

**Minutes
Town of Kent Planning Board Meeting
April 13, 2017**

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

In attendance were the following Planning Board members:

Michael McDermott, Chairman
Gary Lam

Dennis Lowes, Vice Chairman
Charles Sisto
Philip Tolmach

Others in Attendance:

Bruce Barber, Environmental Consultant
Julie Mangarillo, Engineering Consultant

Bill Walters, Kent Building Inspector
Neil Wilson, Planner

Absent:

George Brunner

• **Approve Planning Board Minutes from March 10, 2017 Meeting**

Mr. McDermott asked for a motion to put the minutes from the March 2017 meeting on the table for discussion. Mr. Tolmach made the motion to put the February minutes on the table and it was seconded by Mr. Lam. The roll call votes were as follows:

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

The motion carried.

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Mr. McDermott asked for a motion to approve the minutes from the March 2017 meeting as they stood. The motion was made by Mr. Sisto and seconded by Mr. Tolmach. The roll call votes were as follows:

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

The motion carried.

- **Executive Session Result**

Mr. McDermott advised the audience that two candidates who were interested in joining the Planning Board met with the Planning Board at the workshop held on Thursday, April 6, 2017. The Planning Board went into an Executive Session at 7:15 PM on April 13, 2017 to decide which applicant they wanted to offer the position to. The Planning Board felt that both candidates would be an asset to the Planning Board. The candidate selected by the Planning Board to fill the vacant seat at this time was Mr. Stephen Wilhelm. Mr. McDermott asked for a motion to ask the Town Board to appoint Mr. Wilhelm to the Planning Board in order to fill the seat previously held by Janis Bolbrock. The term would begin in 2017 and end December 31, 2023. The motion was made by Mr. Tolmach and seconded by Mr. Lam. The roll call votes were as follows:

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

The motion carried.

- **Hartshorn Property, Ludingtonville Road, Kent, NY; TM: 12.-1-88**

This matter pertained to an amended Resolution passed by the Planning Board in March regarding a request from the applicant for a partial refund of an erosion control bond. Most of the work has been completed and the property has been inspected. The Town Board did not approve the request from the Planning Board asking that a portion of this bond be returned to Mr. & Mrs. Hartshorn because they disagreed with the wording.

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The Resolution was amended to read as follows:

- A Steep Slope/Erosion & Sediment Control Plan bond in the amount of \$14,844.50 cash deposit is being held by the Town of Kent. \$7,844.50 should be returned to the applicants and \$7,000.00 shall be held by the Town to be returned at a later date.
- A Stormwater Facilities Performance Bond in the amount of \$50,297.00 cash deposit is being held by the Town of Kent. \$40,297.00 should be returned to the applicants and \$10,000.00 shall be held by the Town; and
- A Wetlands Plantings Mitigation Bond in the amount of \$6,000.00 cash deposit is being held by the Town of Kent. The entire \$6,000.00 shall be returned to the applicant later.
- The total amount to be returned is: \$54,141.50.

The motion was made by Mr. Sisto and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

• **Hilltop Estates Subdivision, Peckslip Road & NYS Rte 52, Kent, NY; TM: 12.-1-42**

Mr. Watsons of Insite Engineering represented the applicant, Mr. Esposito, who requested a time extension. There were no changes to the plans submitted previously. Mr. Wilson circulated a Resolution granting two 90 day extensions. The expiration date at the present time is May 20, 2017 and the new expiration date is November 15, 2017. Mr. McDermott asked for a motion to adopt the Resolution for a time extension pertaining to Final Sub-Division, Lot-Line, Steep Slope/Erosion Control and Freshwater Wetland Permit approvals in the matter of Hilltop Estates Sub-Division.

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The motion was made by Mr. Lam and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

• **Rte. 311 Plaza, Rte. 311, Kent, NY; TM: 22.-2-17**

The owner of this property recently died and the attorney retained by Mr. Suozzi's family asked that two Letters of Credit issued by Wells Fargo bank on August 14, 2013 be released (letter attached) because the property has recently been sold and the new owners will have to reinstate the letters of credit or post new bonds. The letters of credit are:

- Wells Fargo Bank Letter of Credit #IS0014205, dated August 14, 2012 in the amount of \$28,995.68
- Wells Fargo Bank Letter of Credit #IS0014207, dated August 14, 2012 in the amount of \$30,000.00

Mr. McDermott asked for a motion to forward a recommendation to the Town Board to release the letters of credit, as requested. Mr. Lam made the motion and Mr. Tolmach seconded it. The roll call votes were as follows:

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

The motion carried.

The deceased also has money remaining in the review/escrow account which the estate has asked to be returned to them. There are outstanding invoices at this time which will be processed shortly and after that is done the Planning Board will ask the Town Board to return this money to them as well.

• **Hall Property, 33 Willow Trail, Kent, NY; TM: 4.06-1-48**

This matter involved an Erosion Control and Wetland Permit.

Mr. Barber's Comments (memo attached)

Mr. Barber explained that this application was to install some wetland mitigation plantings in order to correct a violation on property owned by the Palmer Lake Homeowners Association. The applicant's property adjoins the above mentioned property and he unknowingly had some trees removed from the Palmer Lake property. Therefore, the applicant applied for an Erosion Control and Wetlands Permit to allow him to correct that condition. Mr. Barber approves of the mitigation plan design and felt that the bond estimate of \$896.00 prepared by Kent Countryside Nursery is satisfactory. Mr. Barber said that the wetland mitigation plan bond is for 3 years and an access easement will be in effect through the property owner's parcel to allow maintenance and final inspections. Palmer Lake HOA sent a letter (attached) authorizing the applicant to apply for the Erosion and Wetland permits and install the plantings.

Ms. Mangarillo's Comments (memo attached)

There are some missing pages from the application which need to be provided before the plans are approved.

Mr. Wilson's Comments (Resolution attached)

Mr. Wilson distributed his Resolution prior to the meeting. Mr. Wilson said that, there are questions of access and a third party (Palmer Lake HOA) and filing of a temporary access easement which he's reviewed and approves of. Mr. Wilson wants to ensure that Palmer Lake HOA has seen and agrees with the final plan. Mr. McDermott asked for a motion to adopt the Resolution prepared by Mr. Wilson. Mr. Tolmach made the motion and it was seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

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Mr. McDermott asked for a motion to recommend to the Town Board that they accept a Mitigation Planting bond in the amount of \$900.00. The motion was made by Mr. Tolmach and seconded by Mr. Sisto. The roll call votes were as follows:

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

The motion carried.

• **Von Rosenvinge Property, 451 Pudding St., Kent, NY; TM: 31.17-1-7**

Mr. Michael Todd, President of Rainbow Pools, represented the owners of the property noted above. Mr. Todd advised the Planning Board that the owners of the adjoining property sent an email (attached) agreeing that a Public Hearing was not necessary and asked for some changes to be made to the proposed restoration plan.

Mr. Barber's Comments (memo attached)

Mr. Barber said that there are two adjoining property owners involved in this application. There was a driveway which was cut into the owner and a neighbor's property. The applicant has developed a restoration plan to correct damage done on the neighbor/s property when a pool was installed. Mr. Barber said that the planting schedule is satisfactory but requested more information as to how the plantings will be installed. He suggested the plans should be signed by a licensed design professional. The total amount for the bond estimate submitted was \$2,136.00. He suggested that a native plant seed should be used, which increased the bond to \$2,536.00.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo had some holdover comments and new ones were that if notes or details are added by someone other than the original surveyor notes and dates should be added to the plans along with a revision date. The total limits of disturbance need to be shown, including the areas within the chain link fence around the pool that were disturbed and needs to be revegetated. If there is any area which will be greater than 3 on 1 slope it will need an erosion control blanket and will need to be highlighted on the plan. A bond estimate needs to be submitted for a Plantings Bond and an Erosion Control Bond. Ms. Mangarillo recommended that the remaining informations requirement from Chapter 66 be waived.

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Mr. Wilson's Comments (memo attached)

Mr. Wilson discussed an email that the neighbor had sent in response to plans that Mr. Todd had created and sent to them. The comments were very specific and helpful. Mr. Wilson agreed that the Public Hearing should be waived. He is hopeful that final approval may be given at the May meeting. Mr. McDermott asked for a motion to waive the Public Hearing. The motion was made by Mr. Lowes and seconded by Mr. Tolmach. The roll call votes were as follows:

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

The motion carried.

• **Gino's Grab n Go (Formerly LaRussell's), 1736 Rte. 52, Carmel, NY; TM: 33.72-1-18**

The owners of this property requested Planning Approval for a free-standing sign to be placed on their property. Mr. McDermott asked for a motion to approve the sign submitted to the Planning Board. The motion was made by Mr. Sisto and seconded by Mr. Tolmach. The roll call votes were as follows:

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

The motion carried.

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• **Wellington Properties, Towners Rd., Kent, NY; TM: 33.73-1-38 & 39**

The owners of this property requested that review fees in the amount of \$419.90 be returned to them since their renovations are complete and they are now open for business. Mr. McDermott asked for a motion to forward this request to the Town Board. The motion was made by Mr. Tolmach and seconded by Mr. Lam. The roll call votes were as follows:

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

The motion carried.

Permit Applications Review (Applicants attendance not required/Workshop Discussion):
Ms. Mangarillo gave the status reports for the projects listed below.

- | | | |
|--|-----------------|---------------|
| • Goldfine/Rynn
Daffodil Lake, Kent, NY
TM: 11.12-1-21 | Erosion Control | Status Report |
|--|-----------------|---------------|

New material was recently submitted and Ms. Mangarillo prepared a memo earlier in the day and this project is “moving along”.

- | | | |
|--|-----------|---------------|
| • More Than Masonry
Route 52, Kent, NY
TM: 44.9-2-20, 44.5-28 & 29 | Site Plan | Status Report |
|--|-----------|---------------|

The applicant is in DEP review pertaining to stormwater issues.

- | | | |
|--|-----------------------------------|---------------|
| • Patterson Crossing
Route 311, Kent, NY;
TM: 22.-2-48 | Amended Site Plan
Bond Pending | Status Report |
|--|-----------------------------------|---------------|

Investigation is being done pertaining to recent SPDES articles.

- | | | |
|--|---|---------------|
| • Boccia Property
Beach Court, Kent, NY
TM: 21.-1-16 | Erosion Control Plan/
Wetland Permit | Status Report |
|--|---|---------------|

Nothing new has been submitted.

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- O'Mara Property Erosion Control Plan Status Report
Peekskill Hollow Road, Kent, NY
TM: 42.07-1-7

Nothing new has been submitted.

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

Nothing new has been submitted.

- O'Mara Property Erosion Control Plan Status Report
Mt. Nimham, Kent, NY
TM: 10.20-1-1

- Wagner Millwork Timber Harvest Erosion Control Plan Status Report
Long Mountain Road, Kent, NY
TM: 8.-1-2

Nothing new submitted, but the tree removal period has ended and no further complaints have been received.

- Cypress Creek/Solar Energy Farm Site Plan/
Mooney Hill/Kent, NY Erosion Control Plan Status Report
(Armstrong Property)
TM: 12.-3-9

Nothing new has been submitted.

- Holmes Presbyterian Site Plan/
60 Denton Lake Road, Holmes, NY Erosion Control Plan Status Report
TM: 2.-1-47-1

This project is in DEP review.

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Mr. McDermott asked for a motion to adjourn the meeting at 8:00 PM. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

**Town of Kent Planning Board Minutes
April 13, 2017**

KENT PLANNING BOARD AGENDA

APRIL 2017

Workshop: April 06, 2017 (Thursday, 7:30 PM)

Meeting: April 13, 2017 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from March 9, 2017
 - Executive Session – 7:30 – 7:45 Discussion
 - Hartshorn Property Amended Partial Bond Release
Ludingtonville Road, Kent, NY Resolution
TM: 12.-1-88 Review
 - Hilltop Estates Subdivision Request for Time Extension
Peckslip Road & NYS Rte. 52, Kent, NY Subdivision
TM: 12.-1-42 Review
 - Rte 311 Plaza Request to Release Letters of Credit
Rte 311, Kent, NY Review
TM: 22.-2-17
 - Hall Property Erosion Control
33 Willow Trail, Kent, NY Wetland Permit
TM: 44.06-1-48 Review
 - Von Roseninge Property Erosion Control Plan
451 Pudding St., Kent, NY for In-Ground Swimming Pool
TM: 31.17-1-7 Review
 - Gino's Grab n Go (Formerly LaRussell's) Signage
1736 Route 6, Carmel, NY Review
TM: 33.72-1-18
 - Wellington Properties Request to return review fees
Towners Road, Kent, NY Review
TM: 33.73-1-38 & 39
 - Planning Board Vacancy Forward Recommendation to
Town Board Discussion
- Permit Applications Review (Applicants attendance not required/Workshop Discussion):
- Goldfine/Rynn Erosion Control
Daffodil Lake, Kent, NY TM: 11.12-1-21 Status Report
 - More Than Masonry Site Plan
Route 52, Kent, NY TM: 44.9-2-20, 44.5-28 & 29 Status Report
 - Patterson Crossing Amended Site Plan
Route 311, Kent, NY TM: 22.-2-48 Bond Pending Status Report
 - Boccia Property Erosion Control Plan/
Beach Court, Kent, NY TM: 21.-1-16 Wetland Permit Status Report
 - O'Mara Property Erosion Control Plan
Peekskill Hollow Road, Kent, NY Status Report
TM: 42.07-1-7
 - O'Mara Property Erosion Control Plan
Lhasa Court, Kent, NY TM: 31.09-1-6 Status Report
 - O'Mara Property Erosion Control Plan
Mt. Nimham, Kent, NY TM: 10.20-1-1 Status Report
 - Wagner Millwork Timber Harvest Erosion Control Plan
Long Mountain Road, Kent, NY Status Report
TM: 8.-1-2
 - Cypress Creek/Solar Energy Farm Site Plan/
Mooney Hill/Kent, NY TM: 12.-3-9 Erosion Control Plan Status Report
(Armstrong Property)
 - Holmes Presbyterian Site Plan/
60 Denton Lake Road, Holmes, NY Erosion Control Plan Status Report
TM: 2.-1-47-1

Rev. 2

Stephen Wilhelm, PMP, SCPM

61 Whangtown Road • Carmel, NY 10512
(845) 705-9060
spwilhelm@gmail.com

QUALIFICATIONS:

Project manager and electrical engineer with eight years of experience and an emphasis in the area of capital infrastructure projects in New York State.

CERTIFICATIONS:

Stanford Certified Project Manager (SCPM), *Certified by Stanford University, 2013*
Project Management Professional (PMP), *Certified by Project Management Institute (PMI), 2011*

EDUCATION:

Binghamton University, *Bachelors of Science in Electrical Engineering, 2006*
Morrisville State College, *Associates of Applied Science in Electrical Engineering Technology, 2003*

COMMUNITY VOLUNTEERING:

Kentwood Lake Property Owners Association Inc. (KLPOA) **Carmel, NY**
Elected Corresponding Secretary 2016
Elected Board Member 2011 – 2014

EXPERIENCE:

Kentwood Carving **Kent, NY**
Small Business Owner 2015 - Present

- Operates all facets of Kentwood Carving including strategic planning, product development, bookkeeping, customer relations, marketing and product delivery
- Develops drawings and designs, carves, paints and finishes wood products for direct clients
- Focuses on customer satisfaction, building relationships and establishing brand loyalty

New York Power Authority (NYPA) **White Plains, NY**
Project Engineer 2009 - 2013

- Managed capital construction projects, ranging from \$250 thousand to \$700 million, from initiation through closeout
- Prepared and presented potential capital improvement projects to senior management, regulators and other utilities
- Drafted, negotiated and managed three agreements (MOU) with Canadian government
- Reviewed project designs for code and regulation compliance
- Coached and led personnel within the technical project teams
- Managed three contract project managers
- Coordinated electrical system and equipment outages for construction tasks
- Evaluated engineering designs for constructability
- Created project risk response and mitigation plans
- Assisted with equipment testing and commissioning
- Standardized project forms and document management procedures
- Developed project justifications, funding requests, schedules, estimates and budget allocations
- Coordinated project tasks with subject matter experts, trade management, contractors, vendors, utilities, agencies and customers

Stephen Wilhelm, PMP, SCPM

New York Power Authority (NYPA)

Assistant Conservation Engineer

White Plains, NY

2008 - 2009

- Audited, designed and managed capital improvement projects at NYC and MTA facilities ranging from \$100 thousand to \$5 million
- Presented energy saving measures to customers
- Created standardized forms for customer contracts
- Designed, coded and launched custom energy efficiency engineering and project management software for the department

International Business Machines (IBM) - Semiconductor Manufacturing

Site Systems Engineer

East Fishkill, NY

2007 - 2008

- Developed project plans for equipment upgrades and plant expansion
- Coordinated site outages for scheduled and emergency system repairs
- Designed system models of site infrastructure
- Prepared and presented potential infrastructure projects to senior leadership
- Created project specifications and system designs

United Technologies Corp. (UTC) - Fire Systems Inc.

Design Engineer

Hawthorne, NY

2007

- Designed fire systems as per customer specifications for NYC buildings and bridges
- Utilized AutoCAD to draft fire system designs
- Performed customer fire system audits and evaluated contractor equipment installations

Piller Power Systems

Project / Technical Support Engineer

Middletown, NY

2006 - 2007

- Engineered power system designs as per customer specification
- Provided 24/7 remote technical support to field engineers and technicians
- Trained internal and customer engineers and technicians in uninterruptable power systems
- Diagnosed system failures and created failure analyses

Air Force Research Laboratory (AFRL-DOD)

Math Analyst

Rome, NY

2005 - 2006

- Designed and researched wireless communication networks
- Studied and made recommendations to mitigate security threats for cellular networks
- Presented research results and implementation plans to senior management and military officers
- Researched user detection in urban environments

SOFTWARE EXPERIENCE:

- Microsoft Office, Visio, SharePoint and Project
- Primavera
- AutoCAD
- Programming: C++, Matlab, HTML, and VBA

ACADEMIC HONORS:

NYSEG scholarship for academic excellence in electrical engineering technology, 2003

Morrisville State collage honors list for academic excellence, 2003

Dean's list consecutively 2001 - 2006

**Town of Kent Planning Board
Amended Special Use Permit and Site Plan Approval
Amended Freshwater Wetland Permit Approval
Amended Steep Slope and Erosion Control Permit Approval**

Matter of Hartshorn Professional Park

Whereas, by resolution dated April 12, 2012 the Town of Kent Planning Board granted Special Use Permit, Site Plan, Freshwater Wetland Permit, and Steep Slope and Erosion Control Permit approvals to Hartshorn Professional Park, LLC (hereinafter “Hartshorn”) to allow the development of a contractor’s yard with associated storage and a business office, on a ±3.17 acre site located on Ludingtonville Road on tax parcel number 12.1-88; and

Whereas, by resolution dated August 13, 2015 the Board re-approved the Special Use Permit, Site Plan, Freshwater Wetland Permit, and Steep Slope and Erosion Control Permit for the Hartshorn project; and

Whereas, the Board was recently advised that there were several changes made to the project that deviate from the approved Site Plan for the project, and that such changes were not approved by the Planning Board or authorized as a “field change”; and

Whereas, the Board has examined the changes and has determined that the changes are acceptable as presented and shown on an as-built survey of the site; and

Whereas, all of the remaining conditions of approval either remain in effect or have been satisfied; and

Whereas, all of the permits and approvals previously granted by the Planning Board are valid and in effect;

Now Therefore Be It Resolved, the Planning Board hereby accepts the changes to the Site Plan as shown on the as-built survey entitled “Amended Site Plan – Hartshorn Professional Park;”, dated January 19, 2017 and bearing a latest revision date of February 22, 2017 prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.; and

Be It Further Resolved, this amended approval is conditioned on the following:

- 1) *The owner/applicant shall maintain all landscaping in good repair and consistent with the approved Site Plan for a period of three years from the date of installation of such landscaping.*

*Town of Kent Planning Board
Matter of Hartshorn Professional Park
Amended Special Use Permit and Site Plan Approval
Amended Freshwater Wetland Permit Approval
Amended Steep Slope and Erosion Control Permit Approval
March 9, 2017*

Motion: Mr. Brunner_____

Second: Mr. Tolmach_____

Michael McDermott, Chairman Aye_____

Dennis Lowes, Vice Chair Absent_____

George Brunner Aye_____

Gary Lam Aye_____

Charles Sisto Aye_____

Phil Tolmach Aye_____

Date: March 9, 2017_____

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on the date set forth above.



Vera Patterson, Clerk
Town of Kent Planning Board

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

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

RESOLUTION #2
2017

Date: April 13, 2017

From: The Kent Planning Board

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

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

Re: Request for Partial Bond Returns for:
George & Kathy Hartshorn
843 Farmers Mills Road
Kent, NY 10512
For property located on:
Ludingtonville Road
Kent, NY 10512
TM: 12.-1-88

Resolved: On March 10, 2017 the Kent Planning Board reviewed backup material pertaining to the following bonds for the Hartshorn Office Park on Ludingtonville Road in Kent, New York.

- A Steep Slope/Erosion and Sediment Control Plan in the amount of \$14,844.50 cash deposit. \$7,844.50 should be returned to the applicants and \$7,000.00 shall be held by the Town.
- A Stormwater Facilities Performance Bond in the amount of \$50,297.00 cash deposit. \$40,297.00 should be returned to the applicants and \$10,000.00 shall be held by the Town; and
- A Wetlands Plantings Mitigation Bond in the amount of \$6,000.00 cash deposit. The entire \$6,000.00 shall be returned to the applicant.
- The total amount to be returned is: \$54,141.50.

Most of the work has been completed and the property has been inspected. The attached Resolution prepared by Mr. Wilson, the Kent Planner, was approved by the Planning Board.

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

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

A motion was passed at the April 13, 2017 meeting to ask the Town Board to release these monies to Mr. & Mrs. Hartshorn.

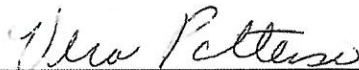
The motion was made by Gary Lam and seconded by Dennis Lowes. The roll call votes were: as follows:

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

The motion carried.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on April 13, 2017.

Dated: April 13, 2017



Vera Patterson
Planning Board Secretary



February 22, 2017

Chairman Michael McDermott
Town of Kent Planning Board
Kent Town Centre
25 Sybil's Crossing
Kent Lakes, New York 10512

RE: Hartshorn Professional Park – Amended Site Plan
NYS Route 311
Town of Kent, New York
Tax Map No. 12.-1-88

Dear Chairman McDermott and Members of the Board:

Enclosed please find the following documents for the above-referenced project:

- Drawing ASP-1, "Amended Site Plan", revised February 22, 2017 (6 full size and 9 reduced size).
- Letter from Fred Adams, Jr., dated February 22, 2017.

The enclosed drawings have been revised in accordance with the comments received at the last Planning Board meeting. Specific responses from the Planning Board's Engineers February 16, 2017 comment memo are as follows:

1. The enclosed plan has been revised to indicate the relocation of the existing upper checkdam further downhill to where the runoff enters the swale.
2. The enclosed plan has been revised to show the limits of the existing curb adjacent to the stone retaining wall.
3. The concrete block wall on the southern end of the site has been labeled on the enclosed plan. A note has also been added stating that the runoff flow path along the face of the concrete block wall is to be maintained to ensure that all stormwater runoff from the parking area is directed to the infiltration basin. In addition, a note has been added stating that the dumpster enclosure is to be constructed so that it will not block stormwater runoff from the infiltration basin.
4. The current location of the project sign, as well as the proposed location of the project sign have been included on the enclosed plan.
5. The locations of the handicapped parking space, accessible parking signage, and loading zones has been provided on the enclosed plan.
6. General Note #8 has been revised to include that the sand/salt is permitted to be stored onsite as long as it is contained inside concrete block and covered with a roof.

3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717
www.insite-eng.com

February 22, 2017

7. The impervious surface coverage in the bulk table has been revised to conform with the Amended Site Plan.
8. The nine trees included in the SWPPP Addendum for the green infrastructure practice "tree planting" have been labeled with a (SW) on the enclosed site plan.
9. Enclosed is a letter from the adjoining property owner, Fred Adams, Jr., stating no objection to the Hartshorn's construction improvements on the overlap parcel between their properties.

The following are responses to the Planning Board Environmental Consultant's February 7, 2017 comment letter:

1. Refer to Response #3 above. Increased flow to the stormwater basin has been evaluated in the previously submitted SWPPP Addendum.
2. It is acknowledged that some of the planting choices may be subject to deer browse. The planting list has been revised to include more appropriate plantings.

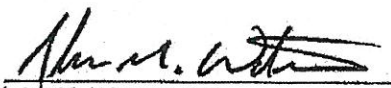
As discussed at the last Planning Board meeting, we respectfully request that the Wetland Mitigation Bond of \$6,000.00 and the Stormwater Bond of \$50,297.00 be released at this time, since those site improvements have been completed. It is proposed to keep the existing \$14,844.50 Sediment and Erosion Control Bond in place to cover any soil disturbance associated with the outstanding work with respect to the Amended Site Plan. We are therefore requesting that the Planning Board approve a partial bond release of \$56,297.00 at the next Planning Board meeting.

Per previous correspondence, we respectfully request this project being placed on the March 9, 2017 Planning Board agenda for further discussion of the Amended Site Plan approval and partial release of the cash bonds.

Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By: 
John M. Watson, PE
Senior Principal Engineer

JMW/EMS/amk

cc: Kathy and George Hartshorn
Insite File No. 11157.100

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

Yolanda D. Cappelli
Town Clerk

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



RESOLUTION

Resolution #338 - Stormwater Facility Maintenance Agreement - Hartshorn

On a motion by Supervisor Doherty
Seconded by Councilman Tartaro

IT IS HEREBY RESOLVED, as follows:

1. Town Board approves the following bonding arrangements, as recommended by the Planning Board, for the Hartshorn Office Park project in the Town of Kent:
 - (a) Sedimentation and Erosion Control Bond at \$14,844.50 by cash deposit;
 - (b) Stormwater Facilities Performance Bond at \$50,297.00 by cash deposit;
 - (c) Wetlands Plantings Mitigation Bond at \$6,000.00 by cash deposit.
2. The Town Board approves and ratifies the Supervisor's signature of the Stormwater Facility maintenance Agreement proffered by the Project and reviewed and approved by the Planning Board Attorney.

Roll Call Vote:

Councilman Greene - aye Councilwoman Osborn - aye

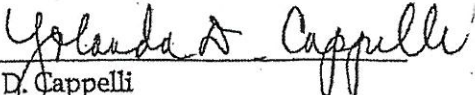
Councilman Tartaro - aye Councilman Tierney - aye

Supervisor Doherty - aye

Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a Resolution adopted by the town board of the town of Kent at a meeting of said Board on August 21, 2012.

August 22, 2012


Yolanda D. Cappelli

**Town of Kent Planning Board
Resolution Of Time Extension Pertaining To
Final Subdivision Approval
Revised Lot Line Approval
Steep Slope and Erosion Control Permit Approval
Freshwater Wetland Permit Approval**

Matter of Hilltop Estates Subdivision

Whereas, on September 11, 2014 the Town of Kent Planning Board granted conditional Final Subdivision, Revised Lot Line, Freshwater Wetland Permit, and Steep Slope and Erosion Control Permit approvals for the Hilltop Estates Subdivision; and

Whereas, said final approvals are valid for 180 days and pursuant to Town Law §279(7)(c) the Board may extend for periods of ninety days each, the time in which a conditionally approved final plat must be submitted for Chairman's signature if, in the Board's opinion, such extension is warranted by the particular circumstance of the matter; and

Whereas, the Planning Board has previously granted 90 day extensions for the project forward from March 10, 2015 to June 4, 2015; forward from June 4, 2015 to September 1, 2015, forward from September 1, 2015 to November 29, 2015; forward from November 29 to February 26, 2016; and forward from February 26, 2016 to May 25, 2016; and forward from May 25, 2016 to November 22, 2016; and forward from November 22, 2016 to May 20, 2017; and

Whereas, the Board has been advised that the applicant continues to make progress in completing the conditions of the approvals, including obtaining other agency permits and approvals, although some work has yet to be completed including town and acceptance of the various agreements and easements pertaining to the proposed storm water facilities, dedication of the road as a town highway, obtaining bond security for completion of the proposed town highway, and the formation of a homeowner's association; and

Now Therefore Be It Resolved, that pursuant to §66A-13(I) of the Town Code the Planning Board grants two ninety (90) day extensions, for a total of 180 days, of the Final Subdivision, Revised Lot Line, Freshwater Wetland Permit, and Steep Slope and Erosion Control Permit approvals for the Hilltop Estates Subdivision forward from May 20, 2017 to November 15, 2017; and

*Town of Kent Planning Board
Resolution Of Time Extension Pertaining To
Final Subdivision Approval
Revised Lot Line Approval
Steep Slope and Erosion Control Permit Approval
Freshwater Wetland Permit Approval*

*Matter of Hilltop Estates Subdivision
April 13, 2017*

Be It Further Resolved, that this resolution is an extension of time only to allow completion of the conditions of the original approvals as set forth in the Board's resolution of September 11, 2014, said conditions remaining unchanged and in force and effect.

Motion: Gary Lam _____
Second: Dennis Lowes _____
Michael McDermott, Chairman Aye _____
Dennis Lowes, Vice Chairman Aye _____
George Brunner Absent _____
Gary Lam Aye _____
Charles Sisto Aye _____
Phil Tolmach Aye _____

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on April 13, 2017.



Vera Patterson, Clerk
Town of Kent Planning Board



April 3, 2017

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

RE: Hilltop Estates Subdivision
Peckslip Road & NYS Route 52
Kent, New York
Tax Map No. 12.-1-42

Dear Chairman McDermott and Members of the Board:

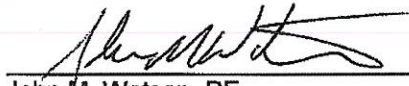
At this time, we are requesting to be placed on the next available Planning Board agenda for an extension of Conditional Final Subdivision Approval. Conditional Final Subdivision Approval was granted on September 11, 2014, an extension of Conditional Final Approval was granted on December 10, 2015, February 11, 2016, May 26, 2016 and November 10, 2016. The approval is said to expire on May 20, 2017. Due to economic times and the current market, the applicant is requesting the extensions of approval for the ability to develop during more marketable and economic times. The applicant is working with a few contractors currently to price out the road construction and get the site work started.

Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:


John M. Watson, PE
Principal Engineer

JMVW/jh

Enclosures:

cc: Richard Esposito
Doug Esposito

Insite File No. 13120.100

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

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

RESOLUTION #7
2017

Date: April 13, 2017
From: The Kent Planning Board
To: The Kent Town Board
Maureen Fleming, Supervisor- w/Att. Bill Huestis, Deputy Supervisor
Scott Chin Jaimie McGlasson
Paul Denbaum
CC: W. Walters, Building Inspector – w/Att. J. Ramos – w/Att.
L. Cappelli, Town Clerk – w/Att. Finance Dept. – w/Att
Re: Request to Release Letters of Credit to:
Route 311 Plaza/Estate of Andrew Suozzi
Route 311
Kent, NY 10512
TM: 22.-2-17

Resolved: The owner of this property is deceased and the attorney for his estate, Mr. Tucciarone, has contacted the Planning Board office and advised us that the property has been sold recently. There are two Letters of Credit which the Town of Kent is holding (copies attached) which are:

Wells Fargo Letter of Credit IS0014205, Dated August 14, 2012	-	\$28,995.68
Wells Fargo Letter of Credit IS0014207, Dated August 14, 2012	-	\$30,900.00

Mrs. Suozzi is asking that the Letters of Credit be released and returned to her.

The Town of Kent Planning Board recommended that this matter be forwarded to the Town Board for their approval. The motion was made by Gary Lam and seconded by Phil Tolmach. The votes were as follows:

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

The motion carried.

There remains \$786.45 in the review/escrow account which the estate of Mr. Suozzi has also asked to have returned and the Planning Board agreed that it should be. However, there are some recent invoices which have not yet been processed. After the invoices have been received the Planning Board will pass another Resolution asking that any funds remaining in the account should be returned.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on April 13, 2017.

Dated: April 13, 2017



Vera Patterson
Planning Board Secretary

Planning Kent

To: Bill Walters (buildinginspector@townofkentny.gov); Bruce Barber; Charles Sisto (Csisto4004@comcast.net); Dennis Lowes (dmlls@verizon.net); edituhmike@verizon.net; Gary Lam (Glam0809@gmail.com); George Brunner (Bluehog90@verizon.net); Julie Mangarillo (jmangarillo@rsaengrs.com); Neil Wilson (Nwilson.lrcplanning@gmail.com); Phillip Tolmach (bestscapes@verizon.net); Vera Patterson (planningkent@townofkentny.gov)
Cc: Accountant
Subject: FW: Route 311 Plaza LLC - Suozzi - Request to release Letters of Credit
Attachments: doc02408820170327103952.pdf

This is a request to release two Letters of Credit issued by Wells Fargo several years ago for the Rte. 311 project. I am putting this on the April agenda for discussion.

Vera Patterson
Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
845-225-7802 (T)
845-306-5293 (F)
planningkent@townofkentny.gov

From: jpt4940@aol.com [<mailto:jpt4940@aol.com>]
Sent: Monday, March 27, 2017 10:39 AM
To: Planning Kent
Subject: Route 311 Plaza LLC - Suozzi

Vera Patterson.
I tried faxing today, but no luck.
Please see the attached.
Thank you.
John P. Tucciarone

JOHN P. TUCCIARONE
ATTORNEY AT LAW

390 BEDFORD ROAD
PLEASANTVILLE, NEW YORK 10570
914.769.6688
Fax: 914.495.3777
Email: JPT4940@aol.com

March 27, 2017

KENT PLANNING BOARD
25 Sybil's Crossing
Kent, NY 10512

Att: Vera Patterson By Fax To: 845-306-5293

Re: ROUTE 311 PLAZA LLC (Suozzi)

Dear Ms. Patterson:

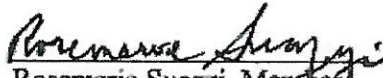
I represent the Suozzi family and the LLC named above.

Title to the property will be conveyed to RICHARD VIEBROCK on March 31, 2017.


We request that the attached two (2) letters of credit be released. I understand that this requires a resolution of the Planning Board, which is slated for April 13, 2017, and subsequent action of the Town Board on April 18, 2017.

We understand that there is a small balance on the reserve account. We request that it be refunded to ROUTE 311 PLAZA LLC at the earliest convenience. I have asked a member of the LLC to confirm this request by signing below.

Request consented to:


Rosemarie Suozzi, Member

Thank you.


John P. Tucciarone

JPT:kpr
CC. R. Suozzi, Member



Wells Fargo Bank, N.A.
U. S. Trade Services
Standby Letters of Credit
MAC D4004-012
401 Linden Street, 1st Floor
Winston-Salem, NC 27101
Phone: 1(800) 778-9882 Option 2
E-Mail: sblo-new@wellsfargo.com

Irrevocable Standby Letter Of Credit

Number : IS0014205
Issue Date : August 14, 2012

BENEFICIARY

TOWN OF KENT
25 SYBELS CROSSING
KENT LAKES, NEW YORK 10512

APPLICANT

ANDREW F. SUOZZI
6 BYRAM MEADOWS ROAD
CHAPPAQUA, NEW YORK 10514

LETTER OF CREDIT ISSUE AMOUNT USD 28,995.68 EXPIRY DATE AUGUST 14, 2013

LADIES AND GENTLEMEN:

WE HEREBY OPEN OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR FOR THE ACCOUNT OF THE ABOVE REFERENCED APPLICANT IN THE AGGREGATE AMOUNT OF USD TWENTY EIGHT THOUSAND NINE HUNDRED NINETY FIVE AND 66/100'S (USD 28,995.68) WHICH IS AVAILABLE BY PAYMENT UPON PRESENTATION OF THE FOLLOWING DOCUMENTS:

1. A DRAFT AT SIGHT DRAWN ON WELLS FARGO BANK, N.A, DULY ENDORSED ON ITS REVERSE SIDE THEREOF BY THE BENEFICIARY, SPECIFICALLY REFERENCING THIS LETTER OF CREDIT NUMBER.
2. THE ORIGINAL LETTER OF CREDIT AND ANY AMENDMENTS ATTACHED THERETO.
3. A DATED STATEMENT ISSUED ON THE LETTER HEAD OF THE BENEFICIARY AND PURPORTEDLY SIGNED BY AN AUTHORIZED REPRESENTATIVE STATING: THAT DRAWING IS DUE TO DEFAULT OF, OR FAILURE BY, ROUTE 311 PLAZA, LLC TO PERFORM ITS OBLIGATIONS UNDER THE TERMS OF A PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL DATED (INSERT DATE). WE THEREFORE DEMAND PAYMENT IN THE AMOUNT OF (INSERT AMOUNT) AS SAME IS DUE AND OWING.

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED AUTOMATICALLY EXTENDED WITHOUT WRITTEN AMENDMENT FOR ONE YEAR PERIODS FROM THE PRESENT OR ANY FUTURE EXPIRY DATE UNLESS AT LEAST SIXTY (60) DAY PRIOR TO SUCH EXPIRATION DATE, WE SEND THE BENEFICIARY NOTICE AT THE ABOVE STATED ADDRESS BY OVERNIGHT COURIER THAT WE ELECT NOT TO EXTEND THIS LETTER OF CREDIT BEYOND THE INITIAL OR ANY EXTENDED EXPIRY DATE THEREOF.

THIS IRREVOCABLE LETTER OF CREDIT SETS FORTH IN FULL THE TERMS OF OUR UNDERTAKING. THIS UNDERTAKING IS INDEPENDENT OF AND SHALL NOT IN ANY WAY BE MODIFIED, AMENDED, AMPLIFIED, OR INCORPORATED BY REFERENCE TO ANY DOCUMENT, CONTRACT, OR AGREEMENT REFERENCED HEREIN.

Together we'll go far



WELLS
FARGO

WE HEREBY AGREE WITH YOU THAT DRAFT(S) DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS CREDIT SHALL BE DULY HONORED IF PRESENTED TOGETHER WITH DOCUMENT(S) AS SPECIFIED ABOVE AT OUR OFFICE LOCATED AT 401 LINDEN STREET, MAIL CODE D4004-017, WINSTON-SALEM, NC 27101, ATTENTION: STANDBY LETTER OF CREDIT DEPT. ON OR BEFORE THE ABOVE STATED EXPIRY DATE, OR ANY EXTENDED EXPIRY DATE IF APPLICABLE.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998, INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590 ("ISP98").

Very Truly Yours,
WELLS FARGO BANK, N.A.

By: _____
Authorized Signature

The original of the Letter of Credit contains an embossed seal over the Authorized Signature.

Please direct any written correspondence or inquiries regarding this Letter of Credit, always quoting our reference number, to Wells Fargo Bank, National Association, Attn: U.S. Standby Trade Services

at either One Front Street
MAC A0195-212,
San Francisco, CA 94111

or 401 Linden Street
MAC D4004-017,
Winston-Salem, NC 27101

Phone inquiries regarding this credit should be directed to our Standby Customer Connection Professionals

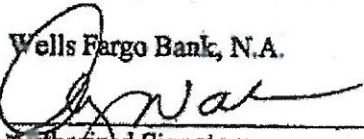
1-800-758-2815 Option 1
(Hours of Operation: 8:00 a.m. PT to 5:00 p.m. PT)

1-800-776-3862 Option 2
(Hours of Operation: 8:00 a.m. EST to 5:30 p.m. EST)

** This is a DUPLICATE ORIGINAL of this Letter of Credit **

Wells Fargo Bank, N.A. acknowledges this duplicate to be the operative instrument for any demand for payment and any previous original(s) and/or duplicate(s) shall be deemed null and void by the existence of this document. If possible, we appreciate your expeditious return of any previous originals to our attention for safekeeping should they be found.

Wells Fargo Bank, N.A.


Authorized Signatory

Date: 11/2/12

Together we'll go far





Wells Fargo Bank, N.A.
 U. S. Trade Services
 Standby Letters of Credit
 MAC D4004-013
 401 Linden Street, 1st Floor
 Winston-Salem, NC 27101
 Phone: 1(800) 776-3882 Option 2
 E-Mail: sblc-new@wellsfargo.com

Irrevocable Standby Letter Of Credit

Number : IS0014207
 Issue Date : August 14, 2012

BENEFICIARY	APPLICANT
TOWN OF KENT 25 SYBELS CROSSING KENT LAKES, NEW YORK 10512	ANDREW F. SUOZZI 6 BYRAM MEADOWS ROAD CHAPPAQUA, NEW YORK 10514

LETTER OF CREDIT ISSUE AMOUNT USD 30,900.00 EXPIRY DATE AUGUST 14, 2013

LADIES AND GENTLEMEN:

WE HEREBY OPEN OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR FOR THE ACCOUNT OF THE ABOVE REFERENCED APPLICANT IN THE AGGREGATE AMOUNT OF USD THIRTY THOUSAND NINE HUNDRED AND 00/100'S (USD30,900.00) WHICH IS AVAILABLE BY PAYMENT UPON PRESENTATION OF THE FOLLOWING DOCUMENTS:

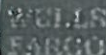
1. A DRAFT AT SIGHT DRAWN ON WELLS FARGO BANK, N.A, DULY ENDORSED ON ITS REVERSE SIDE THEREOF BY THE BENEFICIARY, SPECIFICALLY REFERENCING THIS LETTER OF CREDIT NUMBER.
2. THE ORIGINAL LETTER OF CREDIT AND ANY AMENDMENTS ATTACHED THERETO.
3. A DATED STATEMENT ISSUED ON THE LETTER HEAD OF THE BENEFICIARY AND PURPORTEDLY SIGNED BY AN AUTHORIZED REPRESENTATIVE STATING: THAT DRAWING IS DUE TO DEFAULT OF, OR FAILURE BY, ROUTE 811 PLAZA, LLC TO PERFORM ITS OBLIGATIONS UNDER THE TERMS OF A PERFORMANCE BOND FOR STORM/WATER MANAGEMENT FACILITIES DATED (INSERT DATE). WE THEREFORE DEMAND PAYMENT IN THE AMOUNT OF (INSERT AMOUNT) AS SAME IS DUE AND OWING.

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED AUTOMATICALLY EXTENDED WITHOUT WRITTEN AMENDMENT FOR ONE YEAR PERIODS FROM THE PRESENT OR ANY FUTURE EXPIRY DATE UNLESS AT LEAST SIXTY (60) DAY PRIOR TO SUCH EXPIRATION DATE, WE SEND THE BENEFICIARY NOTICE AT THE ABOVE STATED ADDRESS BY OVERNIGHT COURIER THAT WE ELECT NOT TO EXTEND THIS LETTER OF CREDIT BEYOND THE INITIAL OR ANY EXTENDED EXPIRY DATE THEREOF.

THIS IRREVOCABLE LETTER OF CREDIT SETS FORTH IN FULL THE TERMS OF OUR UNDERTAKING. THIS UNDERTAKING IS INDEPENDENT OF AND SHALL NOT IN ANY WAY BE MODIFIED, AMENDED, AMPLIFIED, OR INCORPORATED BY REFERENCE TO ANY DOCUMENT, CONTRACT, OR AGREEMENT REFERENCED HEREIN.

Together we'll go far





WE HEREBY AGREE WITH YOU THAT DRAFT(S) DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS CREDIT SHALL BE DULY HONORED IF PRESENTED TOGETHER WITH DOCUMENT(S) AS SPECIFIED ABOVE AT OUR OFFICE LOCATED AT 401 LINDEN STREET, MAIL CODE D4004-017, WINSTON-SALEM, NC 27101, ATTENTION: STANDBY LETTER OF CREDIT DEPT. ON OR BEFORE THE ABOVE STATED EXPIRY DATE, OR ANY EXTENDED EXPIRY DATE IF APPLICABLE.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998, INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590 ("ISP98").

Very Truly Yours,
WELLS FARGO BANK, N.A.

By: _____
Authorized Signature

The original of the Letter of Credit contains an embossed seal over the Authorized Signature.

Please direct any written correspondence or inquiries regarding this Letter of Credit, always quoting our reference number, to Wells Fargo Bank, National Association, Attn: U.S. Standby Trade Services

at either One Front Street
MAC A0195-212,
San Francisco, CA 94111

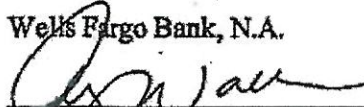
or 401 Linden Street
MAC D4004-017,
Winston-Salem, NC 27101

Phone inquiries regarding this credit should be directed to our Standby Customer Connection Professionals	
1-800-798-2815 Option 1 (Hours of Operation: 8:00 a.m. PT to 5:00 p.m. PT)	1-800-776-3862 Option 2 (Hours of Operation: 8:00 a.m. EST to 5:30 p.m. EST)

**** This is a DUPLICATE ORIGINAL of this Letter of Credit ****

Wells Fargo Bank, N.A. acknowledges this duplicate to be the operative instrument for any demand for payment and any previous original(s) and/or duplicate(s) shall be deemed null and void by the existence of this document. If possible, we appreciate your expeditious return of any previous originals to our attention for safekeeping should they be found.

Wells Fargo Bank, N.A.



Authorized Signatory

Date: 11/2/12

Together we'll go far



RESOLUTION #10
2017

Date: April 13, 2017
From: The Kent Planning Board
To: The Kent Town Board
Maureen Fleming, Supervisor. Bill Huestis, Deputy Supervisor
Scott Chin Jaimie McGlasson
Paul Denbaum
CC: W. Walters, Building Inspector . J. Ramos – w/Att.
L. Cappelli, Town Clerk. Finance Dept. – w/Att
Re: Recommendation To Accept Hall Planting Bond
For 34 Willow Trail Court, TM: 44.06-1-48

Resolved:

The Kent Planning Board reviewed documents and received a Plantings Bond in the amount of \$900.00 and an initial inspection fee deposit of \$1,000.00 to allow reinstallation of landscaping and trees that were removed without necessary permits or permissions along the Palmer Lake shoreline at property identified as 34 Willow Trail Court, tax parcel number 44.06-1-48

Mr. McDermott asked for a motion to forward this Resolution to the Town Board and ask that they accept this bond. The motion was made by Phil Tolmach and seconded by Dennis Lowes. The votes were as follows:

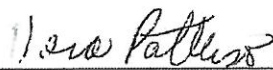
Michael McDermott, Chairman	-	<u>Aye</u>
Mr. Dennis Lowes, Vice Chairman	-	<u>Aye</u>
Mr. George Brunner	-	<u>Absemt</u>
Mr. Gary Lam	-	<u>Aye</u>
Mr. Charles Sisto	-	<u>Aye</u>
Mr. Phillip Tolmach	-	<u>Aye</u>

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on April 13, 2017.

Dated: April 13, 2017



Vera Patterson
Planning Board Secretary

RECEIPT DATE April 13, 2017 No. 152502

RECEIVED FROM Don Hall \$ 900.00

Nine Hundred and 00/100 DOLLARS

FOR RENT FOR Plantings Bon/HM: 44,06-1-48

ACCOUNT	
PAYMENT	
BAL. DUE	

CASH
 CHECK
 MONEY ORDER
 CREDIT CARD

FROM V. Padilla TO J. Tambo

BY _____

**ELAINE M. GROUSE OR
DONALD HALL**
 33 WILLOW TRAIL CT.
 CARMEL, NY 10512-5716

193

Date 4-12-17

63-4/630 FL
1506

Pay to the order of Town of Kent \$ 900.00

Nine Hundred and 00/100 Dollars

Bank of America



ACH R/T 063100277

For _____

Donald Hall

⑆063000047⑆ 002231061918⑈ 0193

ESTIMATE



Kent Countryside Nursery
61 Ludington Court
Carmel, NY 10512
(845) 225-7766

ESTIMATE #	DATE
1325	4/3/2017

TO

Donald Hall
 34 Willow Trail Court
 Carmel, NY 10512

DESCRIPTION OF WORK

Plant Material Installation:

- Kent Countryside Nursery, Inc. will supply and install (by hand) the listed material below:
- New plantings will be installed with proper soil ammendments
- All plantings intalled with be guaranteed for the period of two (2) years from date of installation
- water as needed
- Inspect every 3 months and report to Town of Kent for (2) years.

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
Witchhazel, 2 gal.	2	\$ 25.00	50.00
Buttonbush, 2 gal.	3	\$ 25.00	75.00
Alder, 2 gal.	3	\$ 25.00	75.00
Sweet Pepper Bush, 2 gal.	3	\$ 25.00	75.00
Arrowwood Viburnum, 3 gal.	3	\$ 30.00	90.00
Lowbush Blueberry, 3 gal.	6	\$ 30.00	180.00
Spicebush, 2 gal.	6	\$ 25.00	150.00
Mulch	2	\$ 38.00	76.00
Labor	1	\$ 400.00	400.00

	Subtotal	\$896.00
	Sales Tax (8.375%)	\$0.00
<i>Customer Signature</i>	Total	\$896.00

- All soil amenities for the plant material will be provided
- All plant material will be guaranteed for 1 year if properly watered and cared for
- Project will take approximately 1 day to complete
- Sales tax is not applicable since the project is a capital improvement on the property

Phone #	Email	Website
(845) 225-7766		



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan
April 13, 2017 Agenda

Date: April 13, 2017

Project: Hall ECP Willow Trail Ct
TM # 44.06-1-48

The following materials were reviewed:

- Drawing prepared by Roy A. Fredriksen, PE., dated March 5, 2017
- Kent Countryside Nursery estimate, dated 4/3/2017

The project is to replace trees along Palmer Lake that were removed without permission. The work is within the 100 foot waterbody buffer. Per Town Code Chapter 66, an erosion control permit is required when a wetland permit is required.

The following comments are provided for the Planning Board's consideration from a memo dated March 9, 2017:

3. Refer to the Combined Application Form:
 - a. It seems pages 3 and 4 are missing. Provide missing pages.
 - b. In accordance with page 3, #14, provide a copy of the deed.
 - c. Complete the information on page 5 "For Steep Slopes and Erosion Control Permit Applications"
4. We defer to Bruce Barber regarding wetlands and plantings.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-999-150

Bruce Barber via email
Neil Wilson via email

PERFORMANCE BOND FOR WETLAND AND EROSION AND SEDIMENT CONTROL

**Donald Hall
33 Willow Trail
Kent, NY 10512
TM: 44.06-1-48**

Bond given by Donald Hall ("Obligor"), 33 Willow Trail, Kent, New York 10512/Tax Map 44.06-1-48 ("Obligor Property") to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil' s Crossing, Kent Lakes, New York, 10512 ("Obligee"), dated April 12, 2017.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$900.00, along with an initial inspection fee deposit of \$1,000.00 for the payment whereof to the Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor has obtained the approvals from the Obligee for a wetland permit and steep slope and erosion control permit {"permits"} as that term is defined in Town of Kent Town Code (the "Code"), Chapters 39A and 66 respectively on a certain real property located in the Town of Kent, in connection with which new wetland plantings ("Plantings") and erosion and sedimentation controls ("Controls") are required in order to mitigate for the cutting and removal of wetland plantings on the property owned by the Palmer Lake Association which immediately abuts the rear of Obligor property; and

WHEREAS, the Obligor has provided written authorization from the Palmer Lake Association to apply for and obtain the permits and to install, inspect and maintain the plantings on their property; and

WHEREAS, the Obligor has provided a written easement in order to cross the Obligor property for the duration of this bond in order to install, inspect and maintain the plantings on the Palmer Lake Association property; and

WHEREAS, in conjunction with such Wetland Steep Slope and Erosion Control Permit Applications, the Obligor has submitted to the Obligee, plans and specifications known as "Landscape and Trees Replanting Plan Property for Property Location on 34 Willow Trail Road in the Town of Kent, NY" prepared by Roy A. Fredriksen, PE dated March 5, 2017, 1 sheet. These plans were reviewed and approved on April 13, 2017 by the Obligee; and

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

*Performance Bond for Wetland &
Erosion and Sediment Control
33 Willow Trail
Kent, NY 10512
TM: 44.06-1-48
April 2017*

WHEREAS, the Planning Board of the Town of Kent has granted the permits subject to the posting of two checks made out to the Town of Kent, one in the amount of \$900.00 as a performance guarantee to be deposited into an escrow account pending the completion of the project for which the erosion control measures are necessary; and a second in the amount of \$1,000.00 as an inspection fee, and delivered to:

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

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

Upon full and satisfactory completion of the work a Certification of Completion Notice will be filed by the Planning Board Engineer and the Planning Board Environmental Consultant in which it is confirmed that the plantings installed as per the approved plan and notes. At the end of the three year period as measured from the date of the Certification of Completion in which it is confirmed that all plantings that were installed are viable and pursuant to the conditions and specifications heretofore imposed by the **Planning Board of The Town of Kent**, the said escrow monies shall be returned to **DONALD HALL, 33 WILLOW TRAIL, KENT, NEW YORK 10512**.

In the event the plantings or erosion control work allowed shall not have been duly completed by **DONALD HALL, 33 WILLOW TRAIL, KENT, NEW YORK 10512**, as per the conditions and specifications of the **Planning Board of The Town of Kent**, the **Town Board** shall have the right to withdraw the aforesaid escrow monies and complete the required work for **DONALD HALL, 33 WILLOW TRAIL, NEW YORK 10512**, with full use of said sums as the Town requires;

When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board**, either by **DONALD HALL** or by the **Town of Kent**, the aforesaid escrow monies or the balance of funds remaining after the work has been completed shall be returned or refunded to **DONALD HALL 33 WILLOW TRAIL, KENT, NEW YORK 10512**. This bond may not be assigned or transferred without the prior written approval of the **Planning Board and Town Board of The Town of Kent**.

Performance Bond for Wetland &
Erosion and Sediment Control
33 Willow Trail
Kent, NY 10512
TM: 44.06-1-48
April 2017

The applicant hereby expressly authorizes the **Town of Kent**, its agents, employees, engineer, environmental consultant or planner to enter upon the Owner's/Applicant's property for the purpose of inspecting the erosion control system installed and the site work being performed in accordance with the approved plans, provided that the **Town of Kent** provides at least 24 hours notice to **DONALD HALL, 33 WILLOW TRAIL, KENT, NEW YORK 10512**.

Dated:

DONALD HALL

_____, 2017

By: _____
(Signature)

By: _____
(Signature)

DONALD HALL

(Print/Type signatory's name)
Donald Hall

(print/type signatory's title)
Owner/Oblige, Donald Hall

STATE OF _____)

) ss.:

COUNTY OF _ _ _)

On the ___ day of _____, 2017, before me, the undersigned, a notary public in and for said state, 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.

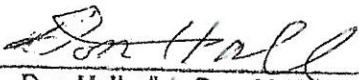
NOTARY PUBLIC

plant or maintain the Wetland Plantings.

5. This Easement shall be recorded, shall be deemed a covenant running with the lands affected hereby, and shall inure to the benefit of and be binding upon the Grantor, all subsequent owners, and their successors and assigns.

6. This Easement shall expire, terminate and be of no further force or effect on a date two (2) years from the date of execution of this Easement.

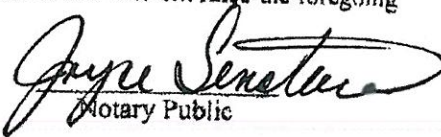
IN WITNESS WHEREOF, the Grantor has executed this Easement as of the date first herein above set forth.


Don Hall a/k/a Donald Hall

ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF PUTNAM) SS:

On this day 6th of April, 2017, before me personally came Don Hall a/k/a Donald Hall, to me known, who by me being duly sworn, did depose and say that he resides at 33 Willow Trail Court, Lake Carmel, NY 10509 and that he is the individual described in and who executed the foregoing instrument.


Notary Public

RECORD AND RETURN TO:

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

JOYCE SENATORE
Notary Public, State of New York
No. 04SE6274803
Qualified in Putnam County
Commission Expires January 14, 2021

SCHEDULE A
[Description]

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Kent, County of Putnam and State of New York, which on a certain map entitled, "Map of a portion of the premises owned by the Hill & Dale Country Club, Inc., Carmel, New York," and filed in the County Clerk's Office of the County of Putnam on July 14, 1931, on Map No. 108-A, is known and designated by the Lot Number 3, in Block M, as shown on said map and being the lot as staked on the premises.



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan
April 13, 2017 Agenda

Date: April 13, 2017

Project: Hall ECP Willow Trail Ct
TM # 44.06-1-48

The following materials were reviewed:

- Drawing prepared by Roy A. Fredriksen, PE., dated March 5, 2017
- Kent Countryside Nursery estimate, dated 4/3/2017

The project is to replace trees along Palmer Lake that were removed without permission. The work is within the 100 foot waterbody buffer. Per Town Code Chapter 66, an erosion control permit is required when a wetland permit is required.

The following comments are provided for the Planning Board's consideration from a memo dated March 9, 2017:

3. Refer to the Combined Application Form:
 - a. It seems pages 3 and 4 are missing. Provide missing pages.
 - b. In accordance with page 3, #14, provide a copy of the deed.
 - c. Complete the information on page 5 "For Steep Slopes and Erosion Control Permit Applications"
4. We defer to Bruce Barber regarding wetlands and plantings.

Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-999-150

Bruce Barber via email
Neil Wilson via email



Cornerstone Associates

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

April 13, 2017

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Hall Application
33 Willow Trail
Section 44.06 Block 1 Lot 48

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

- Planting estimate prepared by Kent Countryside Nursery dated 04/03/17, 1 page.

Review Comments:

I find the planting estimate to be accurate and recommend the Planning Board accept the bond estimate of \$900.00.

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

Sincerely,

Bruce Barber, Certified Ecologist
Town of Kent Environmental Consultant

**Town of Kent Planning Board
Freshwater Wetland Permit Approval
Steep Slope and Erosion Control Permit Approval**

Matter of Donald Hall

Whereas, the Town of Kent Planning Board has received an application from Donald Hall (hereinafter “Hall”) for Freshwater Wetland Permit and Steep Slope and Erosion Control Permit approvals to allow the reinstallation of landscaping and trees that were removed without necessary permits or permissions along the Palmer Lake shoreline at property identified as 34 Willow Trail Court, tax parcel number 44.06-1-48; and

Whereas, the Planning Board determined that the Hall project is a Type II Action under 6 NYCRR 617.5(c)(9); and

Whereas, in the interest of allowing the applicant to complete the work as soon as possible the Planning Board has waived a public hearing on the applications; and

Whereas, pursuant to §39A-8(C) of the Town Code the Planning Board hereby finds that the proposed activity meets the standards for issuance of a Freshwater Wetland Permit, specifically:

1. The proposed disturbance to the controlled area (i.e. wetland buffer) would be consistent with the policies of Chapter 39A; and
2. The proposed disturbance to the wetland buffer area as depicted on the site plan would be consistent with the land use regulations governing wetlands, water bodies and watercourses applicable in the Town of Kent; and
3. The proposed disturbance to the wetland buffer area as depicted on the site plan would be compatible with the public health and welfare; and
4. There is no practicable alternative to the loss of the controlled area function; and
5. The proposed disturbance would minimize the degradation to the Towns surface water bodies and adverse impacts on the functions and benefits that the surface waters provide; and
6. The proposed disturbance would be compliant with the standards set forth in the New York State Freshwater Wetland Regulations, 6 NYCRR 665.7(e) and (g); and

Whereas, pursuant to §66-6(G) of the Town Code the Planning Board hereby finds that the proposed activity meets the standards for issuance of a Steep Slope and Erosion Control Permit, specifically:

1. The proposed activity is in accordance with the legislative findings listed in §66-2 of the Town Code; and

2. The proposed activity is in accordance with the principles and recommendations of the Town of Kent Master Plan; and
3. The proposed activity will not result in creep, sudden slope failure or additional erosion; and
4. The proposed activity will preserve and protect existing watercourses, floodplains and wetlands; and
5. The proposed activity will not adversely affect existing or proposed water supplies or sewage disposal systems; and
6. The proposed activity will stabilize all earth cut and fill slopes by vegetative or structural means;

Therefore Be It Resolved, pursuant to §39A-7(D)(1) of the Town Code the Planning Board grants Freshwater Wetland Permit approval for the regulated activities as described herein; and

Be It Further Resolved, pursuant to §66-6 of the Town Code the Planning Board grants Steep Slope and Erosion Control Permit approval subject to final plan review and approval by the Planning Board's Professional Engineer; and

Be It Further Resolved, the approvals granted herein are expressly conditioned on development of the project in accordance with the plans and details as depicted on a project plan map set entitled "*Landscape/Tree Plan*" prepared by Roy A. Fredriksen, P.E. dated March 5, 2017; and

Be It Further Resolved, that these Erosion Control Permit and Wetland Permit approvals are expressly conditioned on the completion and/or adherence to following:

- 1) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated April 13, 2017.*
- 2) *Address to the satisfaction of the Planning Board the comments of the Planning Board Environmental Consultant as set forth in a memorandum dated April 13, 2017.*
- 3) *Prior to Chairman's signature on the project plans the following additional approvals and permits shall be obtained and any conditions following, or otherwise stated in this resolution, shall be complied with:*
 - a) *Provide proof that the Palmer Lake Association approves the proposed mitigation plan and agrees to provide access for purposes of implementation of said plan.*

- b) Planning Board Engineer approval of the plans to implement the Steep Slope and Erosion Control Permit.*
 - c) Approval of a surety by the Town Board as set forth in §66-7 of the Town Code, and posting with the Town by the applicant of any bond or surety in the amount(s) approved by the Town Board.*
 - d) Record the “Wetland Plantings Inspection Easement” in the form provided to the Board via email transmittal on April 5, 2017 in the office of the Putnam County Clerk.*
 - e) Obtain any required approvals from the NYC Department of Environmental Protection.*
 - f) Obtain any required approvals from the New York State Department of Environmental Conservation.*
 - g) Obtain any required U.S. Army Corps of Engineers (ACOE) permit(s).*
- 4) 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.*
- 5) 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.*
- 6) Upon completion of all mitigation requirements the applicant shall contact the Town of Kent Planning Department to schedule an on-site inspection with the Planning Board Engineer and the Planning Board Environmental Consultant. Upon verification of satisfactory implementation of the mitigation plan the Planning Board shall issue a Certificate of Completion.*
- 7) The performance guarantee bond shall be returned at the end of the three year period after issuance of the Certificate of Completion when the Planning Board receives confirmation by one of its representatives that all planted material is viable.*
- 8) Payment to the Town of Kent the following fees:*
- a) Any unpaid or outstanding application fees.*
 - b) Any review fees accrued by the Planning Board during the review of the application.*

- c) *An inspection fee, in an amount to be established by the Planning Board, to cover the cost of construction and post-construction inspections by the Board's Professional Engineer, Wetland Consultant, and Planning Consultant.*
- 9) *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 response 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 Sheets shall not be accepted by the Planning Board without submission of proof of completion.*
- 10) *This 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 prior to the date of expiration.*

Motion: Phil Tolmach

Second: Dennis Lowes

Michael McDermott, Chairman Aye

Dennis Lowes, Vice Chairman Aye

George Brunner Absent

Gary Lam Aye

Charles Sisto Aye

Philip Tolmach Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on April 13, 2017.



Vera Patterson, Clerk
Town of Kent Planning Board



Cornerstone Associates

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

April 13, 2017

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: VonRosenvinge Application
451 Pudding Street
Section 31.17 Block 1 Lot 7

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

- Planting estimate prepared by Living Art Landscapes dated 04/11/17, 2 pages.

Review Comments:

I find the addition of a native ground cover seed mix has not been included in the bond estimate. The estimated cost to purchase and install the seed mix is \$400.00. The remaining bond estimate of \$2,136.00 is found to be accurate. As a result, it is recommended the Planning Board accept a bond estimate of \$2,436,.00.

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

Sincerely,

Bruce Barber, Certified Ecologist
Town of Kent Environmental Consultant

**Town of Kent Planning Board
Steep Slope and Erosion Control Permit Approval**

Matter of Von Rosenvinge

Whereas, the Town of Kent Planning Board received an application from Donna and Tycho Von Rosenvinge for Steep Slope and Erosion Control Permit approval related to unapproved land clearing and land disturbance for construction of an access driveway to an accessory swimming pool on a site located at 451 Pudding Street, tax parcel number 31.17-1-7; and

Whereas, said application, which was prompted by an enforcement action by the Town Building Inspector, was first received at a regular meeting of the Planning Board held on March 10, 2016; and

Whereas, a part of the land clearing and land disturbance occurred on a neighboring property without the permission of the adjoining property owner; and

Whereas, the Board discussed the application and the application requirements with representatives of the owner, and provided both verbal and written comments on the application, at meetings of the Board held on March 10, 2016 and June 9, 2016; and

Whereas, the Board has not received any further communication from the owner or the representatives of the owner in response to the verbal and written comments previously provided; and

Whereas, the enforcement action was stayed during the processing of the application by the Board; and

Whereas, the Board has determined that, in the absence of any communication or response to comments from the owner, that the application should be dismissed for lack of prosecution by the owner;

Therefore, Be It Resolved, that unless the Board receives a communication from the owner responding to the comments previously provided on the application by noontime on November 17, 2016, which is the deadline for the December 8, 2016 Planning Board meeting, that the Board will deem the application as withdrawn by the owner and will dismiss said application at the December meeting; and

Be It Further Resolved, the Chairman is authorized to deliver a letter to the owner with a copy of this Resolution attached advising the owner with a copy of this Resolution attached advising the owner of the Board's intent.

Motion: George Brunner

Second: Phil Tolmach

Michael McDermott, Chairman Aye

Dennis Lowes, Vice Chairman Aye

Janis Bolbrock Aye

George Brunner Aye

Gary Lam Absent

Phil Tolmach Aye

Charles Sisto Aye

Date: November 10, 2016

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on the date set forth above.

Vera Patterson

Vera Patterson, Clerk

Town of Kent Planning Board

Planning Kent

From: Julie Mangarillo - RSA [JMangarillo@rsaengrs.com]
Sent: Tuesday, April 11, 2017 3:12 PM
To: 'Mike Todd'; Planning Kent; 'Bruce Barber'; 'Neil Wilson'; 'Edituhmike'
Cc: 'Alison von Rosenvinge'
Subject: RE: Bond amount
Attachments: MasterReport.pdf; Vonrosenvinge_Plant_List Sheet1.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mike,

We can discuss with the Planning Board at the meeting if the public hearing can be waived based upon the neighbors' acknowledgement of plan.

Regarding the bond – the project requires 2 bonds – One for erosion control and one for planting.

The attachment seems to address the planting bond, except it does not include a plant list. Is it based on the plant list previously provided? I've attached what I believe to be the plant list. Please confirm. Bruce Barber will review the planting bond estimate.

The erosion control bond estimate is to include items such as seed and mulch, erosion control matting to stabilize areas steeper than 3:1, a soil stockpile if topsoil needs to be brought in to the site.

Please let me know if you have any questions. Feel free to give me a call.

Thanks,
Julie

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

From: Mike Todd [mailto:miketodd@rainbowpools.com]
Sent: Tuesday, April 11, 2017 1:27 PM
To: 'Planning Kent' <planningkent@townofkentny.gov>; 'Julie Mangarillo' <jmangarillo@rsaengrs.com>; 'Bruce Barber' <barberbruce@yahoo.com>; 'Neil Wilson' <nwilson.lrcplanning@gmail.com>; 'Edituhmike' <edituhmike@verizon.net>
Cc: 'Alison von Rosenvinge' <alisonvonr@gmail.com>
Subject: RE: Bond amount

Julie,

I sent him another email and explained that he did not necessarily have to approve them, just give his go-ahead to avoid the public hearing. Please let me know if that is incorrect.

Of course if he does approve it that is fine.

Michael Todd
President
Rainbow Pools and Living Art Design
P. (845) 896-8320 x. 309
F. (845) 896-8014
Rainbowpools.com

From: Planning Kent [<mailto:planningkent@townofkentny.gov>]
Sent: Tuesday, April 11, 2017 1:14 PM
To: Julie Mangarillo <jmangarillo@rsaengrs.com>; Bruce Barber (barberbruce@yahoo.com) <barberbruce@yahoo.com>; Neil Wilson <nwilson.lrcplanning@gmail.com>; Edituhmike <edituhmike@verizon.net>
Cc: Mike Todd <miketodd@rainbowpools.com>
Subject: FW: Bond amount

I got an email and phone call from Ann Doyle saying that she and Mike Schmitt are on vacation in Ireland and not back until next week. She did say they got the plans Mike Todd sent and that they'd try to look at them and get back to us before Thursday if they approve.

Vera Patterson
Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
845-225-7802 (T)
845-306-5293 (F)
planningkent@townofkentny.gov

From: Mike Todd [<mailto:miketodd@rainbowpools.com>]
Sent: Tuesday, April 11, 2017 12:43 PM
To: Planning Kent
Cc: 'Mike Schriever'; 'Alison von Rosenvinge'
Subject: Bond amount

Vera,

Please forward this to Julie for Thursday night.

Please also have her email me back so that I know she got it and if there are any changes that we need to make for Thursday.

Also, I emailed the neighbor today just so that he would possibly give the go-ahead to avoid the public hearing.

Thank you,

Michael Todd
President
Rainbow Pools and Living Art Design
P. (845) 896-8320 x. 309
F. (845) 896-8014
Rainbowpools.com



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan

Date: April 13, 2017

Project: Von Rosenvinge Pool
TM # 31.17-1-7
451 Pudding Street

The following materials were reviewed:

- "Map of survey for Lot No. 4 Douglas J. Williams & Anne Peppis," prepared by Robert V. Oswald Land Surveying, dated December 22, 2016

The project proposes construction of a new in-ground pool. A permit was issued by the Building Department for the pool. However, a construction access drive was constructed without an Erosion Control Permit. The submittal documents indicate the construction access is to be temporary. It is also our understanding that the construction access drive encroaches on the adjoining property.

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

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated March 9, 2016:

1. The project disturbs more than 5,000 SF of land and includes more than 100 cubic yards of fill. A Town of Kent Erosion & Sediment Control Permit is required in accordance with Town of Kent Town Code Chapter 66.
The project is outside the NYCDEP East of Hudson watershed and will disturb less than 1 acre of land. Therefore coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is not required.
4. 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.
5. Per §66-6.F, we recommend the public hearing be held as the project disturbed land on an adjacent property.

Memorandum
Von Rosenvinge ECP
TM # 31.17-1-7
April 13, 2017
Page 2 of 2

The following comments are provided for the Planning Board's consideration from a memo dated June 8, 2016:

2. Provide an "Affidavit to be completed by agent of owner" (included in application packet) completed by the neighboring property owner, granting permission for the erosion control permit application for work on the neighbor's property.
3. Provide a letter from the neighboring property owner indicating acceptance of the proposed restoration.
4. We defer to the Planning Board's environmental consultant regarding plant selection.

New Comments:

1. If notes or details are added to the drawing by someone other than the original surveyor, indicate that on the drawing along with a revision date.
2. Indicate the total limits of disturbance, including areas within the chain link fence around the pool that were disturbed and need to be vegetated.
3. 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.
4. Provide erosion control estimate. Typical items in the estimate include silt fence (\$4/linear foot), seed and mulch for entire disturbed area (\$0.06/SF), erosion control matting on slopes steeper than 3:1 (\$2/sq yard), and soil stockpile (\$500/each). The dollar amounts in parenthesis are typical values used in previous Town of Kent erosion control bond estimates.
5. We recommend having two separate bonds for erosion control and planting.
6. We recommend the remaining information requirements from Chapter 66 be waived.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-999-148

Bruce Barber via email
Neil Wilson via email

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

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

March 13, 2017

Mr. & Mrs. Tycho Von Rosenvinge
451 Pudding Street
Kent, NY 10512

Re: Von Rosenvinge Property
TM: 31.17-1-7

Dear Mr. & Mrs. Von Rosenvinge:

This letter pertains to an erosion control plan submitted to the Kent Planning Board for your property and restoration of the neighboring parcel, which was damaged when Rainbow Pools constructed an in-ground pool in early 2016. This matter has been before the Planning Board since March of 2016.

Your consultant, Mr. Todd of Rainbow Pools, was previously advised that the Planning Board expected a final plan for the restoration work by February of this year. As of this date the Board has not received any such final plan and has not heard from Mr. Todd, or you, since the February 16, 2017 meeting.

Please be advised that, unless the Planning Board receives a final plan for restoration of the damaged area, in a form suitable for the Board to grant Steep Slope and Erosion Control Permit approval (including a letter of authorization from your neighbors) and payment of all outstanding fees and to replenish the review fund (in the amount of \$3,200.00), by noontime, March 23, 2017 the Board will consider the application as withdrawn and will dismiss the application at the April 13, 2017 meeting. Dismissal of the application will allow the Town of Kent to continue enforcement for the violations of the Town Code.

Sincerely,

Michael McDermott
Chairman of the Kent Planning Board

Attachment: Review Account Summary

Von Rosenvinge 31.17-1-7

Date		Deposits	Fees	Balance	
2/23/2016	check	1,000.00		1,000.00	
04/18/16	Cornerstone - March 2016		(562.50)	437.50	
04/18/16	Rohde - 29516 - March 2016		(842.34)	(404.84)	
7/22/2016	Cornerstone - Apr 2016		(125.00)	(529.84)	7/22/2016
6/10/16	Rohde 29555 Apr 2016		(86.66)	(616.50)	7/26/2016
6/10/16	LRC Planning 4-2016-9 Apr 2016		(112.50)	(729.00)	8/3/2016
06/27/16	Rohde - 29610 - May 2016		(169.96)	(898.96)	8/3/2016
6/27/2016	Cornerstone - May 2016		(125.00)	(1,023.96)	8/3/2016
07/22/2016	Cornerstone - June 2016		(125.00)	(1,148.96)	7/27/2016
07/22/2016	Rohde - 29663		(90.58)	(1,239.54)	8/3/2016
07/22/2016	LRC Planning 6-2016-14 June 2016		(50.00)	(1,289.54)	8/3/2016
8/31/2016	Rohde - 29640		(11.50)	(1,301.04)	
10/28/2016	Rohde - 29657-85 Oct 2016		(11.50)	(1,312.54)	12/1/2016
1/17/2017	Cornerstone - Nov 2016		(187.50)	(1,500.04)	
1/17/2017	Rohde - Nov 2016		(98.16)	(1,598.20)	
1/17/2017	Cornerstone - Dec 2016		(187.50)	(1,785.70)	
1/17/2017	LRC Planning - Nov 2016		(281.25)	(2,066.95)	
02/01/17	Rohde - 29657-166 - vp		(38.42)	(2,105.37)	
02/13/17	Rohde - 29657-231-vp		(13.50)	(2,118.87)	
02/13/17	Cornerstone - Jan 2017 - vp		(125.00)	(2,243.87)	

Planning Kent

From: Alison von Roseninge [alisonvonr@gmail.com]
Sent: Thursday, April 06, 2017 9:03 AM
To: Planning Kent
Subject: Copy of Letter sent to Mr. William Walters re: 451 Pudding Street
Attachments: Letter to William Walters re-Extensions.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Vera,

Hope you're having a good beginning of spring. (Although the weather today hardly seems spring-like.)

The letter I'm attaching is out of date at this point, but since you mentioned you hadn't received it, I'm sending it to you as promised.

Thanks again for all your help in this matter. Please feel free to reach out to me if there is anything you think we need to be aware of.

Sending my best,
Alison

Received
mo/date/year

FEB 25 2017

Planning Department
Town of Kent

451 Pudding Street
Town of Kent, NY 10512

February 24, 2017

Mr. William Walters, Building Inspector
Building Department, Town of Kent
25 Sybil's Crossing
Kent Lakes, NY 10512

Dear Mr. Walters:

Thank you so much for taking the time to speak with me this afternoon. As discussed, I am enclosing a check for \$50 for the extension fee for the Certificate of Occupancy for the pool we replaced on our property this past year.

As we discussed on the phone, Mr. Mike Todd, President of Rainbow Pools, had prepared plans to present to the Planning Board for the Workshop Meeting scheduled for February 2, 2017. The Planning Board cancelled that meeting. The following Thursday was the day of the big snowstorm, and I believe everything was cancelled because of the snow.

After we spoke today, I put in another call to our neighbor, Mr. Mike Schmitt, but he was unavailable. He has not returned any of my calls in quite some time, so I do not know whether he has met separately with the Planning Board. You may have more clarity on that than I do.

I hope I have conveyed to you—and to the Planning Board—that my husband and I were unaware there were any issues with replacing our dilapidated pool. We certainly want to remedy this situation. As soon as the weather permits, we look forward to beginning the process of restoring the portion of the property in question to the state it was in before we replaced our pool.

Please feel free to contact me at 347.693.8492 or alisonvonr@gmail.com. I am copying Ms. Vera Patterson because I believe she has spoken with several employees at Rainbow Pools and is aware of the situation.

Sincerely,



Alison von Rosenvinge

enclosure: check for extension

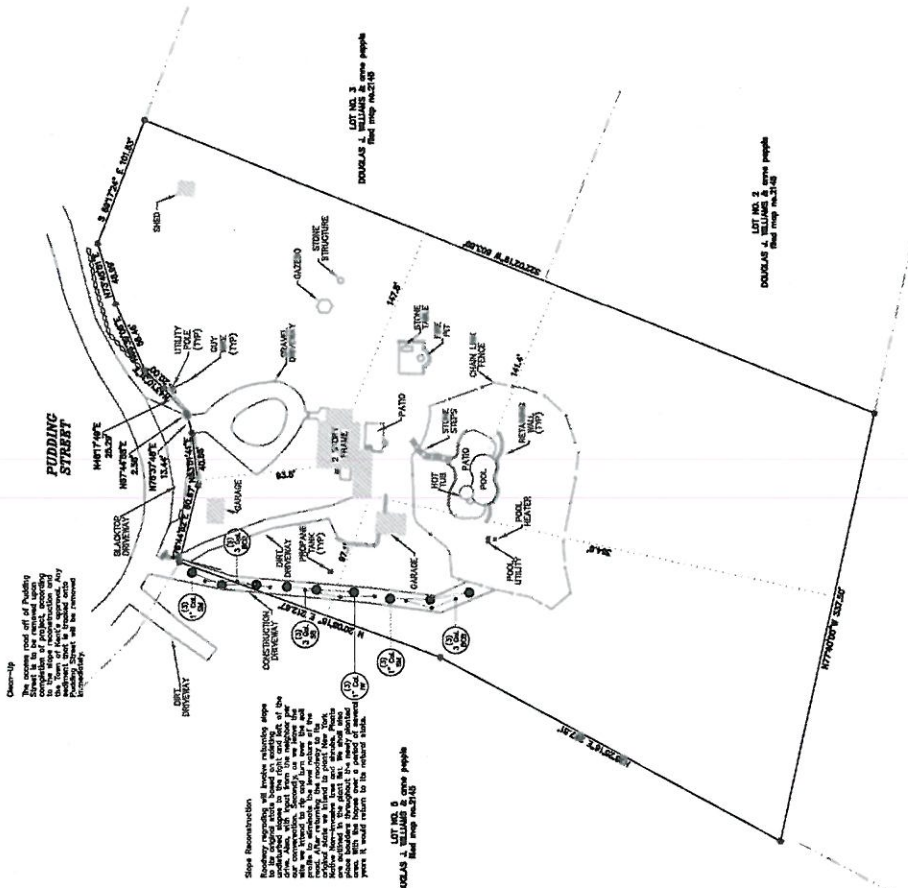
cc: Vera Patterson, Secretary, Town of Kent Planning Board

Abbrv	Common Name	Scientific Name	Size	Quantity
BCB	Blackchoke Berry	Aronia melanocarpa	3 Gal.	6
GTD	Grey Dogwood	Cornus racemosa	3 Gal.	3
IW	Ironwood	Acacia stenophylla	1" Cal.	3
SB	Spicebush	Lindera benzoin	3 Gal.	3
SM	Sugar Maple	Acer saccharum	1" Cal.	6

In order to return the manmade driveway and slope to its natural form we intend to renaturalize the slope with native plantings that include Sugar Maple, Spicebush, Grey Twig Dogwood, Ironwood, and Blackchoke Berry. Beyond the renaturalized slope we intend to rip up the remainder of the slope and allow for natural succession to reoccur.

Abbrev	Common Name	Scientific Name	Size	Quantity
BCB	Blackchoke Berry	<i>Aronia melanocarpa</i>	3 Gal.	6
GTD	Grey Dogwood	<i>Cornus racemosa</i>	3 Gal.	3
IW	Ironwood	<i>Acacia stenophylla</i>	1" Cal.	3
SB	Spicebush	<i>Lindera bensoin</i>	3 Gal.	3
SM	Sugar Maple	<i>Acer saccharum</i>	1" Cal.	6

In order to return the manmade driveway and slope to its natural form we intend to renaturalize the slope with native plantings that include Sugar Maple, Spicebush, Grey Twig Dogwood, Ironwood, and Blackchoke Berry. Beyond the renaturalized slope we intend to rip up the remainder of the slope and allow for natural succession to reoccur.



Owner-19
 The owner, in full and complete knowledge of the contents of this plan, certifies that the same conform to the laws of the State of New York, and that the same are correct and true to the original survey.

Slope Reconstruction
 The owner hereby certifies that the slope reconstruction shown on this plan is in accordance with the laws of the State of New York, and that the same are correct and true to the original survey.

LOT NO. 1
 DOUGLAS J. WILLIAMS & ANNE PERPIS
 Real Prop. Map No. 2-100

MAP OF SURVEY
FOR
LOT NO. 4
DOUGLAS J. WILLIAMS & ANNE PERPIS
 OWNERS
 TOWN OF SCOT
 COUNTY OF ALBANY
 STATE OF NEW YORK
 DECEMBER 28, 1916
 NEW YORK STATE

ROBERT V. OSWALD
 LAND SURVEYING
 175 N. WALKER ROAD, SUITE 1, LAMONTVILLE, NEW YORK 12111
 (518) 537-2100

CERTIFIED TO BE
TRUE AND CORRECT
BY THE TOWN CLERK

1. The owner hereby certifies that the slope reconstruction shown on this plan is in accordance with the laws of the State of New York, and that the same are correct and true to the original survey.
 2. The owner hereby certifies that the slope reconstruction shown on this plan is in accordance with the laws of the State of New York, and that the same are correct and true to the original survey.
 3. The owner hereby certifies that the slope reconstruction shown on this plan is in accordance with the laws of the State of New York, and that the same are correct and true to the original survey.
 4. The owner hereby certifies that the slope reconstruction shown on this plan is in accordance with the laws of the State of New York, and that the same are correct and true to the original survey.

FILE NO.
 2-100

Abbrev	Common Name	Scientific Name	Size	Quantity
BCB	Blackchoke Berry	<i>Aronia melanocarpa</i>	3 Gal.	6
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In order to return the manmade driveway and slope to its natural form we intend to renaturalize the slope with native plantings that include Sugar Maple, Spicebush, Grey Twig Dogwood, Ironwood, and Blackchoke Berry. Beyond the renaturalized slope we intend to rip up the remainder of the slope and allow for natural succession to reoccur.

TOWN OF KENT
PLANNING BOARD
25 Sybil's Crossing
Kent Lakes, NY 10512

Tel: (845) 225-7802

planningkent@townofkentny.gov

Fax: (845) 306-5283



November 13, 2016

Mr. & Mrs. Tycho Von Roseninge
451 Pudding Street
Kent, NY 10512

Re: Von Roseninge Property
TM: 31.17-1-7

Dear Mr. & Mrs. Von Roseninge::

This letter pertains to the status of an erosion control plan prepared by Rainbow Pools for an in-ground pool and a neighbor's property was damaged when Rainbow Pools needed access to your property. Mr. Todd of Rainbow Pools, submitted this erosion control plan at the request of the Planning Board.

After the Planning Board meeting held on November 10, 2016 Mr. Todd was notified that if a response dating back to June was not submitted to the Planning Board by November 17, 2016 the Planning Board would consider the application withdrawn without prejudice and enforcement actions would be imposed in December. Attached is a copy of the Resolution passed at the November meeting.

We respectfully ask for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Michael McDermott".

Michael McDermott
Planning Board Chairman

cc: Michael Todd/Rainbow Pools



LEFT SIDE ELEVATION

SCALE 3/16" = 1'-0"



266 SHEAR HILL RD. • MAHOPAC, NY 10541 • 845-621-4000

OWNER:	A-CLASS MANAGEMENT INC. 1736 ROUTE 6 CARMEL, NY.	JOB #	
		DRN BY:	
		CHKD BY:	
PROJECT:	SIGN FOR EXISTING BUILDING ON ROUTE 52 IN KENT, NY.	TAX MAP #:	

SHEET TITLE: ELEVATION
1 OF 1

REVISIONS: DATE: 3/26/2017

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

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

RESOLUTION #6
2017

Date: April 13, 2017

From: The Kent Planning Board

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

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

Re: Request to Return Site Plan Review funds to:
James Turco/Wellington Properties
33 Cornish Road
Carmel, NY 10512
TM: 33.73-1-39

:
Resolved: This project has been completed and inspected by both the Planning Board consultants and the Building Department. The applicant is asking that the site plan review funds in the amount of \$419.90 be returned. On April 13, 2017 the Town of Kent Planning Board recommended that this matter be forwarded to the Town Board for their approval. The motion was made by Phil Tolmach and seconded by Gary Lam. The votes were as follows:

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

The motion carried.

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

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

Dated:



Vera Patterson
Planning Board Secretary

Wellington Properties
33 Cornish Road
Carmel, NY 10512
TM: 33.73-1-39

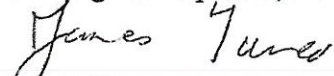
Town of Kent Planning Board
Kent Town Center
25 Sybil's Crossing
Kent Lakes, NY 10512

Re: Site Plan Review Account
105 Towners Road
Kent, NY 10512
TM: 33.73-1-39

Dear Chairman McDermott and Members of the Planning Board:

Our project concerning the above mentioned property, our ice cream store, has been completed and we would like any money remaining in our review account returned.

Very truly yours,
Wellington Properties, LLC


James Turco

Wellington/Turco 33.73-1-38 & 39

Date		Deposits	Fees	Balance
10/24/2014	check 1377	1,000.00		1,000.00
11/25/2014	Rohde 28614 Sept 2014		(131.54)	868.46
12/17/2014	Cornerstone Oct 2014		(125.00)	743.46
1/9/2015	Cornerstone Nov 2014		(62.50)	680.96
1/9/2015	LRC 11-2014-2		(325.00)	355.96
1/9/2015	Rohde 28664 Oct 2014		(98.72)	257.24
2/6/2015	Rohde 28693 Nov 2014		(252.14)	5.10
2/11/2015	Check 1396	750.00		755.10
3/13/2015	Cornerston Dec 2014		(375.00)	380.10
3/13/2015	LRC 12-2014-3		(125.00)	255.10
3/17/2015	check 1402	1,000.00		1,255.10
6/8/2015	LRC 4-2015-10		(37.50)	1,217.60
6/9/2015	Rohde 33.73-1-39		(61.98)	1,155.62
8/10/2015	Cornerstone 5/1/2015		(62.50)	1,093.12
10/2/2015	Rohde 29131 July 2015		(11.50)	1,081.62
1/21/2016	LRC 12-2015-8		(87.50)	994.12
1/17/2017	Cornerstone - Dec 2016		(187.50)	806.62
3/1/2017	Rohde 29657-164 Dec 16		(201.36)	605.26
3/1/2017	Rohde 29657-230 Jan 17		(84.36)	520.90
3/3/2017	Cornerstone - Jan 17		(62.50)	458.40
3/03/2017	LRC - 1-2017-12		(25.00)	433.40
3/13/17	Rohde - 29657-286 vp		(13.50)	419.90



Memorandum

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

From: Julie S. Mangarillo, P.E., CPESC **Subject:** Goldfine/Rynn Single Family House
TM # 11.12-1-21

Date: April 13, 2017 **Project:** Steep Slopes and Erosion &
Sediment Control Plan Review

This project was initially approved by the Planning Board in 2006 for Chris Arcamone of Mahopac, NY. No work was done on-site except for construction of the septic fill pad, and the driveway was rough graded. The original approved plans have been modified and are being submitted for re-approval.

The following documents were reviewed:

1. Cover letter from John Karell dated March 22, 2017
2. Soil Erosion Control Plan prepared by John Karell, revised March 21, 2017

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

The following comments are offered from a memo prepared by Wilfred A. Rohde, P.E., dated November 4, 2015:

5. The Notice of Intent Form:
 - a. Item 8. Planned start and end dates should be adjusted.
 - b. Item 28. Provide total WQv (0.053 acre-feet?)
 - c. **Provide updated, complete and signed NOI and MS4 SWPPP Acceptance Form with Sections I and II completed.**

The following comments are offered from an email prepared by Wilfred A. Rohde, P.E., dated December 9, 2015:

2. That catch basins be installed at the bottom of the driveway to catch any runoff coming down from the site. A catch basin may be needed on each side of the driveway apron.

- a. A trench drain is provided at the bottom of the driveway. Provide catch basins on both sides of the trench drain to catch runoff coming down the sides of the driveway. Or provide an alternative method to catch runoff coming down the sides of the driveway.

New Comments:

1. Based on our records, the driveway slope waiver was granted at the December 10, 2015 Planning Board meeting. The project was also approved for administrative review.
2. This project requires a long term stormwater management facility. Per NYSDEC SPDES General Permit GP-0-15-002 Part V. A.5.c prior to submitting the NOT, "for post-construction stormwater management practices that are privately owned, the owner or operator has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record." How will this requirement be met?
3. Provide a centerline profile of the driveway upon completion of grading and placement of subbase material and prior to issuance of building permit as required per Town Code Chapter 57, §57-26.A(5)(c). –The centerline profile can be provided after the issuance of the building permit and prior to the issuance of a certificate of occupancy at the Building Inspector's discretion.
4. Based on our records, the Health Department permits for well and septic expired in 2015. Provide current permits.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
Bruce Barber via email
Neil Wilson via email
File: 15-261-999-100

S:\261-Kent\999-Erosion Control\TM 11.12-1-21 Arcamone - Goldfine\04-13-2017 Memo to PB_Goldfine TM 11.12-1-21.doc