: 1" = 2000'. EC 6.



NOTE: ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE DESIGNER IS NOT RESPONSIBLE FOR THE PERFORMANCE OF ANY EROSION CONTROL MEASURES THAT ARE NOT INSTALLED OR MAINTAINED AS SHOWN ON THESE PLANS.

1. The contractor shall be responsible for obtaining all necessary permits and approvals from the local authorities. 2. The contractor shall be responsible for providing all necessary materials and labor for the installation and maintenance of all erosion control measures.

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**Town of Kent Planning Board  
Amended Site Plan Approval**

---

**Matter of Chris' Automotive Repair Site Plan**

**Whereas**, the Town of Kent Planning Board has received an application from Chris' Automotive Repair (hereinafter "Chris Automotive") for Amended Site Plan Approval to allow the re-development of a fire damaged structure and the construction of a new repair garage on a ±0.907 acre parcel located at 349 Route 52; and

**Whereas**, the Planning Board originally granted conditional Site Plan Approval for the Chris Automotive re-development on March 8, 2012, after which some, but not all, of the approved changes depicted on the original site plan were implemented, including some improvements that were not authorized on the original site plan nor approved as a field change; and

**Whereas**, the applicant has submitted a revised site plan depicting the changes that were implemented and additional changes the applicant would like to undertake; and

**Whereas**, the size of the project qualifies the proposed activity as a Type II Action under 6 NYCRR 617.5 for which no further environmental review is required; and

**Whereas**, pursuant to General Municipal Law §239-m the original application was referred to the Putnam County Department of Planning for review which recommended approval of the project without comment or modification, which approval remains valid and in effect; and

**Whereas**, the property adjoining the site includes areas of wetland and wetland buffer in which materials have been placed by the applicant in contravention of Chapter 39A of the Town's Freshwater Wetland Law; and

**Whereas**, the applicant has agreed as part of the Amended Site Plan approval to remove the illicit materials from the wetland and wetland buffer; and

**Whereas**, after review of the application and consideration of the criteria set forth in §77-60 and §39A-7 -10 of the Town Zoning Law, the Planning Board hereby finds:

- 1) The project is an application for Amended Site Plan Approval to allow the re-development of a fire damaged structure and the construction of a new repair garage on a ±0.907 acre parcel of land. Part of the existing and proposed improvements are located on adjoining land that is owned by Sandanova Development Corp. (hereinafter “Sandanova”), which has granted the applicant a license to use a portion of its property for the storage of vehicles and machinery. This permission, however, is a revocable license. In the event that the license is revoked the applicant shall be required to remove any vehicles and equipment from the adjoining property and to install a fence along the property line to avoid any encroachment of the applicant’s business activities. This “contingent site plan” is set forth in drawing C-110 ALT of the original site plan approval as noted below. Accordingly, the approved site plan set includes a “contingent” site plan that shall take effect immediately upon the revocation of the license to use the adjoining property. The Planning Board is satisfied that the proposed site improvements and use are otherwise consistent with the amount of land available, and that access to the site would not impede or adversely affect the use and enjoyment of neighboring lands.
- 2) The use is an allowed use in the Commercial District.
- 3) That the Amended Site Plan is consistent with, and meets the requirements of, §77-60 subparagraphs “F”, “G”, and “I” through “T” thereof.
- 4) The site has been in use for automotive repair for many years, the result of which the site is almost entirely built out with buildings and paved surfaces. By virtue of the length of use of the site for automotive repair the applicant’s proposed expansion and other improvements would be in harmony with the existing and planned development of contiguous lands and adjacent neighborhoods.
- 5) Approval of the Amended Site Plan would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.
- 6) Approval of the Amended Site Plan would be properly related to the uses, goals and policies for land development as expressed in the Town Master Plan.

- 7) Pedestrian and vehicular access, traffic circulation and the general layout of the site have been properly planned with regard to the safety of vehicles and pedestrians using the site, as well as those on neighboring properties and streets.
- 8) Approval of the Amended Site Plan would take advantage of solar access insofar as practical, including the orientation of the proposed building with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation on and off the site, and the impact of solar access to adjacent uses and properties.
- 9) The Amended Site Plan reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and preserves and enlarges upon these assets for recreation, scenic or conservation purposes to the extent practicable.
- 10) The proposed use, buildings and outdoor storage areas, landscaping, and off-street parking and loading, conform to the requirements of the Town Zoning Law and all other applicable local laws.

**Whereas**, on January 8, 2015 the Planning Board approved a motion to waive a public hearing on the Amended Site Plan;

**Therefore Be It Resolved**, the Planning Board grants conditional Amended Site Plan Approval for Chris' Automotive located at 349 Route 52 as depicted on a Site Plan Map entitled "Amended Site Plan Prepared For Chris' Automotive" prepared by Putnam Engineering, dated June 9, 2011 and bearing a latest revision date of December 22, 2014 consisting of the following drawings:

1. *C-110, Amended Site Layout Plan.*
2. *From the original Site Plan Approval - C-110 ALT, Amended Site Layout Plan. [Planning Board Note: this plan is the "contingent plan" that shall take effect at such time as the owner of the adjoining property to the north (i.e. Sandanova, its successors, heirs or assigns) revokes its approval to use a portion of its land for storage of vehicles and machinery. No action is required on the part of the Planning Board to implement this alternative site plan and a failure on the part of the applicant to completely implement this site plan when required to do so upon revocation of the license shall be a violation of this Site Plan Approval.]*

3. *From the original Site Plan Approval - C-210, Details.*
4. *From the original Site Plan Approval - A-110, Building Elevations.*
5. *From the original Site Plan Approval - L-110, Lighting Plan.*

**Be It Further Resolved**, that this Amended Site Plan Approval is expressly conditioned on the completion and/or adherence to following:

- 1) *Respond to the comments of the Planning Board Professional Engineer dated January 8, 2015.*
- 2) *Respond to the comments of the Planning Board Environmental Consultant dated January 7, 2015.*
- 3) *All building improvements shall be developed in accordance with the plans and specifications reviewed by the Planning Board as prepared by Putnam Engineering as set forth herein.*
- 4) *All illicit materials that have been placed into any on-site and off-site wetlands shall be removed. All such wetland mitigation work shall be completed no later than July 1, 2015. Failure to complete said mitigation work shall be deemed a violation of this Amended Site Plan Approval.*
- 5) *The applicant shall obtain the permission of adjoining neighbor Sandanova and adjoining neighbor Crystal for use of a portion of the respective adjoining property for the proposed use.*
- 6) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions.*
- 7) *At the completion of construction, and prior to issuance of a Certificate of Occupancy, the applicant shall provide a certification prepared and sealed by a New York State Licensed Professional Engineer to the Town Building Inspector and the Planning Board that all site work has been carried out and completed in substantial compliance with the approved Site Plan for the project, and shall also provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed development prepared and sealed by a New York State Licensed Land Surveyor.*

- 8) *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.*
- 9) *The applicant shall pay all Planning Board costs and fees including professional review fees incurred during the review and approval of the application.*
- 10) *It is the responsibility of the applicant/project sponsor to submit to the Planning Board proof that each of the conditions of this Approval have been completed and that the responses to comments have been completed to the satisfaction of the Planning Board's Professional Engineer, the Planning Board's Environmental Consultant, and the Planning Boards Consulting Planner. 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 each of the conditions of this Approval has been completed. The proposed final drawings shall not be accepted by the Planning Board without submission of proof of completion.*
- 11) *At all times the applicant shall maintain the site in accordance with the approved Site Plan and any on-going conditions of Site Plan Approval as set forth herein or as required by any other permitting or approving agency.*
- 12) *Except for "field changes" as may be approved by the Planning Board's Professional Engineer or the Environmental Consultant, the project shall be constructed in accordance with the project plans as set forth above. Any changes to the Site Plan and any changes to the Freshwater Wetland Permit shall be subject to the prior approval of the Planning Board before any such changes are implemented.*
- 13) *Pursuant to Chapter 48 of the Town of Kent Code construction activity within the Town of Kent shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM.*

**Be It Further Resolved**, that no Building Permit or Certificate of Occupancy shall be issued until the conditions of this approval have been completed, or have been determined by the Planning Board's Professional Engineer, or Consulting Planner, or Environmental Consultant to be matters that may be addressed during construction or post-construction periods.

Motion: George Brunner

Second: Philip Tolmach

Michael McDermott, Chairman Aye

Janis Bolbrock Absent

Philip Tolmach Aye

Charles Sisto Aye

Glenna Wright Absent

George Brunner Aye

Dennis Lowe Aye

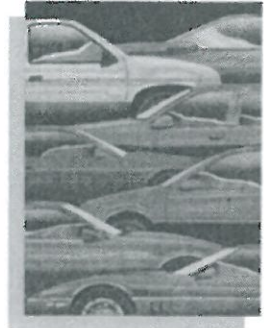
Date: January 8, 2015

By: Vera Patterson  
Vera Patterson, Planning Board Clerk



**Chris'**  
**Automotive Center, Inc.**

349 Route 52 • Carmel, NY 10512  
Phone (845) 225-3054 • FAX (845) 225-3935  
24 Hour Towing (845) 225-8006  
www.chrisautomotive.com



A Full Spectrum Of Service And Experience

---

Town of Kent  
Planning Board  
40 Sybil's Crossing  
Kent Lakes, NY 10512

December 17, 2015

RE: TM #33.18-1-12, Chris' Automotive, 349 Route 52-Bond Return

Dear Vera,

Thank you for your assistance in getting the final plans signed.

Would you please process this request for the bond return in time for the January meeting.

Very truly yours,

Christopher Rini  
President

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: December 18, 2015  
TO: Finance Department  
CC:  
FROM: Vera Patterson  
RE: Basharat/Mann Property - TM: 11.15-1-38

This is a new project.

Please find attached the following:

Tompkins Mahopac Bank Check 3011, dated 12/17/15 in the amount of \$250.00 for a Lot Line Adjustment Fee this property.

Tompkins Mahopac Bank Check 3012, dated 12/17/15 in the amount of \$1,000.00 for review/escrow fees for this property.

RAYEX GROUP INC.  
266 SHEAR HILL ROAD  
MAHOPAC, NY 10541

50-1189/219 3011

DATE 12/17/15

PAY TO THE ORDER OF Town of Kent \$ 250<sup>00</sup>

Two Hundred and Fifty DOLLARS

TOMPKINS Mahopac Bank Lot line Adjustment  
MEMO: Marshal Dr Kent William Basharat

1:0219113981: 05589892001 3011

**RECEIPT** DATE Dec 17, 2015 No. 373652

RECEIVED FROM Willie Basharat/J. Mann \$ 250.00

Two Hundred fifty and 00/100 DOLLARS

FOR RENT  
 FOR Lot line Adjustment - TM: 11.15-1-38

ACCOUNT		<input type="radio"/> CASH	3011
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>W. Basharat/J. Mann</u>
BAL DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

# RECEIPT

DATE Dec. 17, 2015

No. 373653

RECEIVED FROM W. Beshard / J. Mamm

One Thousand and 00/100 \$ 1,000.00

FOR RENT Review Escrow - T.M. 11.15-1-38

ACCOUNT	
PAYMENT	
BAL DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

3012

FROM U. Patten

BY J. Mamm TO W. Beshard

DOLLARS

RAYEX GROUP INC.  
266 SHEAR HILL ROAD  
MAHOPAC, NY 10541

DATE 12/17/15

PAID TO THE ORDER OF TOWN OF KENT \$ 1,000.00

One thousand 00/100 DOLLARS

Heat Sensitive Ink

**TOMPKINS**  
Mahopac Bank

Rev. Fee

MEMO Marshat Dr Kent - T.M. 11.15-1-38 William Beshard

021911398 055 89892 0 3012



Michael C Bartolotti, County Clerk  
 Putnam County Office Building  
 40 Glenside Avenue Room 100  
 Carmel, New York 10512



ACS-00000000355561-00000000722679-004

Endorsement Page

Document # 1500601      Drawer # 16      Recorded Date: 03/17/2015  
 Document Type: DEED COM OR VACANT      Book 1974      Page 412      Recorded Time: 10:50:57 AM  
 Document Page Count: 4      Receipt # 4345

**PRESENTER:**  
 STEWART TITLE INSURANCE COMPANY  
 707 WESTCHESTER AVENUE  
 SUITE 411  
 WHITE PLAINS, NY 10604

**RETURN TO:**  
 JOSEPH SPOFFORD, ESQ.  
 20 CHURCH STREET  
 CARMEL, NY 10512

**PARTIES**

**GRANTOR**  
 JOSEPH TASSO

**GRANTEE**  
 JASON MANN

**FEE DETAILS**

Consideration:	\$50,000.00
1500601	
DEED COM OR VACANT	4      40.00
TP-584	1      5.00
CULTURAL EDUCATION	15.00
RP-5217 COMMERCIAL	250.00
RECORD MANAGEMENT	5.00
TRANSFER TAX	200.00
<b>AMOUNT FOR THIS DOCUMENT:</b>	<b>515.00</b>
RETT # 000001391	

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO §315  
 REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES

Michael C. Bartolotti  
 Putnam County Clerk

1421812  
STEWART FIRE INSURANCE COMPANY  
707 Westchester Avenue, Suite 411  
White Plains, NY 10604

and Sale Deed, with Covenants against Grantor's Acts - Individual or Corporation  
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT  
THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 25 day of February, Two Thousand and FIFTEEN,

BETWEEN

JOSEPH TASSO  
Residing at  
555 BECCA WAY  
MONROE TOWNSHIP, NJ 08831

Party of the first part,

AND

JASON MANN  
Residing at  
575 ASHFORD AVENUE  
ARDSLEY, NY 10502

Party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and no/100ths (\$10.00) Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE A ATTACHED HERETO FOR LEGAL DESCRIPTION OF PREMISES CONVEYED HEREUNDER.

THE premises are designated as a SINGLE FAMILY residence.

BEING the same premises acquired by deed from JOSEPHINE TASSO AND JOSEPH TASSO DATED 5/19/83 AND RECORDED 9/15/83 IN THE OFFICE OF THE PUTNAM COUNTY CLERK.

TOGETHER with all right, title and interest, if any, of the party of the first part of in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In presence of:

Joseph Tasso by  
Matthew Metz his agent  
JOSEPH TASSO by Matthew Metz As Agent

Power of Attorney is being simultaneously recorded herewith

ALTA OWNER'S POLICY (6/17/06)

**SCHEDULE A DESCRIPTION**

File No.: **ST14-21812**

Policy No.: **O-8911-687684**

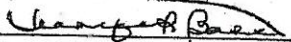
ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Kent, County of Putnam, State of New York, bounded and described as follows:

Said Premises being Parcels number 2 and 3 as described on the amended Map of Berkshire Terrace, made by Joseph S. Agnoli, land surveyor, dated August 1, 1959 which Map was filed in the Putnam County Clerk's Office on October 6, 1959 and is known as Map Number 846A.

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER) SS:

On the 25 day of February, 2015, before me, the undersigned, personally appeared  
Matthew P. Metz

, 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 and office of individual taking acknowledgment)

JENNIFER R. BASSETT  
Notary Public, State of New York  
No. 028A8050818  
Qualified in Westchester County  
Commission Expires 11/13/2018

JOSEPH TASSO

TO

JASON MANN

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER) SS:

On the \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, the undersigned, personally appeared,

, 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 and office of individual taking acknowledgment)

Section: 11.15  
Block: 1  
Lot: 35  
Town/City of: KENT  
County of: PUTNAM

Street Address: VACANT LOT 35 @ MARSHALL DRIVE  
KENT, NY 10512

Title Company: STEWART TITLE INSURANCE AGENCY  
Telephone: (914) 993-9393

Title #: ST14-21812

**RECORD AND RETURN TO:**  
JOSEPH SPOFFORD, ESQ.  
20 CHURCH STREET  
CARMEL, NY 10512

# Town of Kent Planning Board

25 Sybil's Crossing

Kent Lakes, NY 10512

Phone: 845-225-7802 Fax: 845-306-5283

Email: [planning@townofkentny.gov](mailto:planning@townofkentny.gov)

APPROVAL REQUESTED FOR: (Check all that apply)

Pre-Application Review	<input type="checkbox"/>	Preliminary Subdivision	<input type="checkbox"/>
Final Subdivision	<input type="checkbox"/>	Revised Lot Line	<input checked="" type="checkbox"/>
Site Plan	<input type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>
Freshwater Wetland	<input type="checkbox"/>	Steep Slope & Erosion Ctrl	<input type="checkbox"/>

Name of Project: MANN LOT LINE ADJUSTMENT

Description of Proposed Activity:

LOT LINE ADJUSTMENT FOR 2 ADJACENT SUBDIVISION  
LOTS. PROPERTY IS KNOWN AS LOTS 2 & 3 OF BERSHIRE TERRACE  
SUBDIVISION, FILLED MAP # 864 ON OCT 9, 1958

Name of Applicant(s): JASON MANN

Address: 266 SHEAR HILL RD MAHOPAC, NY 10541

Telephone: 914-330-4999

Name and Address of Record Owner(s): SAME AS APPLICANT

Tax Map Number of all parcels: 11.15-1-38



A) For All Applications:

- 1) Total acreage involved in application: 3.7669 AC = 164,085 SF.
- 2) Total contiguous acreage controlled by applicant/owner: 3.7669 AC
- 3) Total number of existing structures: 0
- 4) Type of existing structures: N/A
- 5) Total square footage of all new construction: N/A
- 6) Estimated value of new construction or addition: N/A
- 7) Type of construction or activity proposed: (Check all that apply)

New Construction: Residential  Commercial  Institutional   
Expansion: Residential  Commercial  Institutional   
Home Occupation:  Change in use:  Other:

8) Zoning District: R-80

9) Does applicant intend to request any information waivers? (See checklist)  
No  Yes . If yes, please list all waivers (attach separate pages if necessary):

10) Are there agricultural and/or forestry exemptions affecting the property?  
No  Yes . If yes, please list in detail (attach separate pages if necessary):

11) Have any area or use variances affecting the property been previously granted? Are any applications for area of use variance approval pending before the Town Zoning Board of Appeals?  
No  Yes . If yes, please list in detail (attach separate pages if necessary):

1. Shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.

12) Have any permits affecting the property been issued by any other governmental agency?

No  Yes . If yes, please list in detail (attach separate pages if necessary):

13) Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency?

No  Yes . If yes, please list in detail (attach separate pages if necessary):

HEALTH DEPT - SEPTIC APPROVAL

14) Attach a copy of the current deed and any easements, deeds, covenants, or declarations affecting the property.

Name and Address of Professional Engineer: JOHN KARELL, JR

21 CUSHMAN RD, PATTERSON, NY 12563

Telephone: 845-878-7894

Name and Address of Licensed Land Surveyor: LINK LAND SURVEYORS, PC

21 CLARK PLACE, MAHOPAC, NY 10541

Telephone: 845-628-5857

Name and Address of Attorney: -

Telephone: \_\_\_\_\_

Name and Address of Wetland Consultant: -

Telephone: \_\_\_\_\_

B) For Subdivision and Revised Lot Line Applications:

- 1) Total number of lots proposed: 2
- 2) What is the size of the smallest lot proposed? 80,683 S.F.
- 3) What is the size of the largest lot proposed? 83,402 S.F.
- 4) Number of private driveways proposed: 2
- 5) Number of common driveways proposed: 0
- 6) Maximum number of lots serviced by a common driveway: N/A
- 7) Number of private roads proposed: 0
- 8) Number of lots serviced by a private road: N/A
- 9) Preliminary Plat includes 3.7669 acres and tentatively includes 2 future lots. The amount of area shown on this Preliminary Plat proposed to be dedicated for future public use, (exclusive of roads) is N/A (define measure: acres/square feet).
- 10) Does subdivider intend to submit a single subdivision plat for filing with County Clerk for all property in the Preliminary Plat? Yes  No  If no, state the number of sections to be filed \_\_\_\_\_.

C) For Freshwater Wetland Permit Applications: N/A

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) The survey map shall show the location of the all federal, state, and local jurisdictional wetland boundaries as delineated by the applicant's consultant, and the location of proposed disturbance to wetlands and wetland buffers. The survey map shall also show the location of all regulated water bodies on the site and within 200 feet of the boundary of the site.
- 3) What is the date of the boundary and topographic survey used as the base map for the application? \_\_\_\_\_
- 4) Proposed activity is located in:
  - a) Lake/pond [ ] Control area of lake/pond [ ]
  - b) Stream/River/Brook [ ] Control area of stream/river/brook [ ]

- c) Wetland  Control area of wetland
- d) Not located in wetland/wetland buffer

- 5) Attach a description of the proposed activity in the controlled area including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.
- 6) Attach a statement of compliance with §39A-8 of the Town Code.

D) For Steep Slopes and Erosion Control Permit<sup>2</sup> Applications: *N/A*

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) Does the project involve any of the following:
  - a) Any disturbance involving 5,000 square feet or more of land disturbance? Yes  No
  - b) Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours? Yes  No
  - c) Any disturbance within 100 feet of a wetland or watercourse as defined in Chapter 39A, "Freshwater Wetlands", of the Town of Kent. Yes  No
  - d) Excavating or filling which exceeds a total of 100 cubic yards of material within any parcel or any contiguous parcels. Yes  No
- 3) What is the date of the boundary and topographic survey used as the base map for the application?  
  
\_\_\_\_\_

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Kent; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*12/14/2015*

2. Required for most site plan, subdivision, and special permit applications where land disturbance would meet or exceed 5,000 square feet.

CERTIFICATION OF PROFESSIONAL ENGINEER/LICENSED LAND SURVEYOR/ARCHITECT

State of NY )  
County of PUTNAM ) ss:

JOHN KARELL, JR. P.E. being duly sworn, deposes and says:

1. That I/we are the \_\_\_\_\_ named in the foregoing application for Subdivision / (Revised Lot Line) / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that I/we have been duly authorized by the owner in fee to make such application and that the foregoing statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

[Signature]  
Licensed Professional

[Signature]  
Licensed Professional

[Signature]  
Notary Public

SUSAN BROWN  
Notary Public, State of New York  
No. 01BR6160142  
Qualified in Putnam County  
Commission Expires Jan. 29, 2019



AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

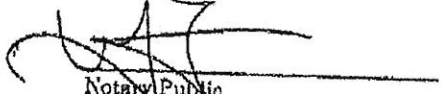
State of NY )  
County of NY ) ss:

JASON MANN being duly sworn, deposes and says:

1. That I/we are the ABOVE named in the foregoing application for Planning Board for Subdivision Revised Lot Line Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 575 ASHFORD AVE, ARDSLEY in the County of WESTCHESTER and the State of NY
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

  
Applicant/Agent

\_\_\_\_\_  
Applicant/Agent

  
Notary Public

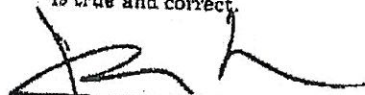
**Glen J. Stelle**  
Notary Public State of New York  
Lic. # 01ES6264468  
Comm. Exp. 07/02/2016

CERTIFICATION OF PROFESSIONAL ENGINEER/LICENSED LAND SURVEYOR/ARCHITECT

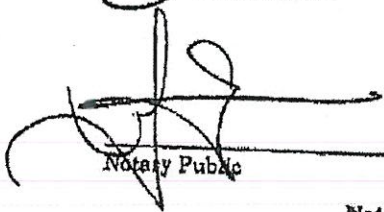
State of NY }  
County of PUTNAM } ss:

JOHN KARELL, JR P.E. being duly sworn, deposes and says:

1. That I/we are the \_\_\_\_\_ named in the foregoing application for Subdivision / Revised Lot Line / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that I/we have been duly authorized by the owner in fee to make such application and that the foregoing statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

  
\_\_\_\_\_  
Licensed Professional

\_\_\_\_\_  
Licensed Professional

  
\_\_\_\_\_  
Notary Public

**Glen J. Stelle**  
Notary Public State of New York  
Lic. # 01ES6264468  
Comm. Exp. 07/02/2016



DISCLOSURE OF BUSINESS INTEREST

State of NJ )  
County of NJ ) ss:

JASON MANN being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)  
NONE

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)  
NONE

3. That he/she understands that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

JASON MANN  
Agent/Owner

X [Signature]  
Agent/Owner

[Signature]  
Notary Public  
**Glen J. Stella**  
Notary Public State of New York  
Lic. # 01ES6264468  
Comm. Exp. 07/02/2016





WILLIAM LOONEY <codeenforcementtownofkentny2@gmail.com>

## FW: [Kent NY] Town of Kent Community Solar Development

4 messages

code-enforcement <code-enforcement@townofkentny.gov> Wed, Dec 9, 2015 at 10:08 AM  
 To: "codeenforcementtownofkentny2@gmail.com" <codeenforcementtownofkentny2@gmail.com>

Respectfully,  
 William Looney  
 Zoning Enforcement Officer  
 Town of Kent

From: Bryanna Glod [glod@ccrenew.com]  
 Sent: Tuesday, December 08, 2015 9:39 PM  
 To: code-enforcement  
 Subject: [Kent NY] Town of Kent Community Solar Development

wlooney,

Someone has sent you a message using your contact form on the Kent NY site.

If you don't want to receive such e-mails, you can change your settings at  
<http://www.townofkentny.gov/users/wlooney>.

Message:

Hi William,

I'm reaching out to you because my company is interested in developing a 20-acre community solar farm on parcel # 12.-3-9 in the Town of Kent. I'm hoping to confirm what this parcel is currently zoned and determine the zoning constraints and process that apply for this type of development.

Could you help answer the following questions or direct me to someone who can?

- What is the zoning districts for the parcel? It appears to be zoned R-80, according to the zoning map on the town website.
- Would a 20-acre solar project be permitted through the SUP/CUP process? Solar farms have been considered utilities in other jurisdictions and I see that a utility development requires Planning Board Site Plan Approval. Do you agree that we could apply via this process, as a utility?
- Please confirm whether the parcel is in an ag district (I don't believe so). If in an ag district, what restrictions to zoning are applicable?
- Will tree removal be an issue on this parcel?
- Do you know of any restrictive deals on this parcel like tax agreements, conservations, or non-development transactions?
- Would it be possible to subdivide the property? What does that process entail?
- Do you know of any other major hurdles to zoning approval?
- What would the general process and timeline for zoning approval look like?
- Could you please send the relevant application form?

Thanks very much in advance for your help and I look forward to hearing from

## Planning Kent

---

**From:** Neil Wilson [nwilson.lrcplanning@gmail.com]  
**Sent:** Thursday, January 14, 2016 3:13 PM  
**To:** barberbruce@yahoo.com; Building Inspector; Charles Sisto; Dennis Lowes; George Brunner; Glenna Wright; Janis Bolbrock; Julie Mangarillo; Michael McDermott; Phil Tomalch; Ron Blass; Planning Kent; WRohde@rsaengrs.com  
**Subject:** Basharat-Mann  
**Attachments:** Basharat Mann Review 011416.pdf

Attached is my review memo for the above matter. As you will see in the analysis the lots of the original 1959 filed map were merged by Putnam County during the in-rem foreclosure proceeding in the early 1970's.

Neil A. Wilson, Esq.  
LRC Planning Services, LLC  
8 Morehouse Road  
Poughkeepsie, New York 12603-4010  
Tele: 845-452-3822  
Fax: 845-452-3346

# LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

**8 MOREHOUSE ROAD  
POUGHKEEPSIE, NEW YORK 12603-4010  
TELE: 845-452-3822  
FAX: 845-452-3346**

## MEMORANDUM

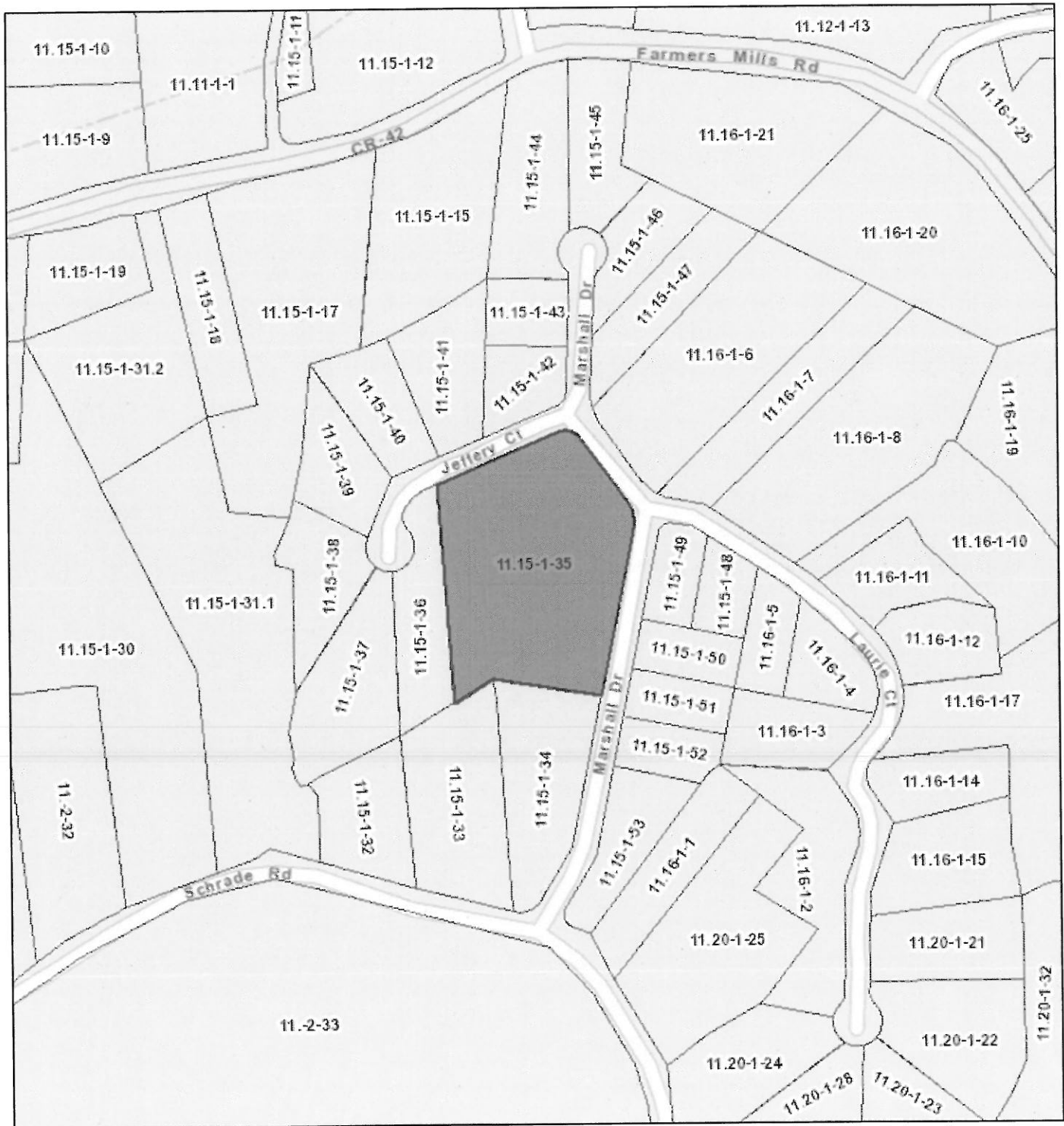
TO: Town of Kent Planning Board  
From: Neil A. Wilson  
Date: January 14, 2016  
Re: Matter of Basharat-Mann  
Application for Lot Line Revision Approval

With reference to the above matter, we have reviewed the application for Lot Line Revision Approval submitted by the applicant dated December 14, 2015 and offer the following for the Board's consideration:



1. The application is a revision of a lot line involving two lots that were created pursuant to a plat map filed with the County Clerk in 1959 as Filed Map 846A. The lot line revision is for the purpose of adjusting the acreage of the two lots so that they would each comply with the minimum land area (i.e. 80,000 square feet) required for lots located in the R-80 District. Review of the application indicates that the lots were somehow merged, or at the very least since 1973 have been treated as merged, raising the question as to whether the Board may process the application as a lot line revision or whether the Board should direct the applicant to amend the application as one for minor subdivision approval.
2. The deed from the former owner to the current owner (Mann) states that the land that is conveyed consists of parcels 2 and 3 of Filed Map 846A. However, due to a 1971 in-rem proceeding by the County against the former owner involving the two lots, and the subsequent recovery of the land by the former owner by a deed from the County dated May 1, 1973, the lots appear as merged on the current tax maps.
3. The current owner argues that the parcels remain as separate lots and points as support for his position to the description of the 1973 deed from the County to the former owner, and to the 2015 deed from the former owner to Mann both of which state that the land being conveyed are lots 2 and 3 of the 1959 Filed Map. Based on the deeds provided that is the case. However, such a description is not dispositive as proof that the lots remain separate since a simple reference to a filed map of the lands to be conveyed is accurate for purposes of a real property transaction, but does not, without further elaboration, explain whether the two lots remain as distinct and non-joined for purposes of the lot line revision application.
4. The problem is that nowhere in the record of transactions does there appear a metes and bounds description for each of the lots. It is not uncommon for a deed to reference the lot or lots of a filed map as being the land so conveyed, but this does little to clear up the present question as to whether the two lots remain in their original divided configuration, or whether they were intentionally, or by omission, merged several decades ago.
5. I spoke this afternoon with Diane Fox of the Town Assessor Office who directed me to Lisa Johnson, Director of Real Property Tax Service for Putnam County. Ms. Johnson indicated

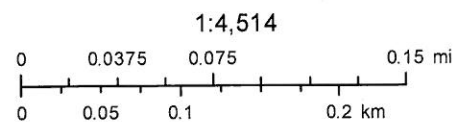


# Basharat Mann Property 011416

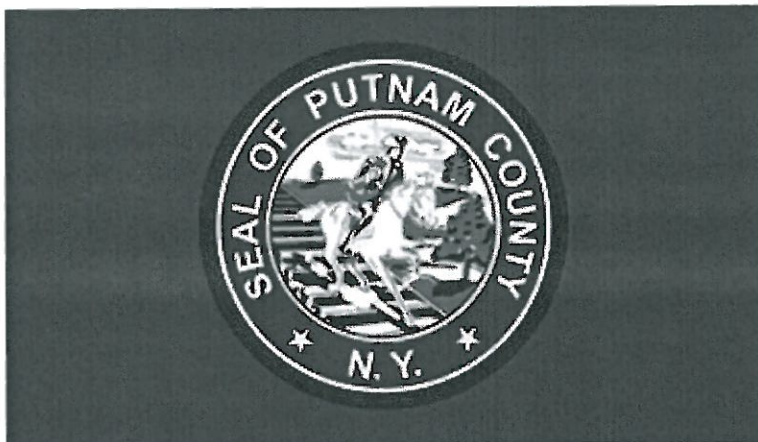


January 14, 2016

-  Parcels
-  121; 123



Putnam County IT/GIS  
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp.,  
NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),  
MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Property Description Report  
 For: Marshall Dr,  
 Municipality of Kent, Town  
 of

No Photo Available

	<b>Status:</b>	Active
	<b>Roll Section:</b>	Taxable
	<b>Swis:</b>	372200
	<b>Tax Map ID #:</b>	11.15-1-35
	<b>Property Class:</b>	311 - Res vac land
	<b>Site:</b>	RES 1
	<b>In Ag. District:</b>	No
	<b>Site Property Class:</b>	311 - Res vac land
	<b>Zoning Code:</b>	R80 - Res. 80,000 Min
	<b>Neighborhood Code:</b>	00300
	<b>School District:</b>	Carmel
	<b>Total Assessment:</b>	2015 - \$144,600
<b>Total Acreage/Size:</b>	3.80	
<b>Land Assessment:</b>	2015 - \$144,600	
<b>Full Market Value:</b>	2015 - \$144,600	
<b>Equalization Rate:</b>	2015 - 100.00%	
	<b>Legal Property Desc:</b>	02200000010390000000 0056700000000000000380 22-1-39
<b>Deed Book:</b>	1974	<b>Deed Page:</b> 412
<b>Grid East:</b>	710637	<b>Grid North:</b> 970772

Area

<b>Living Area:</b>	0 sq. ft.	<b>First Story Area:</b>	0 sq. ft.
<b>Second Story Area:</b>	0 sq. ft.	<b>Half Story Area:</b>	0 sq. ft.
<b>Additional Story Area:</b>	0 sq. ft.	<b>3/4 Story Area:</b>	0 sq. ft.
<b>Finished Basement:</b>	0 sq. ft.	<b>Number of Stories:</b>	0
<b>Finished Rec Room:</b>	0 sq. ft.		

Structure

<b>Building Style:</b>	0	<b>Bathrooms (Full - Half):</b>	0 - 0
<b>Bedrooms:</b>	0	<b>Kitchens:</b>	0
<b>Fireplaces:</b>	0	<b>Basement Type:</b>	0
<b>Porch Type:</b>	0	<b>Porch Area:</b>	0.00
<b>Basement Garage Cap:</b>	0	<b>Attached Garage Cap:</b>	0.00 sq. ft.
<b>Overall Condition:</b>	0	<b>Overall Grade:</b>	
<b>Year Built:</b>			



## Owners

Jason Mann  
575 Ashford Ave  
Ardsley NY 10502

## Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
2/25/2015	\$50,000	311 - Res vac land	Land Only	Tasso, Joseph	No	Yes	No	1974/412

## Utilities

<b>Sewer Type:</b>	None	<b>Water Supply:</b>	None
<b>Utilities:</b>	Electric	<b>Heat Type:</b>	0
<b>Fuel Type:</b>	0	<b>Central Air:</b>	No

## Improvements

Structure	Size	Grade	Condition	Year
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## Taxes

Year	Description	Amount
2015	County	\$1,717.36

**\*Taxes may not reflect exemptions or changes in assessment**



# Memorandum

**To:** Planning Board  
Town of Kent

**Attn:** Michael McDermott  
Chairman

**From:** Wilfred A. Rohde, P.E.

**Subject:** Erosion Control Plan  
January 14, 2016  
Planning Board Meeting

**Date:** January 14, 2016

**Project:** Basharat/Mann 2 Lot Subdivision  
Jeffery Ct; TM 11.15-1-35

The following materials were reviewed:

- Drawing Sheet 1 of 1 "Lot Line Adjustment Map" by John Karell, Jr, P.E., dated 16 December 2015.
- Minutes from November 2015 ZBA Meeting.
- Payment of Taxes Certification by Josephine Tasso on Lots 2 & 3 of Berkshire Terrace Subdivision; L 667, P 535 dated 1 May 1968.
- Sale of Lots 2 & 3 of Berkshire Terrace Subdivision from Putnam County to Josephine Tasso; Deed L 711, P 153 dated 1 May 1973.
- Sale of Lots 2 & 3 of Berkshire Terrace Subdivision (aka Vacant Lot 35 at Marshall Drive, SBL: 11.15-1-35) from Joseph Tasso to Jason Mann; Deed L 1974 P 412, dated 17 March 2015.
- Lot Line Adjustment Application Form, dated 14 December 2015, including Certification of Professional Engineer, Owner's Affidavit, Agent of Owner Affidavit, and Disclosure of Business Interest.
- Putnam County Tax Map of project area (Exhibit #1).
- Aerial Photo of project area (Exhibit #2) showing the area to be wooded.
- NYSDEC Environmental Resource Mapper of project area (Exhibit #3).

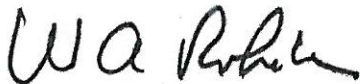
The project is for a Lot Line Adjustment of a previously approved subdivision that was made in 1958 on Lots 2 & 3 of the Berkshire Terrace Subdivision. The lots are located in a R-80 zoning district on the south side Jeffery Court and Marshall Drive. The current county tax map (Exhibits #1 and #2) shows only one parcel containing the proposed two lots.

The drawing depicting the proposed Lot Line Adjustment shows topographic contours at 2-foot intervals and the location of the proposed house, driveway and septic area on Lots "A" and B. Upon review of the Lot Line Adjustment drawing, the following are noted:

1. The size of each lot with the lot line adjustment is within the requirement of the current for R-80.
2. There are no wetlands or wetland checkzones in the project area according Exhibit #3.
3. Steep slopes at 15% or more may be encountered during construction of the south side of the proposed septic area for Lot "A".
4. Land disturbance for each lot appears to be as follows:
  - a. Lot "A" disturbance = 25,000 sq ft ±.
  - b. Lot "B" disturbance = 22,000 sq ft ±.

Since the original subdivision was approved in 1958, it appears that the following additional information will be required in order to comply with current regulations:

1. Development of an Erosion and Sediment Control Plan, complete with details and notes per Chapter 66 of the Town Code
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. Development of a new design for the septic systems and wells for approval by the Putnam County Department of Health.
4. Steep slope disturbance permit may be required for Lot "A".



Wilfred A. Rohde, P.E.

cc: Planning Board Secretary via email  
Bill Walters via email  
16-261-229

Neil Wilson via email  
Bruce Barber via email

Attachments: Exhibits # 1, 2 and 3

S:\261-Kent\229-Basharat TM 11.15-1-35\2016-1-14 RSA Review Memo.doc

RSA 16-261-229

Putnam County eParcel

Basharat/Mann Property TM 11.15-1-35

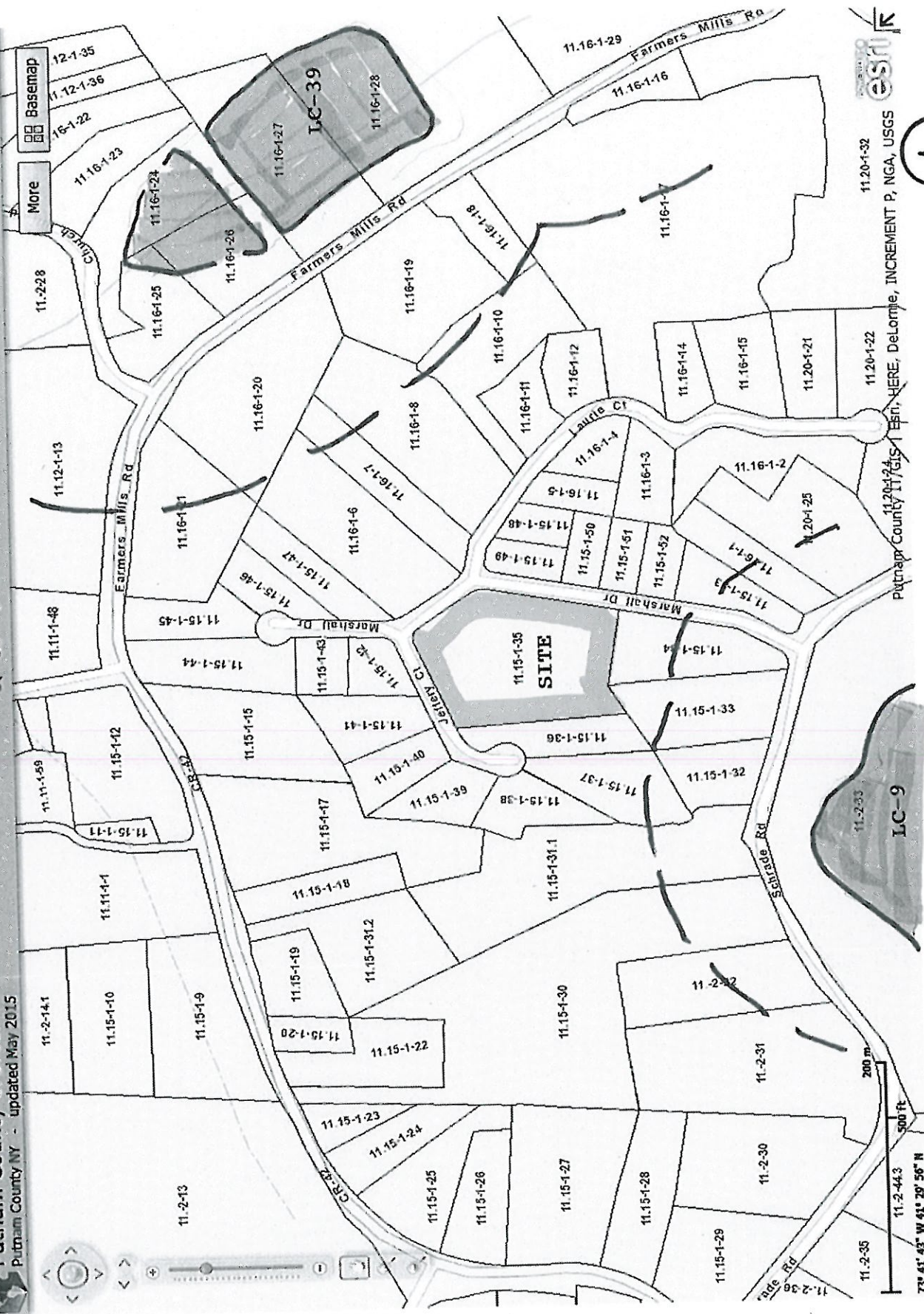
Putnam County eParcel

Putnam County NY - updated May 2015

Help

More

Basemap



Putnam County GIS HERE. DeLorme, INCREMENT P, NGA, USGS



1/17/2016

Basharat/Mann Property TM 11.15-1-35

Putnam County eParcel

Putnam County NY - updated May 2015



2



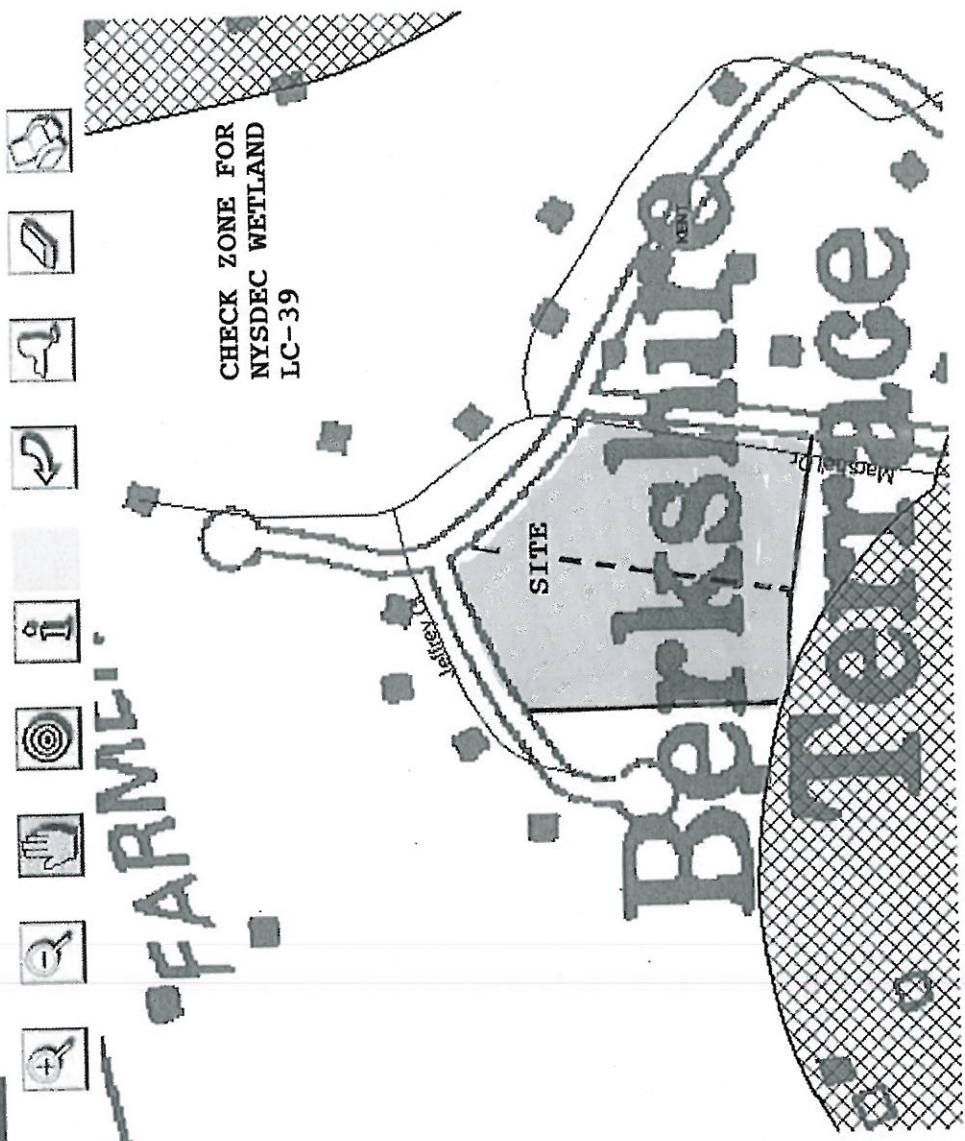
Search	Layers & Legend	Tell Me More...
Need a Permit?	Contacts	Help

**Map Layers & Legend**

More layers appear as you zoom in.

- Classified Water Bodies
- Unique Geological Features
- Classified Water Bodies
- State-Regulated Freshwater Wetlands
- Wetland Checkzone ?
- Rare Plants and Rare Animals
- Significant Natural Communities
- Natural Communities Vicinity ?
- Background Map
- Adirondack Park Boundary
- Counties

Click "Refresh Layers" to activate and deactivate layers.



CHECK ZONE FOR NYSDEC WETLAND LC-5

3.



January 14, 2016

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **Chris' Automotive**  
Route 52  
Map 33.18 Block 1 Lot 12

Dear Chairman McDermott and Members of the Planning Board:

As per your request, a site inspection was conducted at the above referenced property on January 13, 2016. The inspection revealed the site to be permanently stabilized and compliant with the conditions of the Steep Slope and Erosion Control Permit (09/06/2012).

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

Sincerely,

A handwritten signature in black ink, appearing to be the initials "RB" followed by a stylized surname.

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

## Planning Kent

---

**From:** Planning Kent  
**Sent:** Tuesday, January 12, 2016 2:04 PM  
**To:** 'Bruce Barber'; Building Inspector; WRohde@rsaengrs.com; 'Neil Wilson'; Charles Sisto (csisto4004@comcast.net); Dennis Lowes (dennis.lowes@ralphmac.com); George Brunner (bluehog90@verizon.net); Glenna Wright (glennacw@aol.com); Janis Bolbrock (Janis\_Bolbrock@msn.com); Michael McDermott (edituhmike@verizon.net); Phillip Tolmach (bestscapes@verizon.net); Planning Kent  
**Subject:** William Basharat Property - January agenda - TM: 11.15-1-35  
**Attachments:** ZBA November 2015 MINS.doc

This property is on the January 2016 Planning Board agenda and Mr. Basharat attended the workshop and discussed this matter with the Planning Board and consultants. Dennis Lowes and the consultants advised Mr. Basharat that this matter would need to be referred to Ron Blass and Neil was going to reach out to him.

Mr. Basharat applied for a variance with the ZBA in November of 2015 and below is an excerpt from their minutes from that meeting.

**1. William Besharat, 266 Shear Hill Road, Mahopac, NY 10541;  
Marshall Drive, Kent, NY 10512; TM: 11.15-1-35**

Requested interpretation for issuing a second tax map # for two lots, created by subdivision & conveyed via one deed. Tax Map #: 11.15-1-35.

Mr. Basharat and his son-in-law attended the meeting. This property consists of 3.8 acres (2 lots) which were created as a subdivision in 1958 and was approved by the Kent Planning Board and the Board of Health and filed with Putnam County on October 9, 1958 (map 846). The original owners conveyed the lots via 1 deed, but there are two legal lots and it was bought as an investment. The owners failed to pay taxes for a few years and the county took it over. The owners eventually paid the taxes and got the property back. However, the county merged the properties and issued one tax map number to the properties. Mr. Bradley advised Mr. Basharat that the zoning in the area where these lots are situated is two acres and that lots held in the same name are merged if one lot is undersized and that the Zoning Board could not help him in separating the two lots. The title company and Mr. Shilling concurred that there were two lots. Mr. Basharat said that the County told him that, if the Kent Assessor's office agreed, they would issue a second tax map number. Mr. Basharat discussed the matter with the Kent Assessor and he advised him that he didn't know how to do that. This is why he appeared before the ZBA. Mr. Rogers told Mr. Basharat they had no authority over the Assessor's office. He also advised Mr. Basharat that one lot is 95,000 square feet and the other is 68,000 square feet and the area has been upsized and is now two acre zoning. If you hold two properties in the same name for purposes of zoning if one is sub-standard they are automatically merged. Mr. Rogers advised Mr. Basharat to go to the Planning Board and request a lot-line adjustment and make two 80,000 square foot lots and Mr. Basharat said he would do so. Mr. Bradley suggested that a decision be made that this matter be referred to the Planning Board.

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



## Planning Kent

---

**From:** Planning Kent  
**Sent:** Tuesday, January 12, 2016 1:05 PM  
**To:** Charles Sisto (csisto4004@comcast.net); Dennis Lowes (dennis.lowes@ralphmac.com); George Brunner (bluehog90@verizon.net); Glenna Wright (glennacw@aol.com); Janis Bolbrock (Janis\_Bolbrock@msn.com); Michael McDermott (edituhmike@verizon.net); Phillip Tolmach (bestscapes@verizon.net); Planning Kent  
**Subject:** FW: Additional Information re: DEP Barrett Pond Forest Management Project  
**Attachments:** BarrettPondSlope.pdf; BarrettPondBuffer.pdf; BarrettPondProject.pdf; Dixon Road\_Memo.pdf

FYI.

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

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**From:** WRohde@rsaengrs.com [mailto:WRohde@rsaengrs.com]  
**Sent:** Tuesday, January 12, 2016 11:44 AM  
**To:** Planning Kent; 'Bruce Barber'; 'Neil Wilson'; Building Inspector  
**Subject:** FW: Additional Information re: DEP Barrett Pond Forest Management Project

### **RE: Barrett Pond Forest Management - NYCDEP**

**Hi Vera:** Please forward this email to the Planning Board Members.

**Hi Bruce, Neil & Bill:** I am sending you this email directly so that you can get a jump on it. I will be unable to attend this Thursday's Planning Board meeting to discuss this with the Board. However, during the Workshop, it was agreed that since the logging roads (skid trails) go south into the Town of Carmel, thence onto Dixon Road, the impact in Kent is not as severe. Bruce will be checking the wetland boundaries and vernal pool areas. The work described below by Amanda was presented by her during last week's workshop. She has addressed my concerns on traffic, erosion and sediment control and noise. I have no further comment at this point. Please let me know your thoughts.

Thanks so much.

**Bill Rohde**

Wilfred A. Rohde, PE  
Rohde Soyka & Andrews  
Consulting Engineers PC  
40 Garden Street

Poughkeepsie NY 12601  
845-452-7515 (Office)  
914-474-0029 (Cell)

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**From:** Locke, Amanda [<mailto:ALocke@dep.nyc.gov>]  
**Sent:** Monday, January 11, 2016 4:40 PM  
**To:** [WRohde@rsaengrs.com](mailto:WRohde@rsaengrs.com)  
**Cc:** Planning Kent  
**Subject:** Additional Information re: DEP Barrett Pond Forest Management Project

Good Afternoon Mr. Rohde,

Please see attached two additional maps of the DEP Barrett Pond Forest Management Project (and the original map, for ease of reference) related to the review notes you provided and some additional information below. I included the tax parcels on the maps to make it more apparent where the project area falls in relation to the tax map boundaries. I also included the soil survey info on the slopes map for reference. Please let me know if you need more information or have any questions.

1. The Project Area is 44.52 acres.
  - a. 7.20 acres are in the DEC wetland check zone, as indicated in the attached buffer map. The wetland boundary was delineated by DEP Wetland Scientists Laurie Machung and Frank Parisio, and the project area was adjusted to fall completely outside the DEC wetland. I also included the 100 foot DEC wetland buffer area on the map based on the delineated boundary. 0.95 acres of the project area fall within that buffer zone. No work other than removal of selected trees at no more than 25% of the total basal area will occur within that zone. Tree removal at that level is not regulated by DEC, though I understand it may be regulated by the Town of Kent.
  - b. 4.90 acres are on slopes greater than 15%, as indicated on the attached slopes map. Slopes greater than 15% are indicated in yellow and were derived from 1m-resolution LiDAR data flown by DEP. You will notice the area with slopes greater than 15% along the class A stream were not included in my calculations. That's because those areas are considered by DEP to be within the banks of the stream and are therefore off-limits to harvesting. No tree removal or equipment entry will occur in these areas.
  - c. 7.31 acres are within 100 feet of the class A stream. Tree removal will occur in this zone, though not within the bed or banks of the stream as noted above. Tree removal within this zone is limited to no more than 30% of the basal area, except where it overlaps with the 100 foot area adjacent to the field-delineated wetland at the northwest corner of the project area where basal area reduction will not exceed 25% (and in reality, based on actual field conditions, is far less).
2. Tree removal quantities.
  - a. Average number of trees per acre based on pre-project forest inventory work conducted by DEP is 135.
  - b. Total number of trees to be harvested based on tally of marked trees is 1,141.
  - c. Average number of trees marked per acre is 26.
  - d. Wetland check zone: 7.20 acres x 26 trees = 187 trees, though number of trees in the actual 100 foot buffer area regulated by DEC is 0.95 acres x 26 trees = 25 trees.
  - e. Along streams: 7.31 acres x 26 trees = 190 trees.
  - f. Along steep slopes: 4.90 acres x 26 trees = 128 trees.
  - g. Within unrestricted areas: 1,141 – 187 – 190 – 128 = 636 trees.
3. Logging trucks
  - a. The loading capacity of a tri-axle log truck is approx. 3,500 board feet or 5 cords of firewood.
  - b. This harvest consists of approx. 87,000 board feet and 70 cords of firewood.
  - c. Trucks trips carrying logs containing board footage is estimated to be 87,000 / 3,500 = 25 trucks
  - d. Truck trips carrying cordwood is estimated to be 70 / 5 = 14 trucks
  - e. Total tri-axle log truck trips from the harvest area are estimated to be 39.
  - f. The fully-loaded weight of a tri-axle truck loaded with the species in this harvest is estimated to be 70,000 lbs.

- g. Trucks would exit onto Dixon Road in the Town of Carmel and proceed north into Kent to Route 301. Trucks would be expected to head north on Route 301 to Farmers Mills Road, and then to head east on Farmers Mills to Route 52. Trucks would then proceed onto Interstate 84 or across Holmes Road to Route 292 and then Route 311 into Patterson and then onto Route 22 north, depending on the final destination of the logs.
  - h. The Dixon Road bridge at Route 301 was replaced by DEP approx. 10 years ago. The bridge has an as-built live load rating of H20/HS20, assuming no section losses (evaluation attached).
  - i. There will be no construction entrances in the Town of Kent. The only vehicle entrance to the project area is in the Town of Carmel.
4. Miscellaneous
- a. Noise impacts to adjacent properties: The red squares on the original project map indicate "sensitive receptors," which in the case of this project consist only of neighboring residences. The closest residence to the project area in the Town of Kent is approx. 360 feet. That same residence is approx. 560 feet from the nearest skid trail. At that distance, and given that the majority of activity in the project area will not occur that close to the residence, noise impact should be low, and will be of temporary duration, only occurring on days the project is active during the 4-6 week period over which operations are expect to occur. No permanent increase in ambient noise levels is anticipated.
  - b. Erosion control methods will be consistent with the NYS Forestry Best Management Practices for Water Quality BMP Field Guide and with the erosion controls indicated on the original project map.

Again, please let me know if you have any questions or need more information.

Thank you,  
Amanda

---

**Amanda Locke | Watershed Forester | NYC Environmental Protection**  
**Bureau of Water Supply, Watershed Protection Programs**  
**(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)**

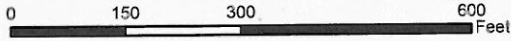


Watershed Protection Programs  
Natural Resources Division  
**Barrett Pond Forest Management Project**

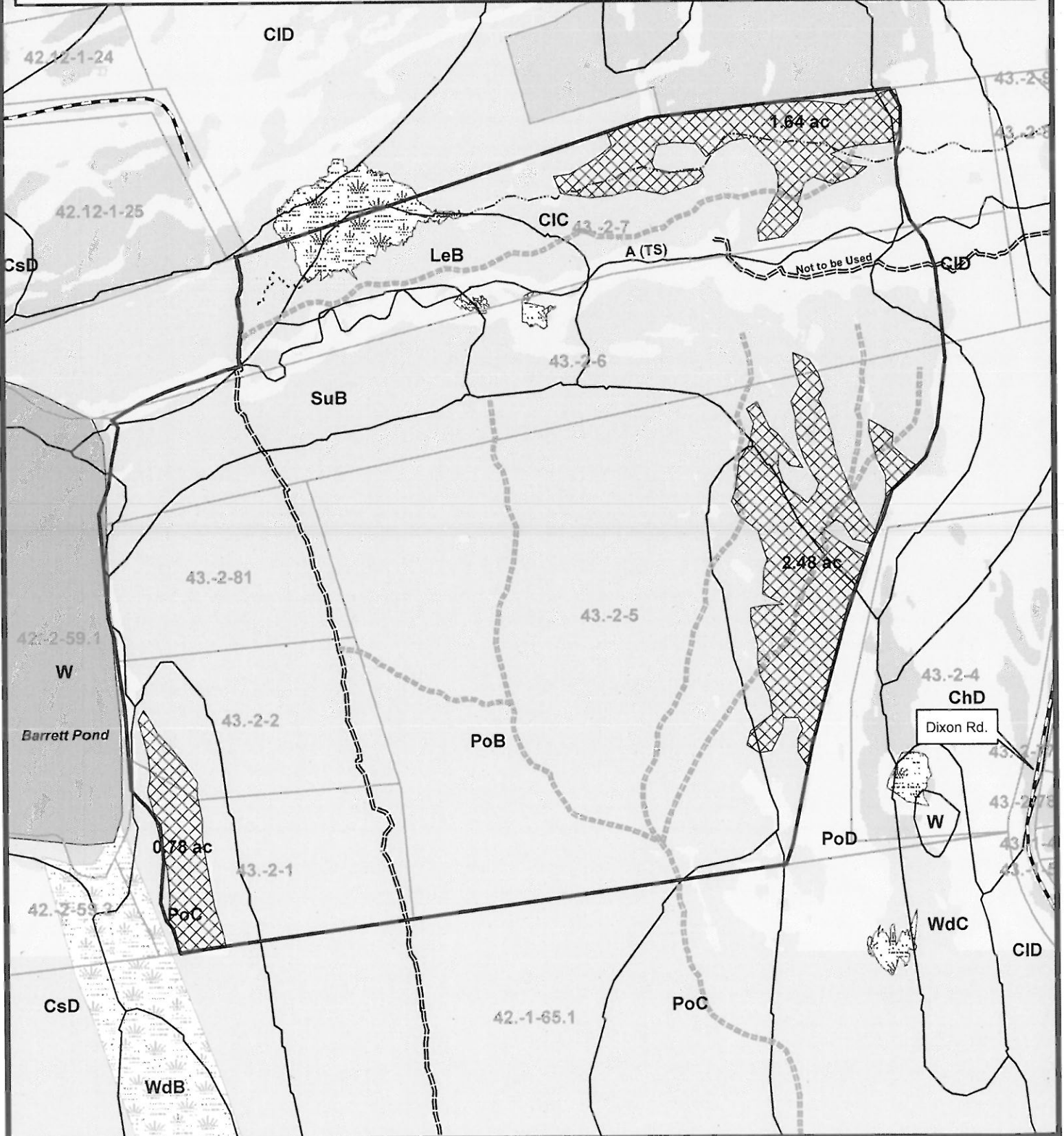
West Branch Basin - Project #5041  
Dixon Road, Kent, NY  
Amanda Locke, Watershed Forester

**Legend**

- Proposed Project Area (~45 ac.)
- Soil Survey
- Slopes >15%
- Existing Forest Roads
- Delineated Wetlands
- Proposed Skid Trails
- NYSDEC Wetlands
- Public Roads
- Tax Parcels
- City-owned Land



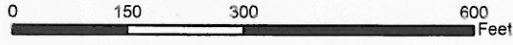
Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection and survey.  
Produced by: WPP (AJL) Jan 2016





Watershed Protection Programs  
Natural Resources Division  
**Barrett Pond Forest Management Project**

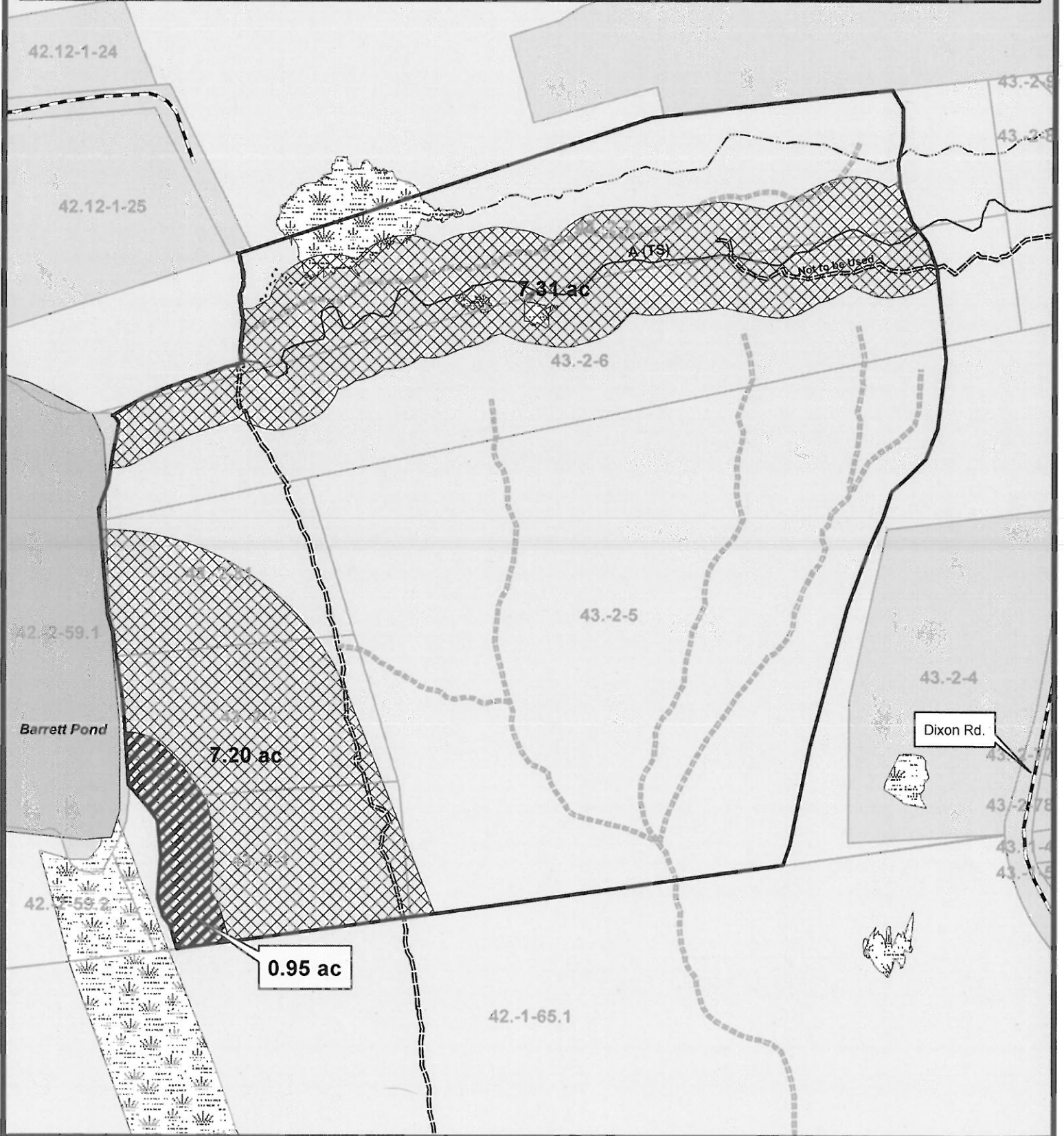
West Branch Basin - Project #5041  
Dixon Road, Kent, NY  
Amanda Locke, Watershed Forester



Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection and survey.  
Produced by WPP (AJL) Jan 2016

**Legend**

- Proposed Project Area (~45 ac.)
- 100' Stream Buffer
- DEC Wetland Check Zone
- 100' DEC Wetland Buffer
- Delineated Wetlands
- DEC Wetlands
- Tax Parcels
- Existing Forest Roads
- Proposed Skid Trails
- Public Roads
- City-owned Land



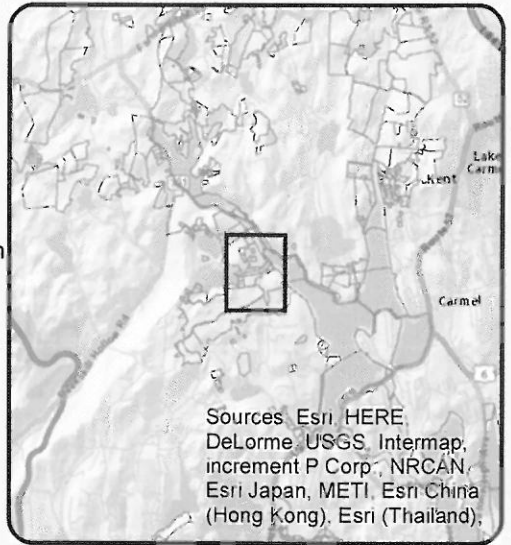
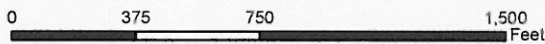
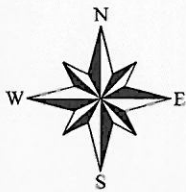


Watershed Protection Programs  
 Natural Resources Division  
**Barrett Pond Forest Management Project**

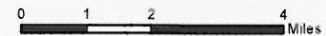
West Branch Basin - Project #5041  
 Dixon Road, Kent, NY  
 Amanda Locke, Watershed Forester

**Legend**

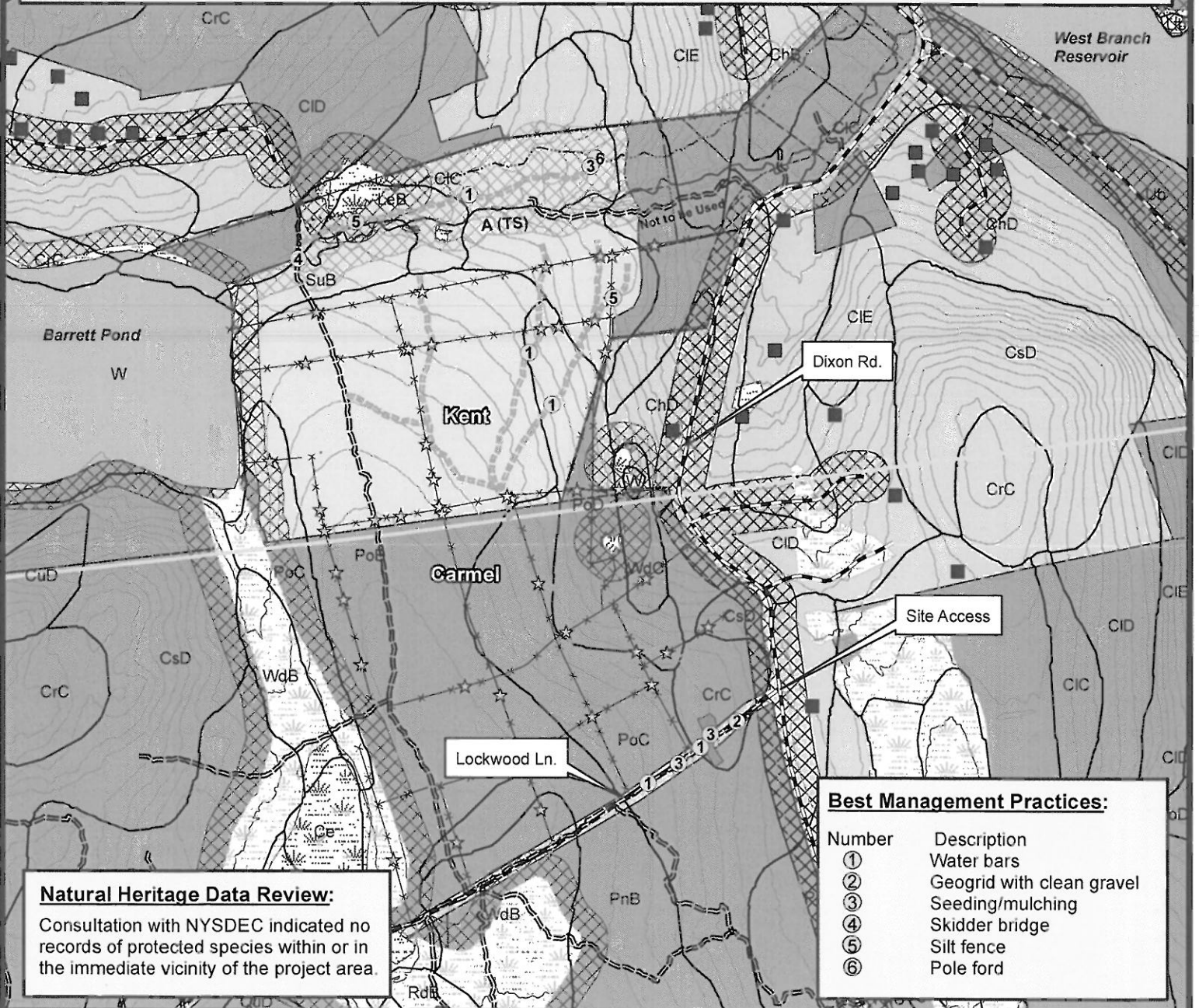
- Proposed Project Area (~45 ac.)
- Landing (Surveyed)
- BMPs
- Existing Forest Access Roads
- Proposed Skid Trails
- Stone Walls
- Existing Wall Breaks
- Stream SMZ
- Reservoir SMZ
- Wetland & Pond SMZ
- Road SMZ
- GPSed Stream
- GPSed Intermittent Stream
- GPSed Ephemeral Runoff
- NRM Wetlands
- NYSDEC Wetlands
- NWI Wetlands
- 10' Contours
- NRCS Soil Survey
- Public Roads
- Town Boundary
- City-owned Land
- Sensitive Receptors



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),



Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection and survey.  
 Produced by: WPP (A/JL) Sept. 2010; Updated Nov. 2015



**Natural Heritage Data Review:**  
 Consultation with NYSDEC indicated no records of protected species within or in the immediate vicinity of the project area.

**Best Management Practices:**

Number	Description
①	Water bars
②	Geogrid with clean gravel
③	Seeding/mulching
④	Skidder bridge
⑤	Silt fence
⑥	Pole ford

## MEMORANDUM

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To: Jeffrey A. Busse, P.E. - NYCDEP  
 From: David Weiss, P.E – WSP | PB  
 Date: November 30, 2015  
 Project Name: Dixon Road Bridge over West Branch Reservoir  
 Reference Number: CRO-329  
 Re: Load Rating - Dixon Road over West Branch Reservoir

---

WSP/Parsons Brinckerhoff has completed the load rating evaluation for Dixon Road over the West Branch Reservoir in Carmel, NY. The bridge was rated using the Load Factor method per the AASHTO Standard Specifications. AASHTOWARE's Bridge Rating V6.6 software was used to perform the analysis.

The interior girders control in flexure at the mid-span of the bridge. The bridge was rated in the as-built condition per contract CRO-329 drawings, with no section losses considered. Inspection findings may indicate section losses or conditions that lower and/or change the load rating results below.

**CONTROLLING MEMBER(S):** Interior Girders G2/G3 – Moment @ Midspan

Live Load	Load Rating Method	Inventory Rating Factor	Operating Rating Factor	Inventory Load Rating (Ton)	Operating Load Rating (Ton)
HS20	LFD	1.683	2.810	60.57	101.16
H20	LFD	2.357	3.936	47.14	78.73

## Planning Kent

---

**From:** Locke, Amanda [ALocke@dep.nyc.gov]  
**Sent:** Monday, January 11, 2016 4:40 PM  
**To:** WRohde@rsaengrs.com  
**Cc:** Planning Kent  
**Subject:** Additional Information re: DEP Barrett Pond Forest Management Project  
**Attachments:** BarrettPondSlope.pdf; BarrettPondBuffer.pdf; BarrettPondProject.pdf; Dixon Road\_Memo.pdf

Good Afternoon Mr. Rohde,

Please see attached two additional maps of the DEP Barrett Pond Forest Management Project (and the original map, for ease of reference) related to the review notes you provided and some additional information below. I included the tax parcels on the maps to make it more apparent where the project area falls in relation to the tax map boundaries. I also included the soil survey info on the slopes map for reference. Please let me know if you need more information or have any questions.

1. The Project Area is 44.52 acres.
  - a. 7.20 acres are in the DEC wetland check zone, as indicated in the attached buffer map. The wetland boundary was delineated by DEP Wetland Scientists Laurie Machung and Frank Parisio, and the project area was adjusted to fall completely outside the DEC wetland. I also included the 100 foot DEC wetland buffer area on the map based on the delineated boundary. 0.95 acres of the project area fall with that buffer zone. No work other than removal of selected trees at no more than 25% of the total basal area will occur within that zone. Tree removal at that level is not regulated by DEC, though I understand it may be regulated by the Town of Kent.
  - b. 4.90 acres are on slopes greater than 15%, as indicated on the attached slopes map. Slopes greater than 15% are indicated in yellow and were derived from 1m-resolution LiDAR data flown by DEP. You will notice the area with slopes greater than 15% along the class A stream were not included in my calculations. That's because those areas are considered by DEP to be within the banks of the stream and are therefore off-limits to harvesting. No tree removal or equipment entry will occur in these areas.
  - c. 7.31 acres are within 100 feet of the class A stream. Tree removal will occur in this zone, though not within the bed or banks of the stream as noted above. Tree removal within this zone is limited to no more than 30% of the basal area, except where it overlaps with the 100 foot area adjacent to the field-delineated wetland at the northwest corner of the project area where basal area reduction will not exceed 25% (and in reality, based on actual field conditions, is far less).
2. Tree removal quantities.
  - a. Average number of trees per acre based on pre-project forest inventory work conducted by DEP is 135.
  - b. Total number of trees to be harvested based on tally of marked trees is 1,141.
  - c. Average number of trees marked per acre is 26.
  - d. Wetland check zone: 7.20 acres x 26 trees = 187 trees, though number of trees in the actual 100 foot buffer area regulated by DEC is 0.95 acres x 26 trees = 25 trees.
  - e. Along streams: 7.31 acres x 26 trees = 190 trees.
  - f. Along steep slopes: 4.90 acres x 26 trees = 128 trees.
  - g. Within unrestricted areas: 1,141 – 187 – 190 – 128 = 636 trees.
3. Logging trucks
  - a. The loading capacity of a tri-axle log truck is approx. 3,500 board feet or 5 cords of firewood.
  - b. This harvest consists of approx. 87,000 board feet and 70 cords of firewood.
  - c. Trucks trips carrying logs containing board footage is estimated to be 87,000 / 3,500 = 25 trucks
  - d. Truck trips carrying cordwood is estimated to be 70 / 5 = 14 trucks
  - e. Total tri-axle log truck trips from the harvest area are estimated to be 39.
  - f. The fully-loaded weight of a tri-axle truck loaded with the species in this harvest is estimated to be 70,000 lbs.



- g. Trucks would exit onto Dixon Road in the Town of Carmel and proceed north into Kent to Route 301. Trucks would be expected to head north on Route 301 to Farmers Mills Road, and then to head east on Farmers Mills to Route 52. Trucks would then proceed onto Interstate 84 or across Holmes Road to Route 292 and then Route 311 into Patterson and then onto Route 22 north, depending on the final destination of the logs.
  - h. The Dixon Road bridge at Route 301 was replaced by DEP approx. 10 years ago. The bridge has an as-built live load rating of H20/HS20, assuming no section losses (evaluation attached).
  - i. There will be no construction entrances in the Town of Kent. The only vehicle entrance to the project area is in the Town of Carmel.
4. Miscellaneous
- a. Noise impacts to adjacent properties: The red squares on the original project map indicate "sensitive receptors," which in the case of this project consist only of neighboring residences. The closest residence to the project area in the Town of Kent is approx. 360 feet. That same residence is approx. 560 feet from the nearest skid trail. At that distance, and given that the majority of activity in the project area will not occur that close to the residence, noise impact should be low, and will be of temporary duration, only occurring on days the project is active during the 4-6 week period over which operations are expected to occur. No permanent increase in ambient noise levels is anticipated.
  - b. Erosion control methods will be consistent with the NYS Forestry Best Management Practices for Water Quality BMP Field Guide and with the erosion controls indicated on the original project map.

Again, please let me know if you have any questions or need more information.

Thank you,  
Amanda

---

**Amanda Locke | Watershed Forester | NYC Environmental Protection**  
**Bureau of Water Supply, Watershed Protection Programs**  
**(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)**

## Planning Kent

---

**From:** Vera Patterson [vlpattrsn@yahoo.com]  
**Sent:** Friday, January 08, 2016 8:44 PM  
**To:** Planning Kent  
**Subject:** Fw: Rohde's comments RE: DEP Forest Management Plan & Other Info  
**Attachments:** DOC010716 DEP TIMBER HARVEST-01072016150014.pdf

Vera Patterson 9 Dicktown Road Carmel, NY 10512 (845) 225-2779 (H) (914) 438-4937 (C) [vlpattrsn@yahoo.com](mailto:vlpattrsn@yahoo.com)

On Thursday, January 7, 2016 3:05 PM, "[WRohde@rsaengrs.com](mailto:WRohde@rsaengrs.com)" <[WRohde@rsaengrs.com](mailto:WRohde@rsaengrs.com)> wrote:

Vera  
Can you please make copies of the Planning Board for tonight?  
Thanks

## Bill Rohde

---

**From:** Bruce Barber [<mailto:barberbruce@yahoo.com>]  
**Sent:** Wednesday, January 06, 2016 2:01 PM  
**To:** Vera Patterson; Edituhmike; Neil Wilson; Wilfred A. Rohde; Building Inspector  
**Subject:** Fw: DEP Forest Management Plan & Other Info

Vera,

Could you please forward email below with attachments to the PB members?

Thanks,

Bruce

----- Forwarded Message -----

**From:** "Locke, Amanda" <[ALocke@dep.nyc.gov](mailto:ALocke@dep.nyc.gov)>  
**To:** 'Bruce Barber' <[barberbruce@yahoo.com](mailto:barberbruce@yahoo.com)>  
**Sent:** Thursday, December 31, 2015 11:47 AM  
**Subject:** DEP Forest Management Plan & Other Info

Hi Bruce,

Thanks for speaking with me this morning about the Barrett Pond Forest Management Project. I appreciate the insight into the Town's ordinances and process, and look forward to discussing further with you in the field soon. A link to DEP's Forest Management Plan can be found about halfway down the page at [this](#) website. I've also attached the following which you may find useful:

1. DEP Conservation Practices – describes the process and conservation practices DEP employs when planning and conducting forest management activities

2. Barrett Pond Threatened and Endangered Species Assessment – the document that was submitted in 2012 to both NYSDEC and the USFWS. It was resubmitted for review in 2014.
3. The responses from both agencies to the T&E assessment
4. Email from DEC Region 3 that no Protection of Waters permits will be required
5. Letter from SHPO confirming no cultural resource impacts from the proposed project

Please let me know if there is any other information you would like to have prior to our field meeting.  
Thanks again for your assistance.

Best,  
Amanda

---

**Amanda Locke | Watershed Forester | NYC Environmental Protection  
Bureau of Water Supply, Watershed Protection Programs  
(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)**

Project: Barrett Pond Forest Management Project, T/Kent, Putnam County, New York

Applicant: Amanda Locke, Watershed Forester, NYCDEP [TM: 43-2-lots 1,2,5,6,7 & 81]  
845-808-1761 [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)

References: Putnam County Tax Map  
Aerial Photo of Site  
Soil Survey Map & Data  
NYSDEC Environmental Resource Mapper  
NYCDEP Work plan  
RSA Memo December 30, 2015

**DRAFT**  
**FOR REVIEW AND DISCUSSION ONLY**

1. Project area is 52.6 acres, of which:
  - about 6 acres are in the NYSDEC Wetland Check-zone
  - about 8 acres have slopes greater than 15-percent
  - about 8 acres are within 100 ft of a Class A(TS) stream
  - about 30 acres are seemingly without restrictions
2. Work period is within the 6 months between October 1 and March 31 of the year.
3. Tree removal estimated quantities:
  - Average number of trees per acre = 145
  - Harvesting will entail removing 25 to 40 percent of the existing basal area.
  - Wetland check zone =  $0.25 \times 145 \text{ trees/acre} \times 6 \text{ acres} = 220 \text{ trees}$
  - Along streams =  $0.25 \times 145 \text{ trees/acre} \times 8 \text{ acres} = 290 \text{ trees}$
  - Along steep slopes > 15-percent =  $0.25 \times 145 \text{ trees/acre} \times 8 \text{ acres} = 290 \text{ trees}$
  - Within unrestricted areas =  $0.30 \times 145 \text{ trees/acre} \times 30 \text{ acres} = 1,300 \text{ trees}$
  - ESTIMATED TOTAL NUMBER OF TREES TO BE HARVESTED = 2,100 TREES
4. Logging trucks:
  - The loading capacity of a logging truck is about 35 tons.
  - Number of trips and types of logging trucks need to be estimated so as to determine routing and impact on town roads.
  - Location of construction entrances from town roads to be determined.
  - Design of construction entrances to be evaluated.
5. Miscellaneous:
  - Noise level impact on adjacent properties to be determined.
  - Erosion impacts and control methods to be used near town roads and private properties.

NYCDEP Timber Harvest  
Barrett Pond T/Kent  
TM 43-2-1,2,5,6,7,8,1  
RSA 15-261-999-147

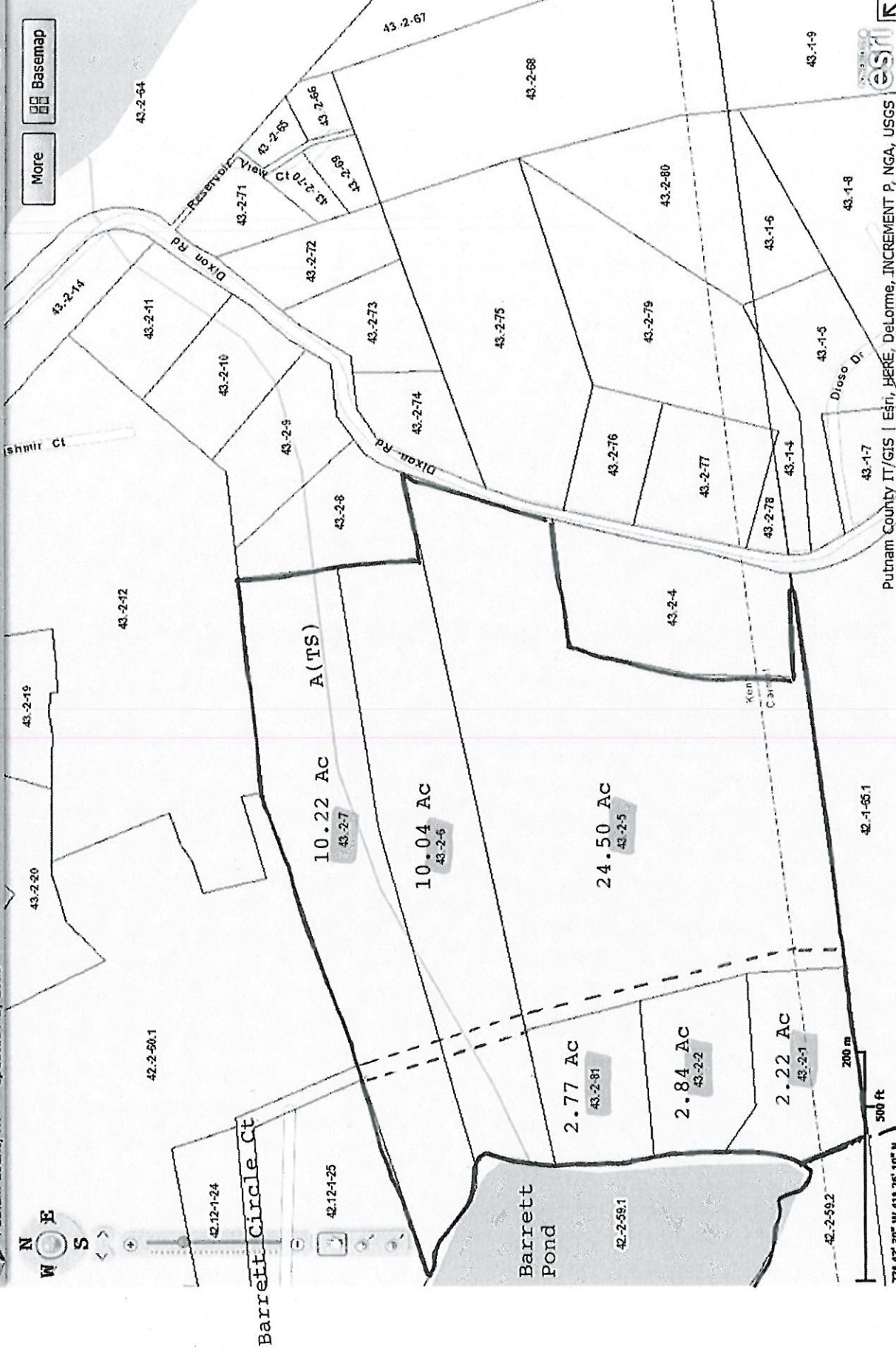
Help

Putnam County eParcel

Putnam County NY - updated May 2015



More Basemap



Wetland LC-41  
W Class C stream

Total Project size = 52.59 Acres

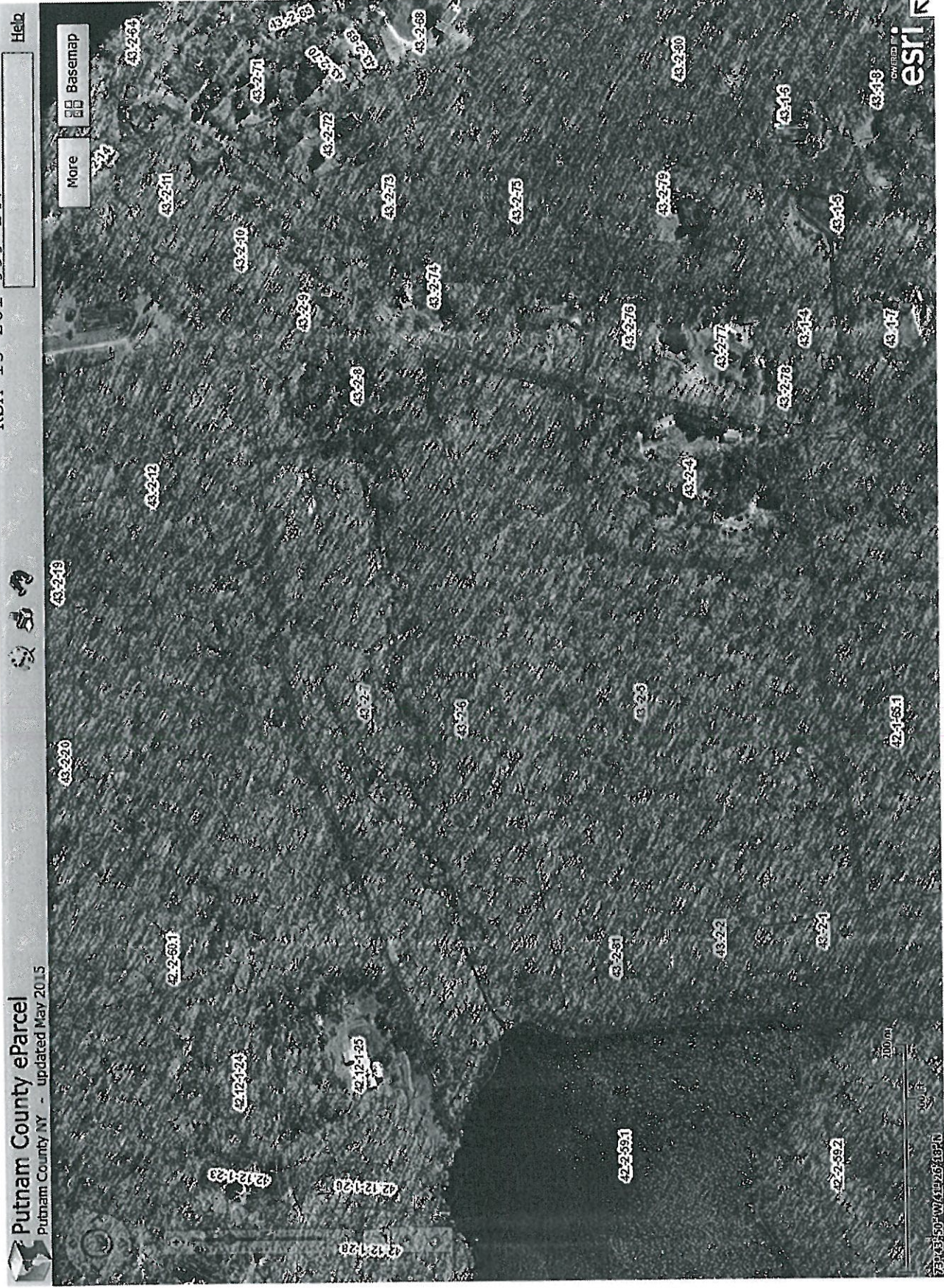
Putnam County IT/GIS | Esri, HERE, DeLorme, INCREMENT P, NGA, USGS



<http://www.putnamcounty.com/gis/enarcel/>

12/30/2015

Barrett Pond T/Kent  
TM 43-2-1,2,5,6,7,8,1  
RSA 15-261-999-147

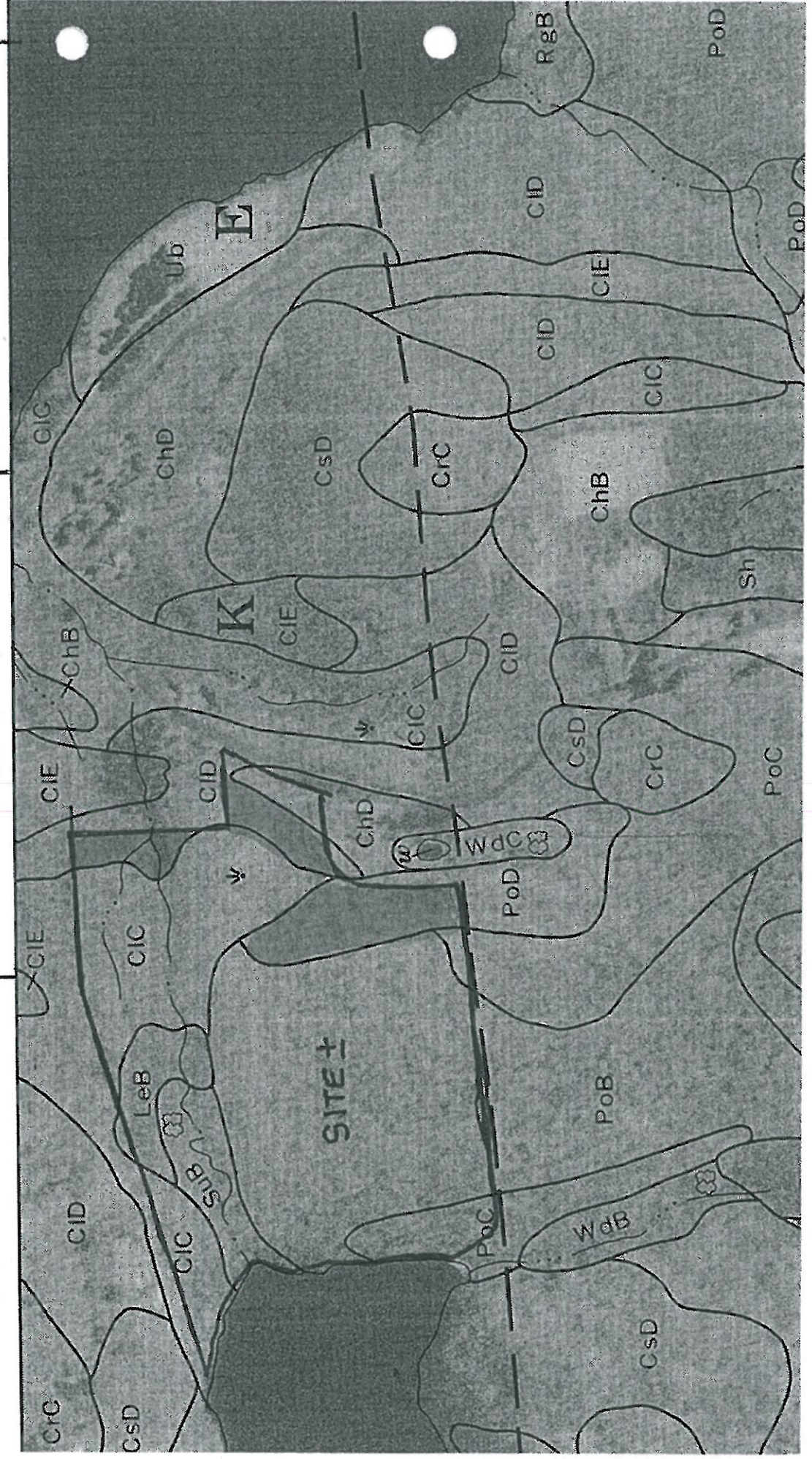


- CIC = Charlton loam 8 to 15% slopes, very stoney
- CID = Charlton loam 15 to 25% slopes, very stoney
- CIE = Charlton loam 25 to 35% slopes, very stoney
- ChB = Charlton loam 2 to 8% slopes
- ChD = Charlton loam 8 to 15% slopes
- LeB = Leicester loam 2 to 8% slopes, very stoney
- PoB = Paxton fine sandy loam 2 to 8% slopes, very stoney
- PoD = Paxton fine sandy loam 15 to 25% slopes, very stoney
- Sub = Sutton loam, 3 to 8% slopes

█ = Slopes > 15%

NYCDEP Timber Harvesting  
 Barrett Pond Area  
 TM 43-2-1,2,5,6,7 & 81  
 RSA 15-261-999-147  
 12-30-2015 W Rohde

DATA TAKEN FROM SOIL SURVEY  
 OF PUTNAM AND WESTCHESTER  
 COUNTIES, NEW YORK, USDA-SCS  
 SEPT 1994





Environmental Resource Mapper

Search	Layers & Legend	Tell Me More...
Need a Permit?	Contacts	Help

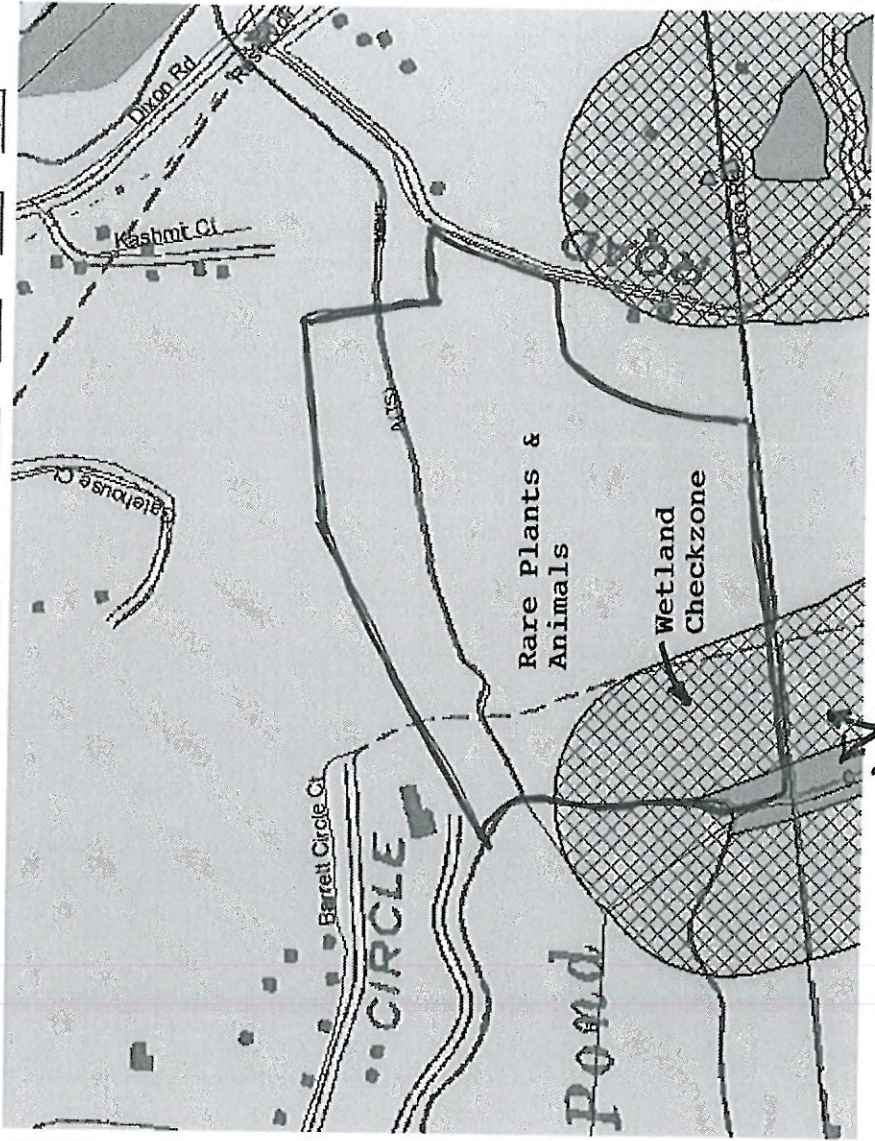
Map Layers & Legend

More layers appear as you zoom in.

- Classified Water Bodies
- Unique Geological Features
- Classified Water Bodies
- State-Regulated Freshwater Wetlands
- Wetland Checkzone ?
- Rare Plants and Rare Animals
- Significant Natural Communities
- Natural Communities Vicinity ?
- Background Map
- Adirondack Park Boundary
- Counties

Click "Refresh Layers" to activate and deactivate layers.

Refresh Layers



NYSDEC WetlandIC-41 stream is Class C

NYCDEP Timber Harvest  
 Barrett Pond T/Kent  
 TM 43-2-1,2,5,6,7,81  
 RSA 15-261-999-147



## Planning Kent

---

**From:** Planning Kent  
**Sent:** Thursday, January 07, 2016 6:40 PM  
**To:** 'Bruce Barber'; WRohde@rsaengrs.com; 'Neil Wilson'; Charles Sisto (csisto4004@comcast.net); Dennis Lowes (dennis.lowes@ralphmac.com); George Brunner (bluehog90@verizon.net); Glenna Wright (glennacw@aol.com); Janis Bolbrock (Janis\_Bolbrock@msn.com); Michael McDermott (edituhmike@verizon.net); Phillip Tolmach (bestscapes@verizon.net); Planning Kent  
**Cc:** 'Locke, Amanda'  
**Subject:** FW: DEP Forest Management Plan & Other Info  
**Attachments:** DEP Conservation Practices - FINAL - 20150120.pdf; BarrettPondTEassess\_10-19-2012Final.pdf; CH# 4298 - JURISDICTIONAL DETERMINATION - NYC DEP - BIOLOGICAL ASSESSMEN....pdf; Response from USFWS on Barret Pond Forest Mgt end\_thr spp assessment 10\_....pdf; NYCDEP Barrett Pond Forest Management Kent NY.MSG; No Impact 12PRO3318 and 12PR03315.pdf

I didn't get this, so thanks for sending it. I'll try to get everything copied, but some of the documents are quite large.

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

---

**From:** WRohde@rsaengrs.com [<mailto:WRohde@rsaengrs.com>]  
**Sent:** Thursday, January 07, 2016 3:11 PM  
**To:** Planning Kent  
**Subject:** FW: DEP Forest Management Plan & Other Info

Vera, Did you get this email and the attachments from Bruce?  
I think he may have had the old email address to you.  
Thanks...see you later

## Bill Rohde

---

**From:** Bruce Barber [<mailto:barberbruce@yahoo.com>]  
**Sent:** Wednesday, January 06, 2016 2:01 PM  
**To:** Vera Patterson; Edituhmike; Neil Wilson; Wilfred A. Rohde; Building Inspector  
**Subject:** Fw: DEP Forest Management Plan & Other Info

Vera,

Could you please forward email below with attachments to the PB members?

Thanks,

Bruce

----- Forwarded Message -----

**From:** "Locke, Amanda" <ALocke@dep.nyc.gov>  
**To:** 'Bruce Barber' <barberbruce@yahoo.com>  
**Sent:** Thursday, December 31, 2015 11:47 AM  
**Subject:** DEP Forest Management Plan & Other Info

Hi Bruce,

Thanks for speaking with me this morning about the Barrett Pond Forest Management Project. I appreciate the insight into the Town's ordinances and process, and look forward to discussing further with you in the field soon. A link to DEP's Forest Management Plan can be found about halfway down the page at [this](#) website. I've also attached the following which you may find useful:

1. DEP Conservation Practices – describes the process and conservation practices DEP employs when planning and conducting forest management activities
2. Barrett Pond Threatened and Endangered Species Assessment – the document that was submitted in 2012 to both NYSDEC and the USFWS. It was resubmitted for review in 2014.
3. The responses from both agencies to the T&E assessment
4. Email from DEC Region 3 that no Protection of Waters permits will be required
5. Letter from SHPO confirming no cultural resource impacts from the proposed project

Please let me know if there is any other information you would like to have prior to our field meeting. Thanks again for your assistance.

Best,  
Amanda

---

**Amanda Locke | Watershed Forester | NYC Environmental Protection  
Bureau of Water Supply, Watershed Protection Programs  
(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)**



# Memorandum

**To:** Planning Board, Town of Kent                      **Attn:** Michael McDermott, Chairman

**From:** Wilfred A. Rohde, P.E.                              **Subject:** NYCDEP Timber Harvest  
Barrett Pond Area TM: 43-1,2,5,6,7,81

**Date:** December 30, 2015, 2015                      **Project:** Erosion & Sediment Control Plan and  
Steep Slope Review

The following documents were reviewed:

1. E-Mails from Amanda Locke seeking permit process to harvest timber on 45 acres in the Barrett Pond Forest Management Area
2. NYSDEP Management Project Description
3. NYCDEP Map of the Project Area
4. Two photos of the forest area
5. NYSDEC Resource Mapper Website
6. Soil Survey of Putnam and Westchester Counties

My preliminary comments are as follows:

1. **Streams:** The project area contains one stream flowing east from Barrett Pond to the West Branch Reservoir. The stream is a Class A(TS) thereby indicating that the stream has best usage for a source of drinking water, swimming and fishing. The stream is also listed as being suitable for trout spawning. NYCDEP has noted that no harvesting will occur along stream banks and that harvesting within 100 feet of streams will be limited to no more than 25-percent of the basal area.
2. **Wetlands:** Along the westerly side of the project area is NYSDEC Freshwater Wetland LC-41. There is a Class C stream flowing through this wetland. The wetland check-zone is also noted along the east side of this wetland. NYCDEP has noted that no harvesting will occur within the wetland boundary and that harvesting within 100 feet of wetland boundaries will be limited to no more than 25-percent of the basal area.

NYCDEP Timber Harvest  
Barrett Pond Area TM: 43-1,2,5,6,7,81  
Memo of December 30, 2015

3. **Rare plants and rare animals** are noted to exist within the project area. No other rare plants or animals have been identified. *This should be verified. NYCDEP has identified the Indiana Bat thereby limiting the work to be done between October 1 and March 31.*
4. **Steep slope** areas greater than 15-percent have not been identified but are indicated on the Soil Survey of Putnam and Westchester Counties. It appears that the majority of the site contains Paxton fine sandy loam, 2 to 8% slopes, very stoney. Along the A(TS) stream flowing east from Barrett Pond, the soils are Charlton loam, Leicester loam and Sutton loam with some slopes up to 15%. Steeper slopes up to 25% occur along the easterly part of the site. *Accordingly, it is recommended that no work should occur along slopes greater than 15%, except for a haul road, if used, from Dixon Road. The haul road(s) should be stabilized and treated to prevent dust and sediment migration onto neighboring properties, water bodies or onto the Town road network.*
5. **Permits:** *Since this is not an agriculture exemption activity, a Steep Slope Protection and Stormwater Management permit should be required in accordance with Chapter 66 of the Town Code*

Submitted by:



Wilfred A. Rohde, P.E.

cc: Planning Board via email  
Bill Walters via email  
Bruce Barber via email  
Neil Wilson via email  
File: 15-261-999-147

Attachment: Soil map from Soil Survey

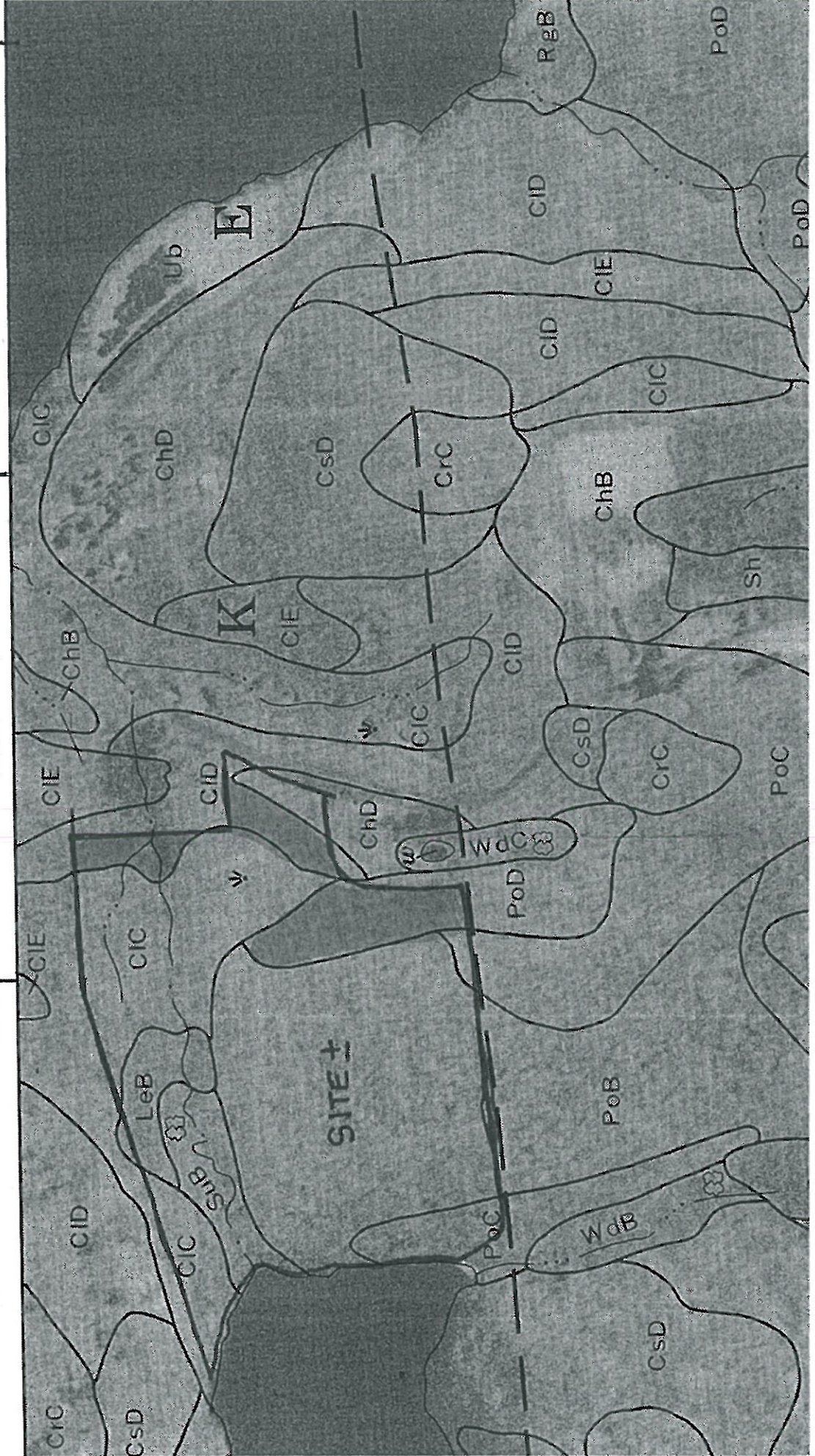
S:\261-Kent\999-Erosion Control\TM 43-2-1,2,5,6,7 & 81 NYCDEP Timber Harvest\12-30-2015 RSA Memo to PB.doc

CIC = Charlton loam 8 to 15% slopes, very stoney  
 CID = Charlton loam 15 to 25% slopes, very stoney  
 CIE = Charlton loam 25 to 35% slopes, very stoney  
 ChB = Charlton loam 2 to 8% slopes  
 ChD = Charlton loam 8 to 15% slopes  
 LeB = Leicester loam 2 to 8% slopes, very stoney  
 POB = Paxton fine sandy loam 2 to 8% slopes, very stoney  
 PoD = Paxton fine sandy loam 15 to 25% slopes, very stoney  
 SuB = Sutton loam, 3 to 8% slopes

[shaded box] = slopes > 15%

NYCDEP Timber Harvesting  
 Barrett Pond Area  
 TM 43-2-1,2,5,6,7 & 81  
 RSA 15-261-999-147  
 12-30-2015 W Rohde

DATA TAKEN FROM SOIL SURVEY  
 OF PUTNAM AND WESTCHESTER  
 COUNTIES, NEW YORK, USDA-SCS  
 SEPT 1994



## Planning Kent

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**From:** Locke, Amanda [ALocke@dep.nyc.gov]  
**Sent:** Wednesday, December 30, 2015 8:16 AM  
**To:** Planning Kent; WRohde@rsaengrs.com  
**Cc:** 'Bruce Barber'; Building Inspector; 'Neil Wilson'  
**Subject:** RE: NYCDEP Timber Harvest in Kent  
**Attachments:** BarrettPondHandout.pdf; NorthTrailTop2.jpg; NorthTrailTop1.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning,

I've included the attachments from my original email. I also have additional pictures which I can send if that would be useful; I just need to put together a location map to make it easier to see where they were taken. Please let me know if you would like me to do that, or if you have any other questions.

Thanks,  
Amanda

---

Amanda Locke | Watershed Forester | NYC Environmental Protection  
Bureau of Water Supply, Watershed Protection Programs  
(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)

---

**From:** Planning Kent [mailto:planningkent@townofkentny.gov]  
**Sent:** Tuesday, December 29, 2015 1:32 PM  
**To:** WRohde@rsaengrs.com; Locke, Amanda  
**Cc:** 'Bruce Barber'; Building Inspector; 'Neil Wilson'  
**Subject:** RE: NYCDEP Timber Harvest in Kent

Amanda had said previously she would send additional material.

Amanda, please send the material directly to the consultants, as requested by Bill Rohde, and copy me on them. Also, if you have any pdf files, please send them as well.

Thanks very much.

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

---

**From:** WRohde@rsaengrs.com [mailto:WRohde@rsaengrs.com]  
**Sent:** Tuesday, December 29, 2015 12:30 PM  
**To:** Planning Kent; 'Locke, Amanda'  
**Cc:** 'Bruce Barber'; Building Inspector; 'Neil Wilson'  
**Subject:** RE: NYCDEP Timber Harvest in Kent

Hi Vera & Amanda

Is there any way you can send us consultants via e-mail the project description and map and some photos of the area near the wetland and stream at the north end of the project area. I did not get a copy of these items. See you on January 7 at the workshop. Thanks & Happy New Year.

## Bill Rohde

Wilfred A. Rohde, PE  
Rohde Soyka & Andrews  
Consulting Engineers PC  
40 Garden Street  
Poughkeepsie NY 12601  
845-452-7515 (Office)  
914-474-0029 (Cell)

---

**From:** Planning Kent [mailto:planningkent@townofkentny.gov]  
**Sent:** Tuesday, December 29, 2015 9:32 AM  
**To:** Locke, Amanda  
**Cc:** Bruce Barber (barberbruce@yahoo.com); Building Inspector; Wilfred A. Rohde (wrohde@rsaengrs.com); Neil Wilson  
**Subject:** RE: NYCDEP Timber Harvest in Kent

Yes, I think it would be a good idea for you to attend the workshop on January 7, 2016.

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

---

**From:** Locke, Amanda [mailto:ALocke@dep.nyc.gov]  
**Sent:** Monday, December 28, 2015 11:55 AM  
**To:** Planning Kent  
**Subject:** RE: NYCDEP Timber Harvest in Kent

Good morning Vera,

The tax map numbers are as follows:

43.-2-1  
43.-2-2  
43.-2-5  
43.-2-6  
43.-2-7  
43.-2-81

Am I correct in assuming I should attend the meeting on January 7 at 7:30 PM to explain the project? If so, is there any specific information I should prepare?

Thanks,  
Amanda

---

**From:** Planning Kent [<mailto:planningkent@townofkentny.gov>]  
**Sent:** Tuesday, December 22, 2015 3:18 PM  
**To:** Locke, Amanda  
**Subject:** RE: NYCDEP Timber Harvest in Kent

I am in the process of drafting the January agenda and I'm asking that the Planning Board discuss your project at our workshop on January 7, 2016 at 7:30 PM. Please send me the tax map number of the property we are discussing.

---

**From:** Locke, Amanda [<mailto:ALocke@dep.nyc.gov>]  
**Sent:** Tuesday, December 22, 2015 11:49 AM  
**To:** Planning Kent  
**Subject:** RE: NYCDEP Timber Harvest in Kent

Good morning Vera,

I just wanted to follow up on the next steps for this project. Did the consultants have any comments or should I plan to attend one of the regularly-scheduled meetings?

I can send the additional photos, but wanted to find out how I should proceed first.

Thank you, and Happy Holidays.

Amanda Locke

---

**Amanda Locke** | Watershed Forester | NYC Environmental Protection  
Bureau of Water Supply, Watershed Protection Programs  
(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)

---

**From:** Planning Kent [<mailto:planningkent@townofkentny.gov>]  
**Sent:** Thursday, November 19, 2015 3:31 PM  
**To:** Locke, Amanda  
**Subject:** RE: NYCDEP Timber Harvest in Kent

If you want to send hard copies, please do so, but I would need pdf files of them as well.



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

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**From:** Locke, Amanda [<mailto:ALocke@dep.nyc.gov>]  
**Sent:** Thursday, November 19, 2015 3:03 PM  
**To:** Planning Kent  
**Subject:** RE: NYCDEP Timber Harvest in Kent

OK, thank you! I have more pictures that I was going to bring to the meeting which I can send if that would be helpful? They're fairly large, so I didn't want to attach too many to the initial email.

Amanda

---

**From:** Planning Kent [<mailto:planningkent@townofkentny.gov>]  
**Sent:** Thursday, November 19, 2015 12:51 PM  
**To:** Locke, Amanda  
**Subject:** FW: NYCDEP Timber Harvest in Kent

Thank you for sending this note and attachments.

I apologize, but the meeting tomorrow has been cancelled due to a family emergency. I will be forwarding this note to our consultants and will send you any comments they may have.

---

**From:** Locke, Amanda [<mailto:ALocke@dep.nyc.gov>]  
**Sent:** Thursday, November 19, 2015 10:22 AM  
**To:** Planning Kent  
**Cc:** Butler, Ralph  
**Subject:** NYCDEP Timber Harvest in Kent

Good morning,

My coworker, Ralph Butler, and I stopped by your office two weeks ago to discuss a timber harvest we are planning on City-owned property in the Town of Kent that likely needs a wetland permit from the town. You suggested we send you a map and project description and then attend the planning meeting with your consultant, which I believe is scheduled for tomorrow, to discuss the project and find out what the process would be for obtaining the permit. Attached is the project description and map and some photos of the area near the wetland and stream at the north end of the project area. Is there still time to get on the agenda for tomorrow? If so please let me know what time I should plan to arrive and where in the town offices the meeting will be held. Please let me know if you need more information; thank you so much for your assistance.

Sincerely,  
Amanda Locke

---

**Amanda Locke | Watershed Forester | NYC Environmental Protection  
Bureau of Water Supply, Watershed Protection Programs  
(O) 845 808 1761 | [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov)**



## New York City DEP Barrett Pond Forest Management Project

The Barrett Pond Forest Management Project is a timber harvest on approximately 45 acres of New York City-owned watershed forest land designed and conducted in accordance with the *New York City Watershed Forest Management Plan (2011)*, a long-term plan to protect water quality by enhancing the ecological integrity of City-owned forests within the NYC watershed. The objective of the harvest is to diversify forest structure and species composition to promote forest resiliency and nutrient retention.

The timber harvest, located off of Dixon Road in the West Branch Reservoir basin in the Towns of Kent and Carmel, Putnam County, is a light- to moderate-intensity silvicultural crown thinning. Primary species to be harvested from this Appalachian hardwood forest include tulip poplar (*Liriodendron tulipifera*), sugar maple (*Acer saccharum*), red maple (*Acer rubrum*), white ash (*Fraxinus americana*) and black birch (*Betula lenta*). The harvest will remove crowded, declining, diseased, and structurally unsound trees to reduce inter-tree competition, increasing overall forest vigor and resiliency to disturbance. Increased light availability beneath the tree canopy will encourage growth of existing sapling regeneration and establishment of new seedlings and herbaceous vegetation.

The project was designed by the DEP Forestry program and has been reviewed by an interdisciplinary team of DEP staff according to the internal guidance document *DEP Forest Management Projects and Conservation Practices*, including wetland scientists, wildlife and fisheries biologists, and stormwater specialists, to ensure adequate protections are implemented for natural and cultural resources in the project area. Conservation practices that have been implemented to protect the site include:

- GPS/GIS mapping of all wetlands and watercourses to ensure accurate location at an applicable scale;
- Pre-planning of the locations of the log landing, haul road, and skid trail network and implementation of best management practices (BMPs) to minimize impacts to soils and the potential for erosion;
- Performing all work between October 1 and March 31 to avoid impacts to Indiana bats;
- Not removing trees within wetland boundaries or along stream banks to avoid impacts to soils, hydrology, flora and fauna; and
- Restricting harvesting within 100 feet of wetland boundaries and streams to no more than 25 percent of the existing basal area and minimizing equipment entries into this zone to protect water quality and habitat.

Harvesting is anticipated to take 6 to 8 weeks. The project may occur over two harvesting windows (October 1 to March 31) depending on weather and scheduling to ensure that operations only occur during appropriate weather and soil conditions. If more than one harvesting window is required, the project area will be fully stabilized while suspended for the intervening spring and summer.

The Project Manager for the Barrett Pond Forest Management Project is DEP Watershed Forester Amanda Locke, who can be reached at (845) 808-1761 or [alocke@dep.nyc.gov](mailto:alocke@dep.nyc.gov).

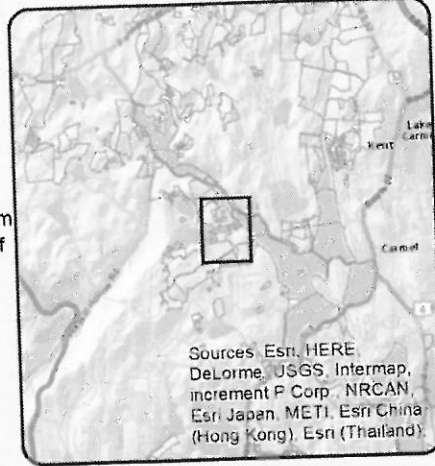
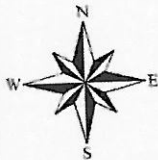


Watershed Protection Programs  
 Natural Resources Division  
**Barrett Pond Forest Management Project**

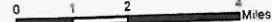
West Branch Basin - Project #5041  
 Dixon Road, Kent, NY  
 Amanda Locke, Watershed Forester

**Legend**

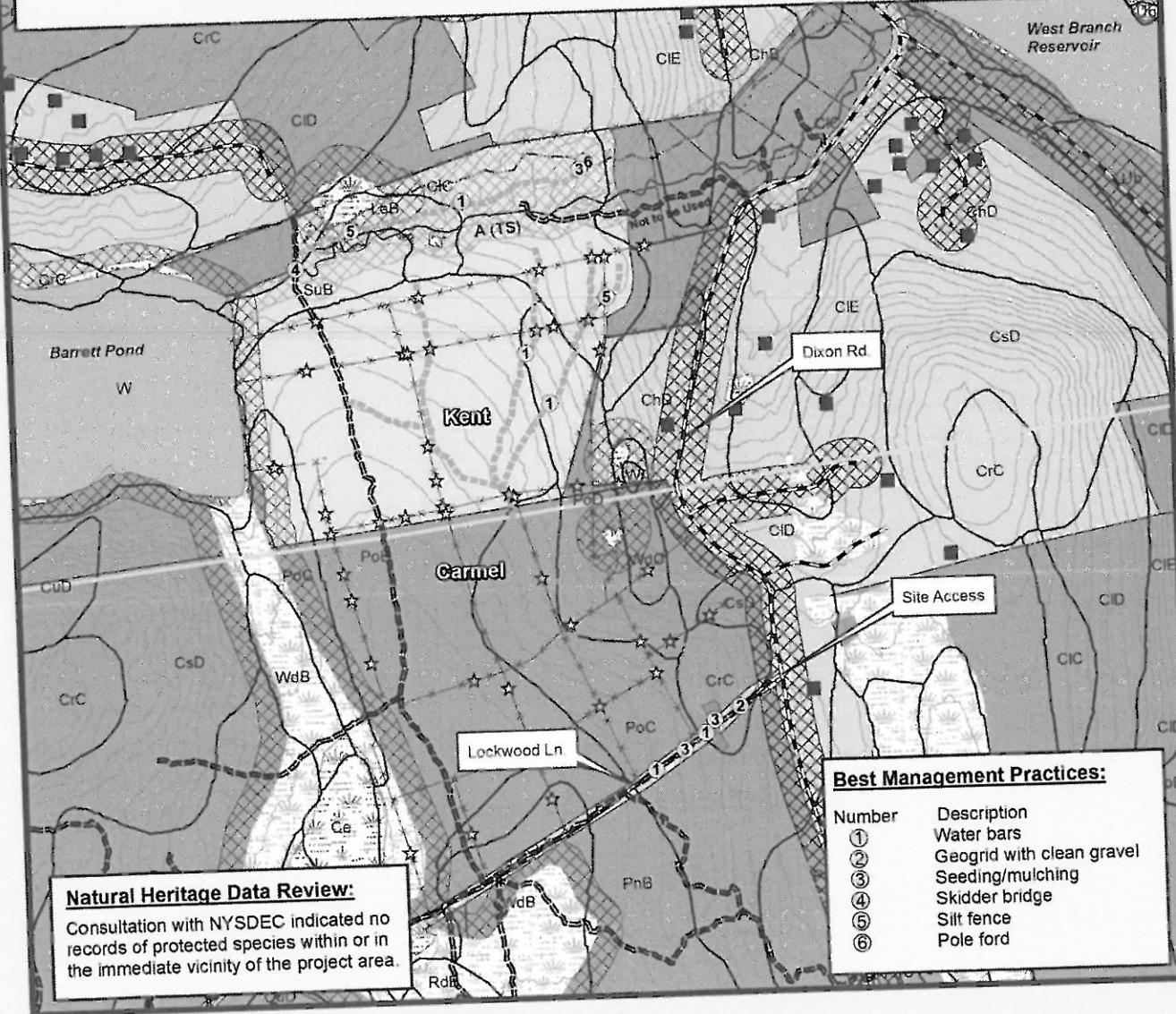
- Proposed Project Area (~45 ac.)
- Landing (Surveyed)
- BMPs
- === Existing Forest Access Roads
- Proposed Skid Trails
- Stone Walls
- ☆ Existing Wall Breaks
- ▨ Stream SMZ
- ▨ Reservoir SMZ
- ▨ Wetland & Pond SMZ
- ▨ Road SMZ
- GPSed Stream
- GPSed Intermittent Stream
- GPSed Ephemeral Runoff
- ▨ NRM Wetlands
- ▨ NYSDEC Wetlands
- ▨ NWI Wetlands
- 10' Contours
- NRCS Soil Survey
- Public Roads
- Town Boundary
- City-owned Land
- Sensitive Receptors



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand)



Note: GIS data are approximate according to their scale and resolution. They may be subject to error and are not a substitute for on-site inspection and survey.  
 Produced by WPP (A.J.L.) Sept. 2010. Updated Nov. 2015

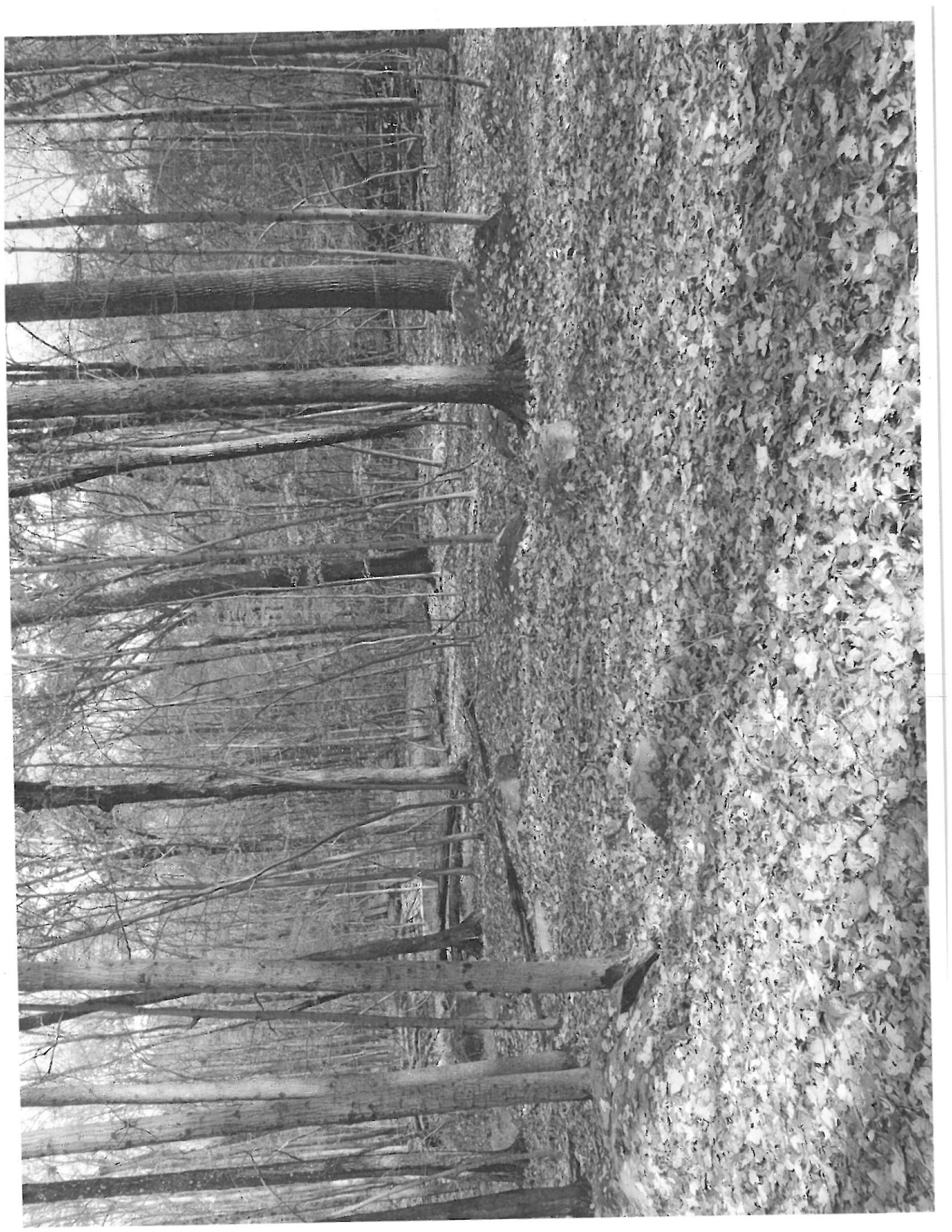


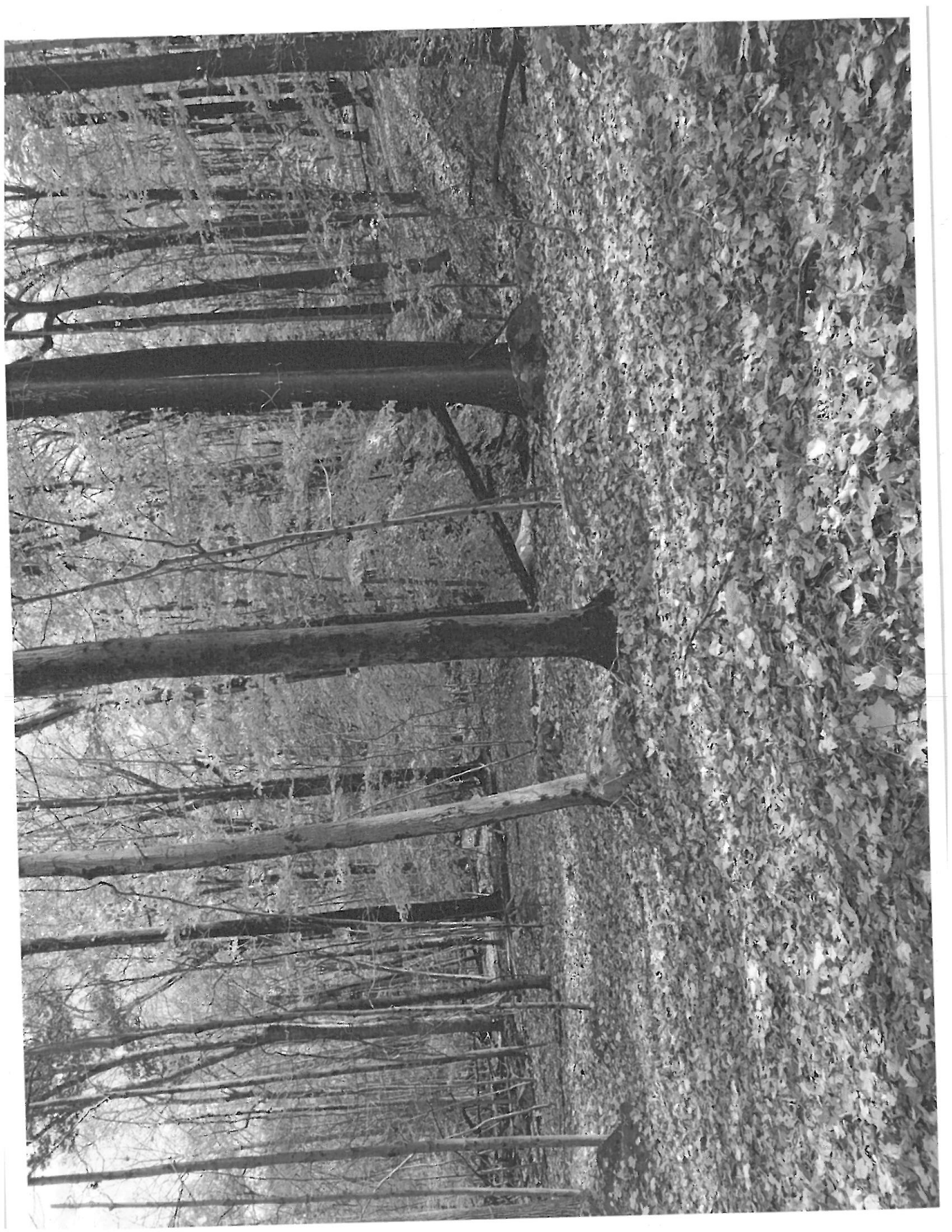
**Natural Heritage Data Review:**

Consultation with NYSDEC indicated no records of protected species within or in the immediate vicinity of the project area.

**Best Management Practices:**

Number	Description
①	Water bars
②	Geogrid with clean gravel
③	Seeding/mulching
④	Skidder bridge
⑤	Silt fence
⑥	Pole ford







# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

From: Wilfred Rohde, P.E.

Subject: Erosion Control & Environmental  
Impacts – January 2016 Planning  
Board Meeting

Date: 12 January 2016

Project: Town of Kent Community Solar  
Development Project TM 12.-3-9

The following materials were reviewed:

1. E-mail dated 9 December 2015 from Bryanna Glod to William Looney
2. Web Site Data from:
  - a. Town of Kent Tax Map & Aerial (Attachment #1 & 2)
  - b. NYSDEC Environmental Resource Mapper (Attachment #3 & 4)
  - c. Soil Survey of Putnam County (Attachment #5)

A preliminary desk-top analysis of the project was made. No on-site observations were made. Accordingly, the following are noted per the attached:

1. Location: The 41.9 acre site is located on the south side of Mooney Hill Road and is east of Stump Pond.
2. Vegetation site appears to be heavily wooded.
3. Slopes on site range go from elevation 790-ft down to 680-ft. Slopes range from 2 to 25 percent on site.
4. Wetlands: State-Regulated Freshwater Wetland LC-6, with the Wetland Check-zone, occupies almost the entire site.
5. Rare Plants and Rare Animals are indicated to be prevalent on-site as well.
6. Soils vary from Palms muck and soils that frequently flood (hydrologic group D) on the south side to Charlton loam and Chatfield-Charlton complex loam (hydrologic group B) toward the west and north part of the site.

It appears that extensive tree removal will be required for placement of the solar panels and grassland will be placed. The clearing of 20 acres of woods having litter and brush covering the soils, would affect the runoff curve numbers from about 55 to 69. This means that for a Type III,

Memorandum  
Town of Kent Community Solar Development  
TM # 12.-3-9  
January 12, 2016  
Page 2 of 2

24-hour, 2-return frequency, 3.5-inch rainfall, direct runoff would increase from 0.39 to 1.00-inch, or a 250-percent increase.

Other potential environmental impacts would include (according to the Union of Concerned Scientists, 2 Brattle Square, Cambridge MA 02138-3780):

1. Depending on their location, larger utility-scale solar facilities can raise concerns about land degradation and habitat loss.
2. Total land area requirements vary depending on the technology, the topography of the site, and the intensity of the solar resource.
3. Estimates for utility-scale photovoltaic (PV) solar cells systems range from 3.5 to 10 acres per megawatt or while estimates for concentrating solar thermal plants (CSP) facilities are between 4 and 16.5 acres per megawatt.
4. Unlike wind facilities, there is less opportunity for solar projects to share land with agricultural uses. However, land impacts from utility-scale solar systems can be minimized by placing them at lower-quality locations such as brownfields, abandoned mining land, or existing transportation and transmission corridors. Smaller scale solar PV arrays, which can be built on homes or commercial buildings, also have minimal land use impact.

Based on the forgoing, the following should be required:

1. Preparation of a Site Plan, including a topographic survey of the site, all in accordance with the requirements of the Town of Kent Code.
2. Preparation of a NYSDEC Full Environmental Assessment Form Part 1 Project and Setting, together with an assessment of the rare plants and animals on site.
3. Since this is not an exempt action and more than 5,000 square foot of land disturbance will be needed for the project, compliance with Chapter 66 of the Town Code "Steep Slope Protection and Stormwater Management".

Submitted By:



Wilfred Rohde, P.E.

cc: Planning Board Secretary via email  
Bill Walters via email  
RSA File 16-261-20

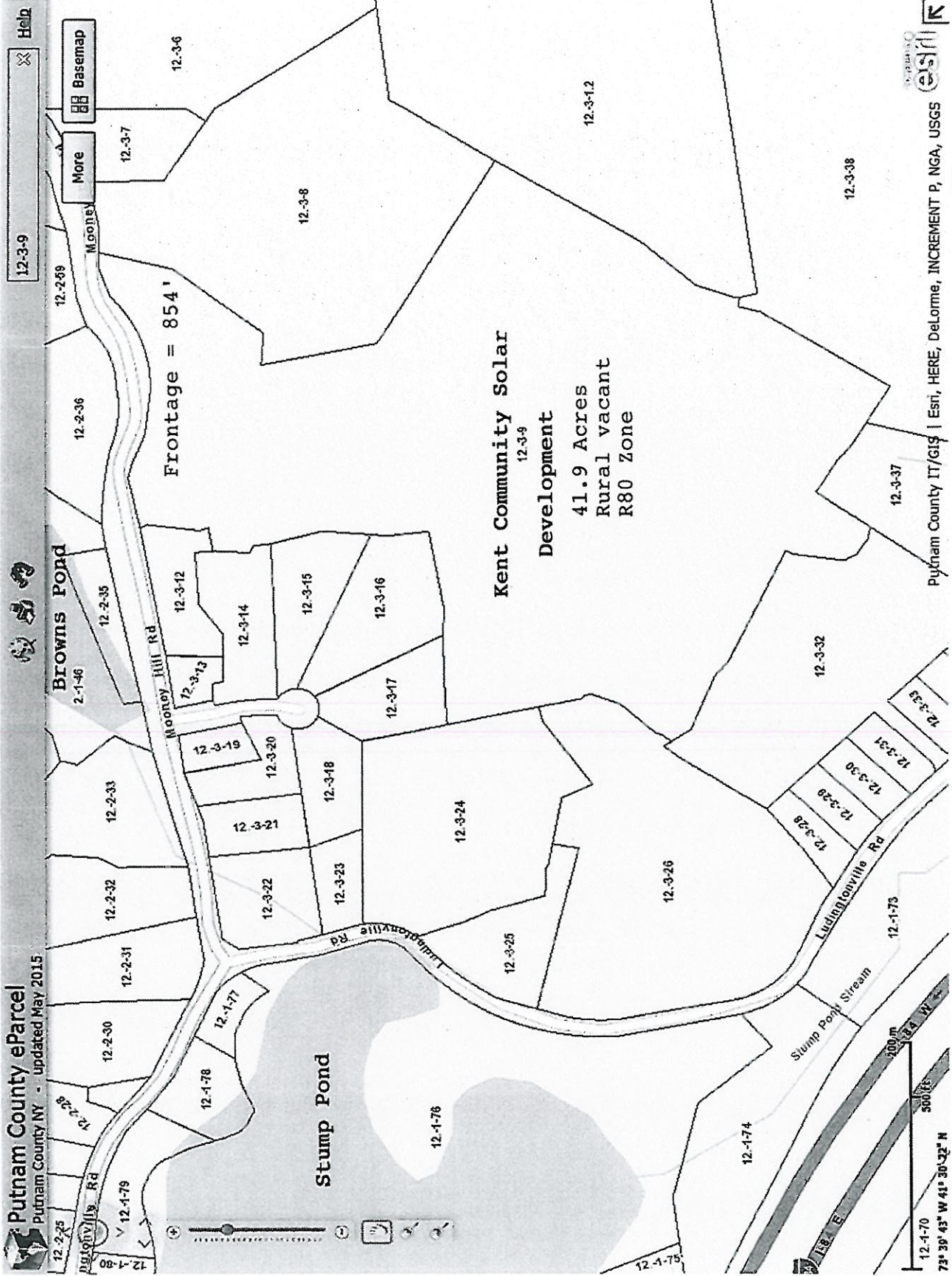
Neil Wilson via email  
Bruce Barber via email

Attachments #1 through #5

S:\261-Kent\230-Kent Community Solar TM 12.-3-9\2016-1-12 RSA Review memo.doc



Town of Kent Community Solar Development TM 12.-3-9



Putnam County eParcel  
Putnam County NY - updated May 2015

12-3-9

More

Basemap

Help

Putnam County IT/GIS | Esri, HERE, DeLorme, INCREMENT P, NGA, USGS



1" = 394' ±

<http://www.innovative.com/gis/enamel/>

1/17/2016

Town of Kent Community Solar Development TM 12.-3-9

Putnam County eParcel

Putnam County NY - updated May 2015

12-3-9

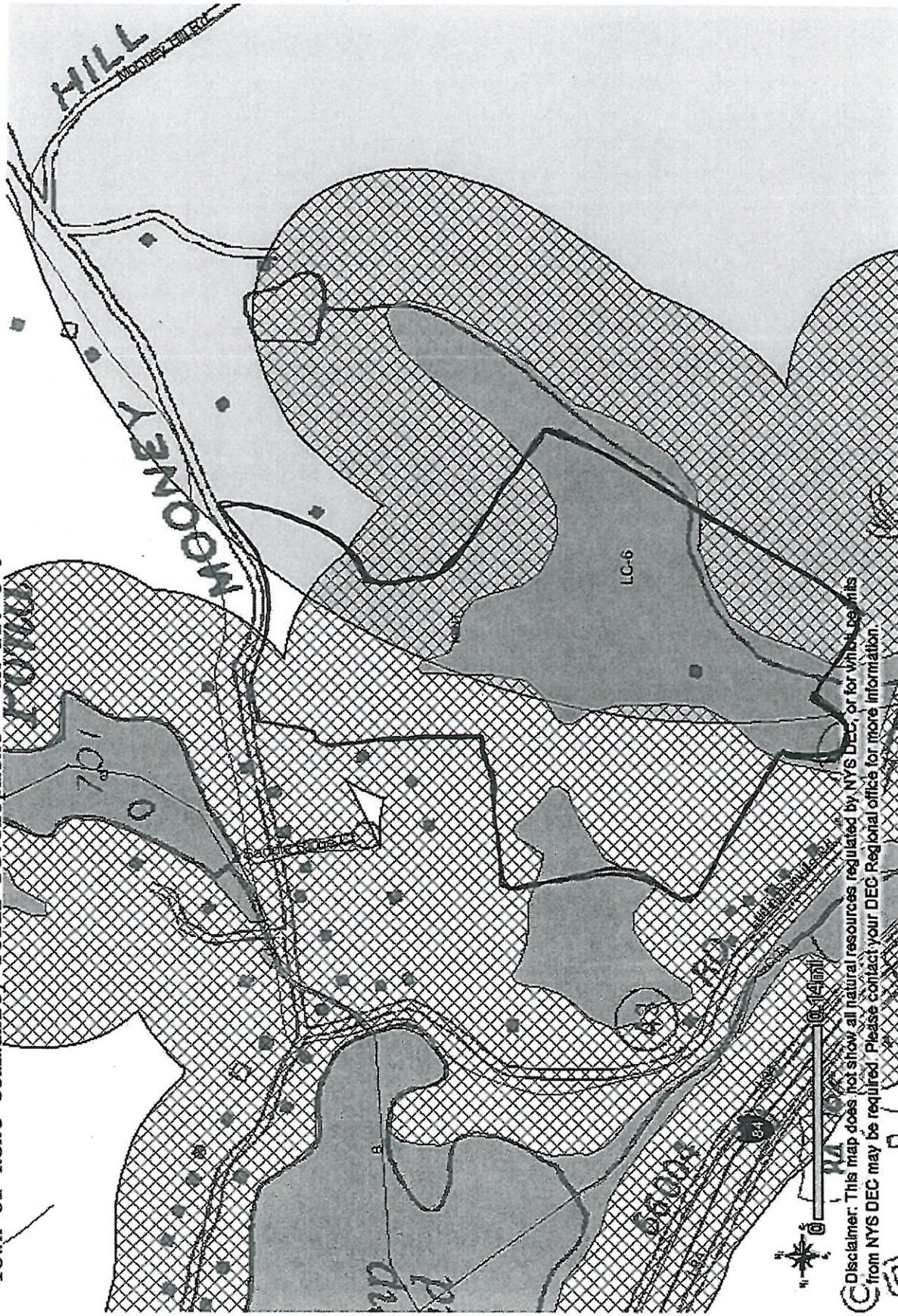
More

Basemap



2

Town of Kent Community Solar Development TM 12.-3-9



1"=528'

3



Search	Layers & Legend	Tell Me More...
Need a Permit?	Contacts	Help

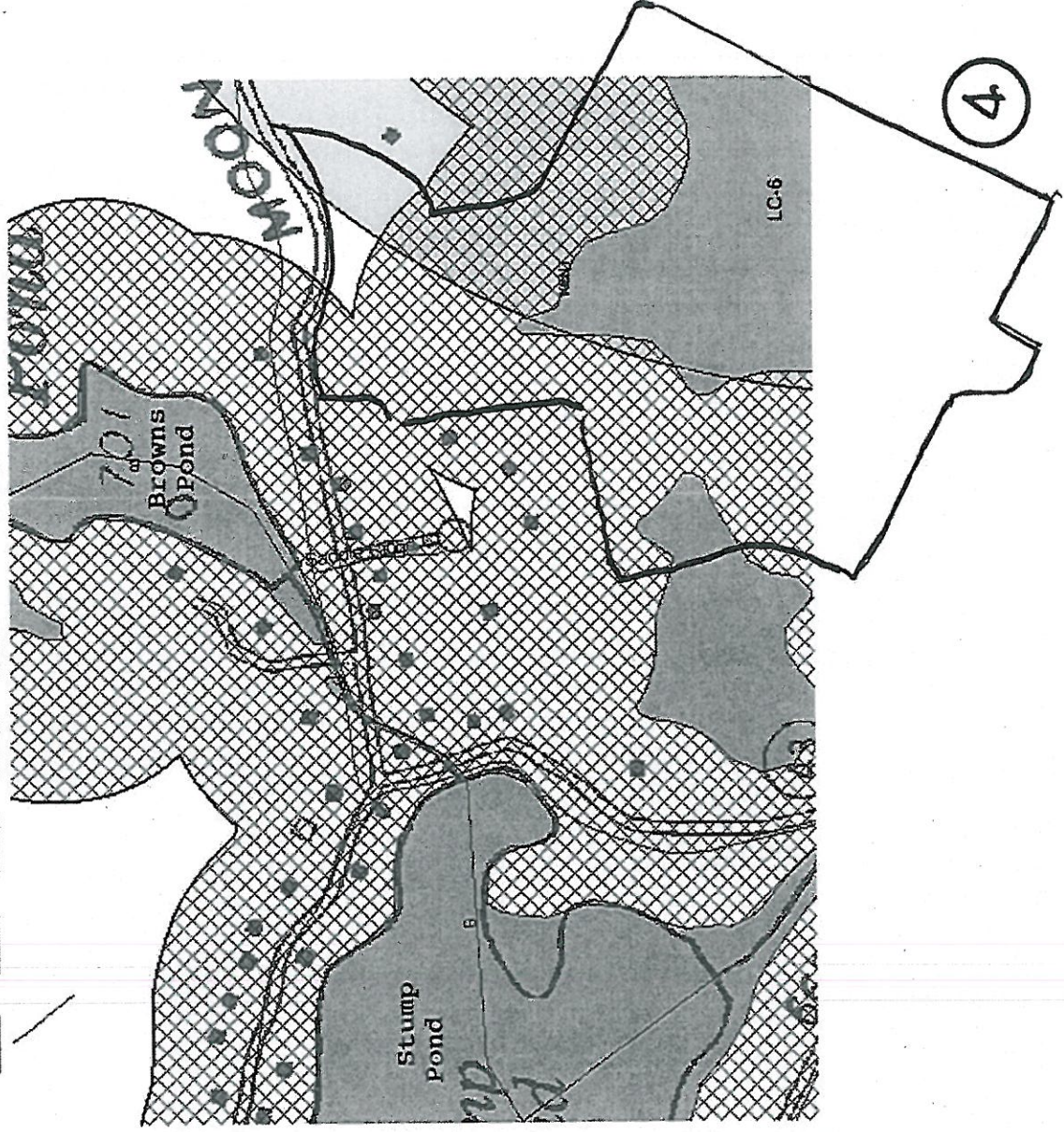
Map Layers & Legend

More layers appear as you zoom in.

- Classified Water Bodies
- Unique Geological Features
- Classified Water Bodies
- State-Regulated Freshwater Wetlands
- Wetland Checkzone ?
- Rare Plants and Rare Animals
- Significant Natural Communities
- Natural Communities Vicinity ?
- Background Map
- Adirondack Park Boundary
- Counties

Click "Refresh Layers" to activate and deactivate layers.

Refresh Layers

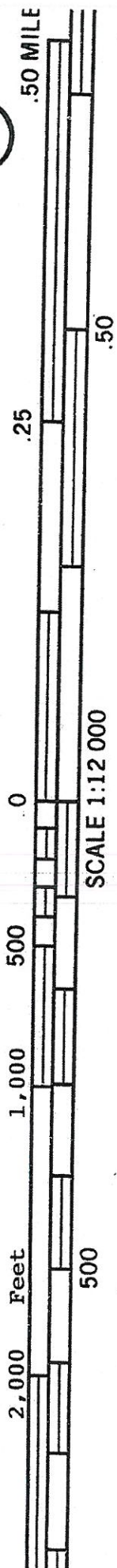


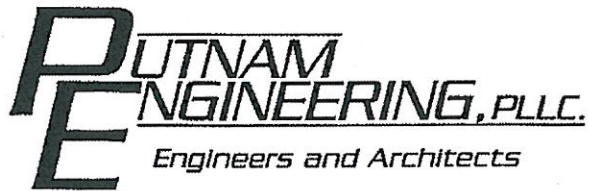


Town of Kent Community Solar Development TM 12.-3-9

From: Soil Survey of Putnam and Westchester Counties, New York  
 United States Department of Agriculture  
 Soil Conservation Service Issued Sept 1994

Predominant Soil: ChB, ChC, ChD, CIB, CIC, CID, CrC, CSD, FF, LeB, Pa





January 7, 2016

Mr. Michael McDermott, Chairman  
Town of Kent Planning Board  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Re: Limitone/Licari  
Erosion Control and Steep Slopes Permit  
14 Lorne Court  
P/E #8271

Dear Chairman McDermott and Members of the Board:

In reference to the above project, Putnam Engineering, PLLC (P/E) wishes to advise the Board of the status.


The septic system was field located by Drainworks, Inc. on December 22, 2015. The grading has been revised to show a shallow swale along the property line. The owner has reported they installed the erosion control matting.

There was not sufficient time to make the January Planning Board deadline. P/E will be making a submission for February 2016.

We also wish the Board consider this for administrative review.

Sincerely,

PUTNAM ENGINEERING, PLLC



Robert J. Cameron, Jr., R.A.  
RJC/tal

cc: Ms. Kristen Limitore  
Mr. Giovanni Licari

(L01603)

12/15/2015

Gmail - FW: [Kent NY] Town of Kent Community Solar Development

you soon!

Regards,  
Bryanna Glod  
Regional Zoning Manager - Development

P | (213) 347-9390  
C | (617) 584-7043  
E | glod@ccrenew.com

=====

Message sent by: Bryanna Glod (glod@ccrenew.com)

=====

**WILLIAM LOONEY** <codeenforcementtownofkentny2@gmail.com>  
To: planning@townofkentny.gov

Wed, Dec 9, 2015 at 10:16 AM

[Quoted text hidden]

—  
Respectfully,  
William Looney,  
Zoning Enforcement Officer,  
Town of Kent.

**postmaster@putnam.local** <postmaster@putnam.local>  
To: codeenforcementtownofkentny2@gmail.com

Wed, Dec 9, 2015 at 10:16 AM

**Delivery has failed to these recipients or groups:**

planning@townofkentny.gov  
The e-mail address you entered couldn't be found. Please check the recipient's e-mail address and try to resend the message. If the problem continues, please contact your helpdesk.

**Diagnostic information for administrators:**

Generating server: putnam.local

planning@townofkentny.gov  
#550 5.1.1 RESOLVER.ADR.RecipNotFound; not found ##rfc822;planning@townofkentny.gov

Original message headers:

Received: from spamfilter.putnamcountyny.gov (10.35.26.97) by  
EXCHANGE10EOC.putnam.local (10.35.25.15) with Microsoft SMTP Server id  
14.3.224.2; Wed, 9 Dec 2015 10:16:15 -0500  
X-ASG-Debug-ID: 1449674174-04066b55bd2a8770001-Y9AL52

**Dear Ms. Glod,**

**Enclosed please find an overlay of wetlands located on the site of inquiry. Also enclosed are local wetland regulations. This proposal for an R80 district would be either a commercial venture or a utility. I will forward your communication to our planning board for consideration.**

—  
Respectfully,

William Looney,

Zoning Enforcement Officer,

Town of Kent.

---

WILLIAM LOONEY <codeenforcementtownofkentny2@gmail.com>  
To: Bryanna Glod <glod@ccrenew.com>

Tue, Dec 15, 2015 at 10:36 AM

**Dear Ms. Glod,**

**I assumed that by now you would have been in touch with the Planning Board. The yellow portion of the map identifies Kent designated wetlands. The Planning board has experienced communication problems with our new email protocols but I will print our exchanges and give same to them today.**

Respectfully,

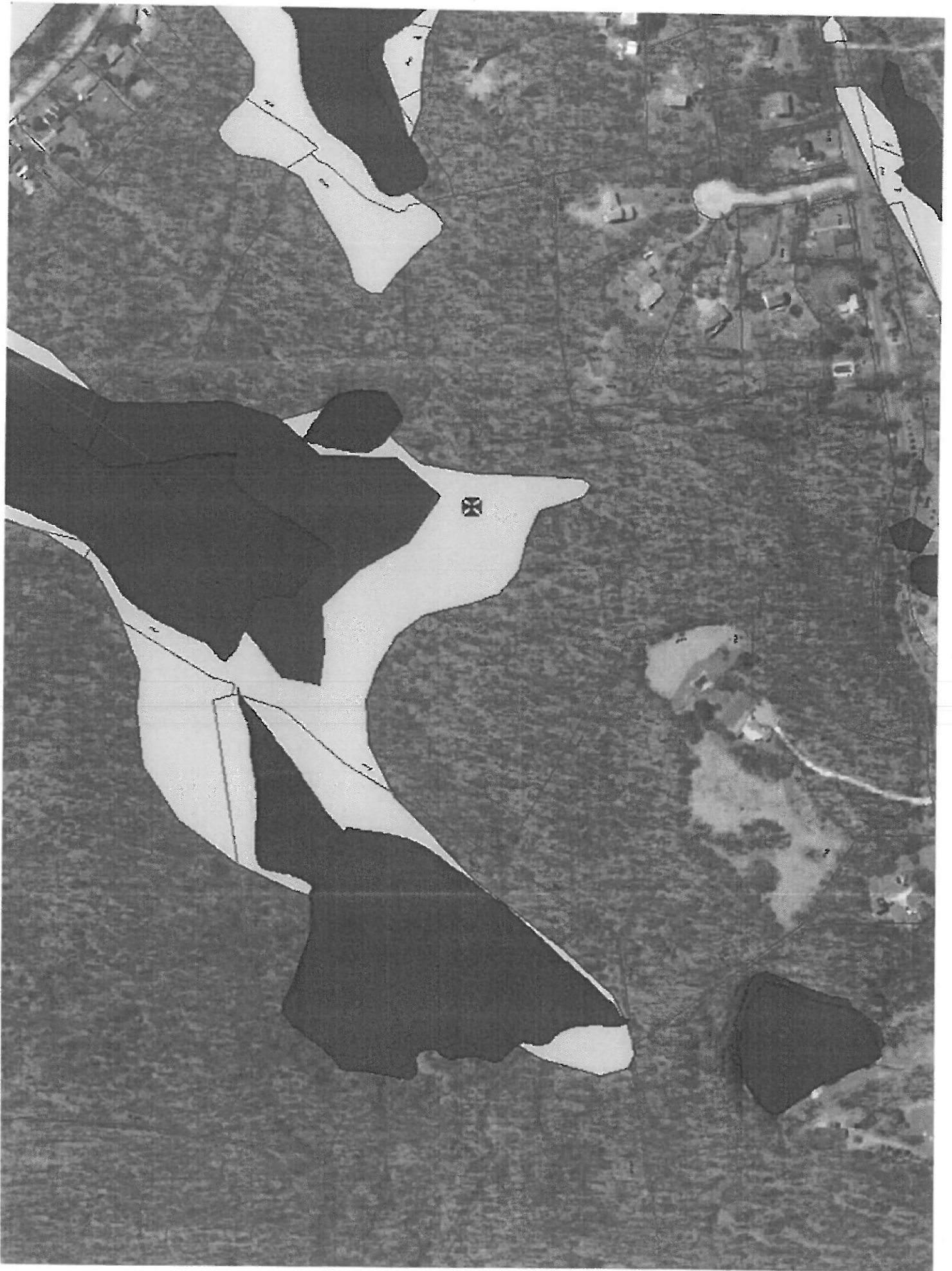
William Looney,

Zoning Enforcement Officer,

Town of Kent.

[Quoted text hidden]





# Property Description - 2015

## Residential

Status: **Active** Roll Section: **Taxable**

SWIS: **372200** TaxMap#: **12.-3-9**

Mooney Hill Rd

Zoning Code: **R80** Site: **1**

Neighborhood: **00500**

Property Class: **322-Rural vac>10**

School District: **Carmel Central**

Deed Book: **1,370** Page: **311**

### Owner:

Armstrong, John M  
Armstrong, Edward M Jr  
27 Hilltop Dr  
Madison CT 06443

### Structure

Number of Baths: **1**

Number of Bedrooms:

Number of Kitchens:

Number of Fireplaces:

Overall Condition:

Overall Grade:

Porch Type:

Porch Area:

Year Built:

Basement Type:

Base Garage Capacity:

Att Garage Capacity:

### Area

Living Area:

First Story Area:

Second Story Area:

Additional Story Area:

Half Story Area:

Three-Quarter Story Area:

Finished Over Garage:

Finished Attic:

Finished Basement:

Finished Rec Room:

Number of Stories:

### Utilities

Sewer Type: **None**

Water Supply: **None**

Utilities: **Electric**

Heat Type:

Fuel Type:

Central Air: **NO**

### Improvements:

No Improvements

### Last Sale:

Sale Date: 08/07/1996

Sale Price: 90,000

Valid: 0

Arms Length: N

Prior Owner: Armstrong, Sheila H

New Owner: Armstrong, John M

### Land:

Land Type: Undeveloped

Acreage: 2

Land Type: Residual

Acreage: 39.9

Total Acreage: 41.9

### Assessment:

Land : 315,000

Total : 315,000

### Taxes:

Taxes not available or charged