

Minutes
Town of Kent Planning Board Meeting
March, 15, 2018
FINAL

Following the Pledge of Allegiance, the meeting was called to order at 7:30 PM by Mr. Phil Tolmach, Chairman of the Town of Kent Planning Board.

In attendance were the following Planning Board members:

Phil Tolmach, Chairman	Giancarlo Gattucci
Simon Carey	Dennis Lowes

Absent:

Charles Sisto	Stephen Wilhelm
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Others in Attendance:

Bruce Barber, Environmental Consultant	Bill Walters, Kent Building Inspector
Julie Mangarillo, Engineering Consultant	

• **Approve Planning Board Minutes from February 8, 2018**

Mr. Tolmach asked for a motion to consider the minutes for the February 8, 2018 meeting. The motion was made by Mr. Lowes and seconded by Mr. Gattucci. The roll call votes were as follows:

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

The motion carried.

• **Cypress Creek Solar Energy Farm, Mooney Hill, Kent, NY; TM: 12.-3-9**

The Public Hearing for this project was held over until the April meeting at the request of the applicant.

- Ultimate Car Detailing, LLC, 94 Route 311, Kent, NY; TM: 12.-3-9

Mr. Diego Villareale of JMC Corporation represented the owners of the business (Ms. Sabrina Cruz was also at the meeting). This was an application for a change of use at an existing building. No changes will be made to the building or the existing building. This will be a car detailing business only and not a car wash. There will be approximately 3 vehicles detailed per day. Parking was a concern and Mr. Villareale obtained a letter from the owner of the adjoining property stating that Ultimate Detailing may park on their property if necessary. The service will be by appointment only. Mr. Lowes asked how many employees will be on site and was told that there would be the two owners and one employee who will park in the rear of the property. Mr. Tolmach asked about how the pollutants from the car detailing products would be disposed of. Ms. Cruz said that the product is optimum no-rinse and uses about two gallons of water per car which is sprayed on the car and it encapsulates the dirt and it is then wiped clean. There is about one gallon of waste water per car which is caught in a recovery mat. It is then vacuumed up and stored in a container and sent out to Enviro-Waste.

Mr. Barber's Comments (memo attached)

Mr. Barber said a site plan is required which should include parking details and how it will be accessed from the building. A completed Part 1 EAF is also required. The applicant is connected into an existing septic system. If there are floor drains they are no longer allowed and would need to be sealed.

Ms. Mangarillo's Comments (memo attached)

The existing parking needs to be shown on updated plans to be designated for the applicant. No parking signs should be placed on the front of the building. A couple of other application forms need to be submitted. This plan needs to be submitted to Putnam County Planning. Ms. Mangarillo requested a letter pertaining to the septic system and showing that there will be no increase in water usage.

Mr. Barber said that this matter would be held over until the April meeting and that the business plan, site plan and EAF needed to be submitted. A Public Hearing could be scheduled for the April meeting if this material was submitted within the next week.

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A motion was made to schedule a Public Hearing in April contingent upon the submittal of the outstanding items within the next week and to authorize the Planning Board Clerk to submit plans to the Putnam County Planning Department for their review. The motion was made by Dennis Lowes and seconded by Simon Carey. The roll call votes were as follows:

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

The motion carried.

• **Anthony Reyes/Realbuto Property, 49 Tiger Trail, Kent, NY; TM: 21.8=-1=39**

Mr. Jack Karell represented the applicant. Mr. Realbuto was also at the meeting. Mr. Karell said the septic system needed to be redesigned.

Mr. Barber's Comments (memo attached)

This project was to rebuild a house which had been destroyed by fire. Some soil had been brought to the site and a report from a geotechnical report was submitted stating that the soil was not contaminated. There were some questions regarding protocols done when the testing was done and Mr. Barber wanted to speak to the geotechnical firm regarding this matter. Some drainage issues on the EAF needed to be clarified. Mr. Barber had questions about trees which were removed and the Board may request landscaping on the property and grading changes. Location of the septic systems needed to be shown on the property and the adjoining property. Mr. Barber also suggested that certification regarding the foundation's suitability. Mr. Gattucci asked to see some photographs due to concerns of the owner of the neighboring property. Mr. Karell said he had a topo of the existing septic system from the 1970's and it showed that the slope of the septic system will need to be corrected and testing will be done. Mr. Gattucci asked what material the foundation was made of and Mr. Karell said the house was built in the 1970's and that they were also concerned about the suitability of the foundation and may rebuild it.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that the existing shared driveway may need to be rebuilt or an easement may be necessary. The strip of land owned by the DEP was deeded to the Town of Kent and the owner of the property may utilize the road for their driveway but no structure may be built on it. A profile of the topo would be useful to see how the property has changed since the fill was brought in from before and after the fill was brought in. Ms. Mangarillo asked for a drawing showing where the neighbor's septic system was and suggested that landscaping screening be done. More information on the retaining wall was also required regarding the height and fill and whether or not more fill would be brought in. Mr. Karell said the owner plans to bring in additional fill and hopes to put the system closer to the house. Ms. Mangarillo also asked for information pertaining to how much water will be going onto the neighbor's property and an infiltration swale. Mr. Gattucci asked if there are wetlands on this property and Ms. Mangarillo said that there were no wetlands, just DEP woods adjacent to the property.

• **John Murtaugh, 1144 Peekskill Hollow Road, Kent, NY; TM: 42.-2-51**

Mr. Murtaugh lives at 1250 Peekskill Hollow Road and purchased another piece of property consisting of 17 acres with a small cottage on it (1144 Peekskill Hollow Road). He wants to subdivide it into two pieces of property and he hopes to keep the cottage and build a larger house on the property where he will eventually live. Since there is no road frontage, Mr. Murtaugh went to the ZBA to see if he could get a variance. He was told that he could make this a "Flag Lot" and would not require a variance. The ZBA suggested that he return to the Planning Board for their approval. Each lot must be at least 50'.

Mr. Barber's Comments

Mr. Murtaugh met with Ms. Mangarillo and Mr. Barber at the review meeting. Mr. Barber said that a site plan, an EAF must be submitted. Mr. Barber wants to visit the site to verify whether or not there are wetlands. Mr. Barber suggested Mr. Murtaugh meet with an engineer for their recommendations and then return to the Planning Board.

Mr. Murtaugh said he had contacted Badey and Watson and would return with plans.

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

- Ryder Property
170 Wayawanda Court
Kent, NY
TM: 41.-1-8

Mr. Joel Greenberg, of Architectural Visions, represented the applicant and submitted plans in response to previous comments and information pertaining to information about wetlands. Mr. Greenberg said he is awaiting soil testing reports and would submit them for the April meeting. A tree waiver was requested and Mr. Barber will visit the site to see if it was appropriate.

- Route 52 Development/Peder Scott Erosion Control Plan Status Report
Route 52
Kent, NY
TM: 12.-1-52

This is still in discussion stage.

- | | | |
|---|------------------------------------|---------------|
| <ul style="list-style-type: none"> • Holmes Presbyterian Conference Ctr
60 Denton Lake Road
Holmes, NY
TM: 2.-1-47.1 | Site Plan/
Erosion Control Plan | Status Report |
|---|------------------------------------|---------------|

Working through final documentation (bond agreement) and is almost ready for Chairman's signature.

- Pure Timber Harvest
Gipsy Trail
Kent, NY
TM: 21.-1-27

The applicant does not need an Erosion Control Permit or a Wetland Permit. Mr. Barber will send a letter when a map from the applicant is delivered.

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| <ul style="list-style-type: none"> • Dogward Bound
661 Richardsville Road
Kent, NY
TM: 30.12-1-1 | Erosion Control Plan/
Site Plan/Bond Acceptance | Status Report |
|---|--|---------------|

The applicant has to submit revised drawings after meeting with the Fire Department regarding driveway access/turnarounds.

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- O'Mara Property
Peekskill Hollow Road
Kent, NY
TM: 42.07-1-7

We are waiting for on documentation including county driveway permit.

- O'Mara Property Erosion Control Plan Status Report
Lhasa Court
Kent, NY
TM: 31.09-1-6

Nothing new has been submitted.

- Putnam Nursing & Rehabilitation Erosion Control Plan Status Report
404 Ludingtonville Road
Kent, NY
TM: 12.-3-40 & 41

The applicant will submit new plans in March.

- | | | |
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| <ul style="list-style-type: none"> Rodriguez/Olson
104 Smalley Corner Road
Kent, NY
TM: 21.-1-10 | Subdivision | Status Report |
|---|-------------|---------------|

Nothing new has been submitted.

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none"> • Boccia Property
Beach Court
Kent, NY
TM: 21.-1-16 | Erosion Control Plan/
Wetland Permit | Status Report |
|---|---|---------------|

Waiting for Bond. Boccias have submitted new drawings which will be reviewed at the monthly review meeting.

- Von Rosenvinge Property
451 Pudding St
Kent, NY
TM: 31.17-1-7

We are waiting for signed agreements

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Mr. Tolmach asked for a motion to close the March meeting at 8:30. The motion was made by Mr. Carey and seconded by Mr. Gattucci. The roll call votes were as follows:

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

The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary
Respectfully Submitted,

cc: Planning Board Members
Building Inspector
Town Clerk

**Town of Kent Planning Board Minutes
March 15, 2018**

**MARCH 2018
KENT PLANNING BOARD AGENDA**

Workshop: March 1, 2018 (Thursday, 7:30 PM)

Meeting: March 15, 2018 (Thursday, 7:30 PM) **Rescheduled from March 8, 2018

- Approve Planning Board Minutes from February 2018
- Cypress Creek/Solar Energy Farm Public Hearing for Review
Mooney Hill/Kent, NY Site Plan/Erosion Control Plan
(Armstrong Property)
TM: 12.-3-9

* At the request of the applicant the public hearing on this matter was adjourned from September, 2017 to April 12, 2018

- Ultimate Auto Detailing Site Plan/Change of Use Review
94 Route 311, Kent, NY
TM: 22.0-2-12
- Anthony Reyes/Realbuto Erosion Control Plan Review
49 Tiger Trail, Kent, NY
TM: 21.8-1-39
- John Murtaugh Erosion Control Plan/Subdivision Review
1250 Peekskill Hollow Rd., NY
TM: 42.-2-51

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

- Ryder Property Erosion Control Plan Status Report
170 Waywayanda Ct., Kent, NY
TM: 41.-1-8
- Route 52 Development/Peder Scott Project Erosion Control/Site Plan Status Report
Route 52, Kent, NY
TM: 12.-1-52
- Holmes Presbyterian Site Plan/ Status Report
60 Denton Lake Road, Holmes, NY Erosion Control Plan
- Pure Timber Harvest/Forestall Erosion Control Plan for Status Report
Gipsy Trail, Kent, NY Timber Harvest
- Dogward Bound Erosion Control/ Status Report
461 Richardsville Road, Kent, NY Site Plan/Accept Bond
- O'Mara Property Erosion Control Plan/Bond Status Report
Peekskill Hollow Road, Kent, NY
TM: 42.07-1-7

**Town of Kent Planning Board Minutes
March 15, 2018**

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|--|--|---------------|
| • O'Mara Property
Lhasa Court, Kent, NY
TM: 31.09-1-6 | Erosion Control Plan | Status Report |
| • Putnam Nursing & Rehabilitation
Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control Plan | Status Report |
| • Rodriguez/Olson
104 Smalley Corner Road, Kent, NY
TM: 21.-1-10 | Subdivision | Status Report |
| • Boccia Property
Beach Court, Kent, NY
TM: 21.-1-16 | Erosion Control Plan/
Wetland Permit/Approve Bond | Status Report |
| • Von Rosenvinge Property
451 Pudding St., Kent, NY
TM: 31.17-1-7 | Erosion Control Plan
for In-Ground Swimming Pool | Status Report |



Cornerstone Associates

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

March 5, 2018

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Ultimate Auto Detailing, LLC.
94 Route 311
Section 22 Block 2 Lot 12

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

- Town of Kent Planning Board Application executed by Sabrina Cruz dated 02/14/18.
- Survey entitled; "Survey Map Prepared for Chestnut Petroleum Distributor prepared by Jonathan J. Verderber, L.S. dated 10/27/17, 1 sheet.

Summary:

The application is to occupy an existing building to accommodate an auto detailing company. The applicant has indicated that the company utilizes "green" methods and that a small amount of waste water is generated in the process which will be transported off-site.

The subject property is 7.00+/- acres in size and is located on the northers side of Route 311 in an IOC zone.

Review:

The application is incomplete. The following materials are requested so that a preliminary review may be conducted:

- A site plan showing existing conditions and proposed improvements including parking, traffic patterns and water supply.
- Referral to NYSDOT regarding indicated parking in ROW.
- Completed Part I Short-form EAF. Include business plan details.
- Interior architectural floor plans and any alterations planned. Indicate any existing floor drains.



Memorandum

To: Planning Board
Town of Kent

Attn: Phil Tolmach
Chairman

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

Subject: Change of Use

Date: March 8, 2018

Project: Ultimate Auto Detailing
94 Route 311
TM # 22.0-2-12

The following materials were reviewed:

- Combined Application Form, including Owner's affidavit and Site Plan Checklist
- Articles of Organization
- "Survey Map Prepared for Chestnut Petroleum Distributor," prepared by Morris Associates Engineering and Surveying Consultants, PLLC., dated October 27, 2017

The project proposes change of use for an existing garage building for use as an auto detailing shop.

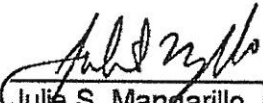
The following comments are provided for the Planning Board's consideration:

1. The combined application lists the property owner as "Route 311 LLC" with an address in New Paltz, NY. The survey provided and Putnam County website eParcel lists the property owner as "Barrett". Please address this discrepancy.
2. The proposed project is within the NYCDEP East of Hudson watershed but is not expected to disturb more than 5,000 SF of land. Therefore, a Town of Kent Erosion & Sediment Control Permit nor coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is required.
3. Provide the additional Combined Application Forms, including certification of professional engineer, or other design professional and completed Disclosure of Business Interest Form.
4. Existing parking for the building is within the NYS DOT right-of-way for Route 311. Provide a Use and Occupancy Permit from NYS DOT to indicate parking within the ROW is permitted.
5. Project is located on a State road, therefore referral to Putnam County Planning is required.
6. Provide information on the auto detailing operation, as described during the Planning Board Workshop, including, but not limited to, water usage and disposal.
7. Provide information on connection to water and wastewater facilities.

Memorandum
Ultimate Auto Detailing
TM # 22.-2-12
March 8, 2018
Page 2 of 2

8. We defer to the Planning Board's environmental consultant regarding any potential wetland issues.

As additional information becomes available, additional comments will be provided.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email

Bruce Barber via email
18-261-244



Cornerstone Associates

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

March 5, 2018

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Reyes-Realbuto Application
49 Tiger Trail East
Section 21.8 Block 1 Lot 39

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

- Comment response memo executed by John Karell, Jr., PE dated 01/23/18, 1 page.
- Short-form EAF (Part I) dated 12/10/17, not signed.
- Plan entitled; "Stephen Realbuto-Site Plan and Erosion Control Plan" prepared by John Karell, Jr., PE dated 12/13/17, 1 sheet.
- Plan entitled; "Stephen Realbuto-Steep Slope Plan" prepared by John Karell, Jr., PE dated 12/13/17, 1 sheet.
- Plan entitled; "Stephen Realbuto-Existing Conditions Plan" prepared by John Karell, Jr., PE dated 12/13/17, 1 sheet.
- Stormwater Pollution Prevention Plan prepared by John Karell, Jr., dated 12/10/17.
- Cover pages of Quit Claim Deed (Kentbrook Properties-Grantor to Town of Kent-Grantee).

Summary:

Application is to demolish an existing single-family residence on the property and construct a new single family residence in which part will be built on the existing foundation and the remaining area will be constructed on a new foundation.

The subject site is 0.81+/- acres in size and is located in an R-40 zoning district.

Review:

The applicant has not provided a comment memo in response to the report prepared by this office dated 11/9/17.

A substantial amount of soil has been brought to the site and this office has been informed that a stop work order has been posted. The applicant has provided a report in

indicates that soil testing was performed on the site and that the soil "represents suitable material for unrestricted use. It is recommended that the Town Building Inspector inspect the site in order to determine if additional soil/fill has been brought to the site since the date of soil sampling (06/12/17).

It does not appear that soil testing has been conducted in the area of the proposed infiltration structure. The overflow discharge of this structure has not been shown and should be included within the limits of disturbance.

EAF:

Page 2, Question 13a: Please clarify regarding wetlands response.

Page 2, Question 17: Please clarify response with respect to drainage to adjoining property.

Page 3, Question 18: Please clarify with respect to proposed installation of stormwater structure.

Plans:

Plan Sheet-Existing Conditions-it appears that this plan represents present conditions on the site and is not reflective of topography and reported vegetation prior to violations. This information should be provided to ensure any proposed mitigation may be adequately evaluated.

Plan Sheet-Site Plan and Erosion Control Plan-a landscape/screening plan has not been provided. The Planning Board may request the applicant to provide a landscape plan.

The location of the septic systems and wells on adjoining properties should be shown. The distance from the proposed infiltration structures/swales to on site and adjoining well and septic systems should be shown. PCDOH approvals are pending.

Other:

Applicant's engineer should determine the adequacy of the existing foundation and drainage system relative to the proposed action.

This office defers to the Planning Board Engineer regarding septic system adequacy, site and drainage design and defers to the Planning Board Attorney regarding evaluation of the existing access driveway.

Sincerely,

A handwritten signature in black ink, appearing to be 'R' followed by a stylized flourish.

Bruce Barber, PWS, Cert. Ecologist
Town of Kent Environmental Consultant



Memorandum

To: Planning Board
Town of Kent

Attn: Phil Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: March 8, 2018

Project: Realbuto 49 Tiger Trail East
TM # 21.8-1-39

The following materials were reviewed:

- Response letter prepared by John Karell, Jr, P.E. dated January 23, 2018
- Stormwater Pollution Prevention Plan, prepared by John Karell, Jr, P.E., dated December 10, 2017
- Notice of Intent (NOI), dated December 10, 2017
- Short Environmental Assessment Form (EAF) dated December 10, 2017
- Documentation regarding 50 ft right-of-way from 1999
- Drawings prepared by John Karell, Jr, P.E. dated December 13, 2017 including:
 - S-1 Site Plan & Erosion Control Plan
 - EC-1 Existing Conditions Plan
 - S-1 Steep Slopes Plan
- Letter from NYC DEP dated December 5, 2017 regarding regarding "road spur off Tiger Trail East."

New or supplementary comments are shown in **bold**.

The project proposes re-construction of an existing single family house, which is in poor condition. The applicant proposes to demolition the house and build a larger house in its place. The applicant has also brought more than 100 cubic yards of fill and disturbed more than 5,000 SF without a permit. The project is subject to stop work order issued by the Building Department on November 21, 2016.

A site visit was conducted on October 26, 2017 with Richard Othmer, Highway Superintendent and Bruce Barber, Environmental Consultant.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated November 16, 2017:

1. Existing driveway access to the house is over a 50 FT wide right-of-way or paper road. The drawing prepared by Fusco Engineering does not show how the existing driveway connects to Tiger Trail East. The lines representing the driveway end before meeting Tiger Trail East. The house on the other side of this 50 ft strip of land also uses the 50 ft strip to connect the driveway to Tiger Trail East. If the access to the house in question crosses over the neighboring house's property, than an access easement will need to be

granted by the neighbor. If the applicant wishes to make improvements within the 50' strip of land, such as paving, then the applicant is to have a Title Search done to find out if there are any other parties that have rights or restrictions on this 50' strip. For example, the 50' strip ends at lands of NYC DEP. It may be possible that DEP has restrictions on the 50' strip, such as no paving.

- a. **The letter from NYC DEP dated December 5, 2017 indicates the 50' wide road spur was transferred "... to Town of Kent for highway purpose only thereby providing legal access off Tiger Trail East to a portion of the lands that was being conveyed to the City."**
 - b. **Label the 50' road spur as owned by Town of Kent, and it is for "highway purposes only". Include reference to documents filed with County Clerk.**
 - c. **The response letter from John Karell, Jr., P.E., indicates "the existing driveway will remain as is." However, the most recent drawing shows and labels the driveway as "Existing asphalt driveway to remain." The driveway as shown does not reflect current conditions. We believe this may show a proposed driveway layout from a previous design professional. The previously submitted survey prepared by Fusco Engineering & Land Surveying, P.C. more accurately shows an existing gravel driveway that extends to the northern boundary of the 50 ft road spur. Revise the current drawing to reflect current conditions and indicate if there will be any proposed changes. The question regarding if the shared driveway in the road spur extends onto the neighboring property (N/F Breslin TM 11.20-1-53) and if an access easement will be required has not been answered.**
2. **Soil testing was done in June 2017. Based on the report, soil samples were taken approximately six to eight inches below the surface of the fill. The results of the soil test show the fill material meets or exceeds the requirements for NYSDEC Unrestricted Use Residential Soil Cleanup Objectives.**
3. **The Putnam County Real Property information indicates the property is owned by Steve and Katherine Realbuto. The combined application form was completed by Stephen Realbuto. If another party is going to represent the owner to the Planning Board, that person needs to be named in the "Affidavit to be completed by owner". The architectural plans are addressed to Mr. and Mrs. Reyes.**
 - a. **Response letter indicates application and drawings are in the name "Realbuto".**
4. **On the Combined Application Form, #14 on page 3, provide a copy of the current deed.**
 - a. **Response letter indicates a copy of the current deed has been provided. The current deed could not be located in the submitted documents. Please provide copy of current deed.**
5. **Review and approval by the Putnam County Health Department will be required based on changes to the house. Accurate location of underground septic system is to be provided. An investigation of the existing septic system should be provided to ensure it was not damaged by truck traffic when the fill was delivered to the site. Provide**

construction fence or other physical delineation so the septic system is not further impacted by site work.

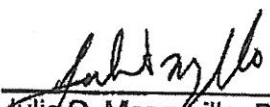
- a. **Response letter indicates the existing septic system has not been compacted by construction equipment. How was this determined? Have the laterals been videoed to determine they have not been crushed or collapsed? Show and label construction fencing to keep future construction traffic out of the area on the drawings.**
6. 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.
7. Provide the following information as required by Town Code Chapter 66-6.B.2:
(The comments below refer to the Fusco engineering drawing, as it includes more of the required ESC information than the architectural drawing).
 - a. §66-6.B.2.a – Provide "the location of the proposed area of disturbance and its relationship to property lines, easements, buildings, roads, walls and wetlands, if any, within 50 feet of the boundaries of said area."
 - i. Show how the existing driveway connects to Tiger Trail East. Show where the neighboring driveway connects to the 50 ft wide strip of land.
 1. **Response letter indicates "existing driveway will remain as is". As noted above, the existing driveway as shown on the drawing does not reflect existing conditions. This comment needs to be addressed.**
 - b. §66-6.B.2.b – Provide "existing topography of the proposed area of disturbance at a contour interval of not more than two feet. Contours shall be shown for a distance of 50 feet beyond the limits of the proposed area of disturbance, or greater than 50 feet if determined necessary by the Planning Board Engineer..."
 - i. Show contours within the 50 ft wide strip of land.
 1. **Contours within 50 ft road spur are not fully shown.**
 - c. §66-6.B.2.e – Provide "a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map."
 - i. Since the fill was brought in prior to an "existing conditions" survey, a steep slopes map will not provide much useful information at this point. We recommend the applicant request a waiver from the steep slopes map.
 1. **Steep slopes map has been provided. Add soils information to the drawing or include a drawing with soils info in the SWPPP.**

- d. §66-6.B.2.g – Provide “a soil erosion and sedimentation control plan designed utilizing the standards and specifications contained in the most recent version of New York State Standards and Specifications for Erosion and Sediment Control. The design, testing, installation, maintenance and removal of erosion control measures shall adhere to these standards and any conditions of this chapter and the erosion control permit. This plan shall:”
 - ii. [2] Delineate the area of the site that will be disturbed and shall include a calculation of the acreage or square footage so disturbed.
 - 1. **The line representing the limits of disturbance has been expanded to the north and east. The previous Fusco drawing showed disturbance within the front yard setback. That disturbance should also be included in limits of disturbance.**
 - iv. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan. (This will be the basis of the erosion control bond).
- 9. Provide an erosion and sediment control only SWPPP in accordance with GP-0-15-002. Provide required information from Part III.B including:
 - j. Please note – With issuance of new NYSDEC General Permit GP-0-15-002, per Part I.B.1.b ‘Soil Stabilization’ “In areas where soil disturbance activity has temporarily or permanently ceased...” and “...is located in one of the watersheds listed in Appendix C [Entire New York City Watershed located east of the Hudson River] the *application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days* from the date the current soil disturbance activity ceased...” (emphasis added). This is to be included as a note on the drawing.
 - i. **This requirement is included in the SWPPP but not on the drawing. Provide a note on the drawing.**
- 11. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed.
 - a. **Response letter indicates this was provided, but could not be located in submittal documents.**
- 13. If retaining walls are proposed, provide drawing details. Any retaining wall greater than 4 feet in height requires structural calculations.
 - a. **Revise detail provided to indicate walls over 4' in height (instead of 6') are to be engineered. Based on top and bottom of wall elevations on drawing, wall is 7' high. Provide engineering calculations. Detail provided shows wall setting on “undisturbed material”. Based on history of fill, revise detail to set wall on non-structural fill or require excavation to suitable undisturbed soil. Retaining wall will also likely require fence for fall protection.**
- 14. Per Town Code §66-6.G(6), “Maximum exposed soil slopes will be 33% unless otherwise recommended by the Planning Board Engineer and approved by the Planning Board.” Indicate if there will be any exposed soil slopes steeper than 33%. If so, these slopes will require more aggressive stabilization, such as by erosion control matting.

- a. Response letter indicates a note has been added to plans regarding protection of steep slopes. The note could not be located. A detail for jute matting is shown, but no instruction as to where to use the matting.
 - b. Recommend a seed mix formulated for steep slopes be used for the slope.
15. Based on aerial photos, it appears a number of trees have been removed from the property. Has consideration be given to replacing some trees as part of the project?
- a. We strongly recommend landscape/screening be provided.
16. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
- a. This has been acknowledged.

New Comments:

- 1. Provide "Agent of Owner" affidavit and Certification of Professional Engineer for John Karell, Jr., P.E.
- 2. We concur with the project engineer's statement that "it is not possible to completely eliminate any discharge of stormwater to the adjacent down gradient property". However it is difficult to compare previous drainage pattern to proposed drainage pattern because the "existing" contours shown are after the fill was brought in. It is important that no additional runoff be directed to the downhill neighbor.
- 3. Locate and show location of septic system for downhill neighbor, Lento TM 21.-1-52. Provide swale along property line to ensure runoff is directed away from the neighboring septic system.
- 4. Is additional fill proposed to be brought in to re-grade slope? Or will fill that is already on-site be re-graded?
- 5. Refer to the Site Plan:
 - a. Provide legend on Site Plan.
 - b. There are two labeled "50 foot" front setbacks. Only one is correct. Remove or correct the other one, which is pointing to the limits of disturbance line.
 - c. Provide a note requiring sweeping of any sediment tracked onto the road.
- 6. Site Plan shows a 40' long x 3' wide x 4ft deep infiltration swale. Has soil testing been conducted in this area to determine depth to bedrock is 4 feet or greater? Is a stabilized overflow provided? Also recommend the infiltration swale be re-named to avoid confusion with infiltration swale specified in NYS Stormwater Management Design Manual.
- 7. Refer to the Notice of Intent:
 - a. Page 3, #7 - Provide a response to phased project.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email

Bruce Barber via email
17-261-999-154



Cornerstone Associates

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

March 5, 2018

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Murtaugh Application
1144 Peekskill Hollow Road
Section 42 Block 2 Lot 51

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

- Town of Kent Planning Board Application executed by Scott Murtaugh dated 02/27/18.
- Copy of Property Description, 2 pages.
- Property Survey prepared by Badey and Watson dated 10/02/17, 1 sheet.
- Wetland Delineation Report executed by Steven Marino of Tim Miller Associates dated 01/12/18, 7 pages including attachments.

Summary:

The applicant owns a 17.5+/- acre parcel which is currently improved with a detached, residence constructed in 1940 and reported to be 560 square feet in size and containing one bedroom. There are also outbuildings on the property. The subject is located in an R-80 zone on the easterly side of Peekskill Hollow Road.

The application is to subdivide the parcel into two lots. One lot is proposed to be approximately two acres in size and would include all the present improvements. The second lot will include the remaining parcel area (15.5+/- acres) and is proposed to be improved with a single family residence.

Review:

The application is incomplete. The following materials are requested so that a preliminary review may be conducted:

- A subdivision plan which documents the feasibility of subdivision including but not limited to Section 77-29 of the Town Code.
- Complete applicable Town of Kent Planning Board Procedures for Pre-Application Review- Subdivision Sketch Approval

- A site plan showing existing conditions and proposed improvements (also provide completed Town of Kent Planning Board Site Plan Checklist).
- Completed Part I Short-form EAF.
- A site inspection conducted by this office to confirm the wetland boundary delineation and natural resource information.

Upon submittal of this information and completion of the site inspection, this office will conduct further review of this application. Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Barber', with a stylized, cursive-like script.

Bruce Barber, PWS, Cert. Ecologist
Town of Kent Environmental Consultant



Memorandum

To: Planning Board
Town of Kent

Attn: Phil Tolmach
Chairman

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

Subject: Subdivision

Date: March 8, 2018

Project: Murtaugh Subdivision –
Peekskill Hollow Rd
TM # 42.-2-51

The following materials were reviewed:

- Combined Application Form, including Owner's affidavit, Disclosure of Business Interest
- Tax Map property description
- Report prepared by Tim Miller Associates, Inc, dated January 12, 2018
- "Survey of Property Prepared for John Murtaugh," prepared by Badey & Watson Surveying & Engineering, P.C., dated October 2, 2017

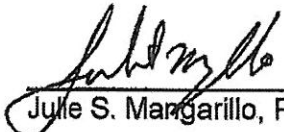
The project proposes subdivision of an existing 17 +/- acre lot into two (2) lots. There is an existing house, driveway, septic and out buildings.

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

1. Regarding the subdivision, the application will have to follow requirements of Town Code Chapter 66A. We recommend following the procedure for "Preapplication review and classification procedure" as described in Chapter 66A-8. This application will likely be classified as a 'minor subdivision'. Refer specifically, but not limited to Chapter 66A-11, 66A-19 and Chapter 66A Article V "General and Specific Requirements and Design Standards."
2. The subdivision will also have to comply with, but not limited to, Zoning Code Chapter 77-29 "Lot frontage, flag lots and driveways," 77-34.2 "Supplementary minimum lot area regulations," 77-34.3 "Buildable lot," and 77-73 "Developmental regulations."
3. Additional application fees are required for subdivision applications.
4. Proposed driveway will have to meet the standards of Town Code Chapter 57, Article II "Driveway Specification". Peekskill Hollow Road is a County Road, therefore approval from County Highway Department will be required for a new driveway.
5. 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.

- a. Provide the information as required by Town Code Chapter 66-6.B.2.
 - b. Provide a Stormwater Pollution Prevention Plan (SWPPP) in accordance with GP-0-15-002. If more than one (1) acre is proposed to be disturbed, then a full SWPPP with long-term stormwater management facilities will be required. If less than one (1) acre of land is disturbed, then an erosion and sediment control only SWPPP will be required. Provide required information from GP-0-15-002.
6. Provide the additional Combined Application Forms, including certification of professional engineer, or other design professional and completed Site Plan Checklist.
 7. We defer to the Planning Board's environmental consultant regarding wetland issues.
 8. We defer to the Planning Board's planning consultant (to be determined) regarding subdivision issues.

As additional information becomes available, additional comments will be provided.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email

Bruce Barber via email
18-261-245



March 15, 2018

Philip Tolmach, Chairman and Members of the Planning Board
Town of Kent
25 Sybil's Crossing
Kent Lakes, NY 10512

RE: New House for John Ryder
170 Waywayanda Court
TX#41.-1-8

Dear Mr. Tolmach & Members of the Board,

The following is my response to Bruce Barber's report dated 2/7/18.

1. Zoning setback lines & the Zoning bulk table has been added.
2. Short EAF has been provided.
3. Limit of disturbance has been indicated, including the area of disturbance.
4. The attached map indicating the wetlands and the 100 ft wetland buffer indicates that all of the proposed work is beyond the 100 ft wetland buffer.
5. We respectfully request a tree survey waiver.
6. We have contacted the NYS Natural Heritage and the US Fish and Wildlife.
7. Soil samples have been sent to a testing lab.
8. Application checklist will be provided.
9. Property survey has been provided.
10. Full size plans have been provided.
11. The survey shows existing conditions.
12. Existing driveway will be used.
13. The bathroom in the garage is for the owner's convenience. There is no intention to use the garage structure as living space.
14. A note will be added regarding no site disturbance beyond the limit of disturbance.
15. Health Dept. Approval will be submitted.
16. The office, as you will see on the Health Dept. Approval is included as a bedroom.
17. The Highway Superintendent has indicated that this section of Waywayanda Court is a town road:



The following is my response to Julie Mangarillo, P.E. report dated 2/8/18.

1. All work on this property will be beyond the 100 ft wetland buffer as shown on the attached map.
2. Soil and Slope map will be provided.
3. Soil erosion plan will be provided.
4. The area of disturbance is shown on the Site Plan.
5. Schedule of completion will be added.
6. A cost of the maintenance schedule will be provided.
7. Driveway profile will be provided.
8. We will refer the drawings to the Highway and Fire Departments.
9. Planning Board notes have been revised.
10. We have Health Department approval which will be submitted.
11. Appropriate fees will be submitted.

If you have any questions do not hesitate to contact me.

Very truly yours,

Joel Greenberg
JLG:tmz



Lake Carmel Fire Department

851 Route 52

Carmel, NY 10512

Phone: (845) 225-3730 – Fax: (845) 225-0460



Chief

David Churchill

Jr.

President

P.J. Ryan

Vice President

Ed Schaeffler Jr.

1st Asst. Chief

TJ Donohue

2nd Asst. Chief

Justyn Lewis

February 26, 2017

Re: To Kirsten Miller, Sloan Architects ,

This letter is to let your firm know that regarding The Holmes Presbyterian Camp and Conference center project that we reviewed plans for with Kirsten was approved by myself and my two assistant Chiefs . We , with the cooperation of Kirsten were able to make some minor changes as far as easier access and other issues we found .With this done , I am happy to approve this project as far as The Lake Carmel Fire Department is concerned . Please feel free to contact me if needed . Cell 845 290 2180 .

Respectfully ,

Chief David m. Churchill Jr.

David m. Churchill Jr.
Lake Carmel Fire Department