

**Minutes  
Town of Kent Planning Board Meeting  
December 8, 2016  
Draft**

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  
Janis Bolbrock  
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 November 2016 Meeting**

Mr. McDermott asked for a motion to approve the minutes from the November meeting. Mr. Lowes said that the blank space on page 3 should read "metes". The motion to approve the minutes with the correction to page 3 was made by Mr. Lam 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>
Janis Bolbrock	<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.

**Town of Kent Planning Board Minutes**  
**December 8, 2016**

• **Boccia Property, Beach Court, Kent, NY; TM: 21.-1-16**

Mr. McDermott asked for a motion to re-open the Public Hearing for this project. The motion was made by Ms. Bolbrock 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>
Janis Bolbrock	<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.

Ms. Penny Osborn-Tarbox asked to be heard. Ms. Tarbox stated that she saw some of the letters submitted supporting the Boccia's plans to construct a residence. She said that she has no objection to the construction of the house, but does have issues regarding confusion about ownership of Meynard Road, the erosion of the property and contamination of the lake. Meynard Road is a historical road with stone chambers on it. The Kent Comprehensive Plan has references to Meynard Road and it is a "non-abandoned remnant road" and preservation of it as well as others situated in the town of Kent is very important. This road goes to the fire tower and is also important in the event of a fire on the mountain. There were problems in the past when Mr. & Mrs. Boccia closed off Meynard Road and posted no-trespassing signs on the property preventing public access to it. Trees on the property were cut in the past, which caused erosion going down into the lake and it has caused damage to the lake.

Mr. Tom Maxson spoke next. He said he wanted to ensure that Meynard Road is maintained in the final approvals and that it remain open to the public. Mr. Maxson discussed the historic value of Meynard Road and provided the names of previous patriots with ties to the road. In 2008 Kent's Master Plan was revised and the importance of remnant roads, including Meynard Road, was part of the Master Plan. A map on page 45 shows this road and stone chambers which are located. Pages 54 and 123 a recommendation was made to preserve these non-abandoned remnant roads. Mr. Maxson reiterated that there are concerns about maintenance and public access to Meynard Road.

Mr. McDermott asked for a motion to close the Public Hearing. 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>
Janis Bolbrock	<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. Barber's Comments (memo attached)

Mr. Barber said he had very few comments remaining. He said that an agreement had been made between the owners of the property and the Planning Board about a deed restricted area (100' from the wetlands) and certain elements which will allow the area to remain native and natural to create a vegetative buffer to prevent pollutants to the lake during and after construction. Another element is that there are a series of "braided wetlands" in the upper area of the property/ The applicant is proposing to put the primary septic system on an adjoining lot and will be changing the expansion area of the septic system in order to encroach only within 10' of the wetland buffer.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that most of her comments had been addressed. She is awaiting Board of Health approvals, an updated Notice of Intent (NOI) and an updated bond estimate.

Mr. Wilson's Comments (memo attached)

Mr. Wilson distributed a draft Resolution prior to the meeting. A modification to the language on Page 3 needed to be done regarding language of the deed restriction of the wetland buffer. The final plan will need to show the boundaries of the deed restricted area. There are also planting and restoration plans which will be required. Page 2 is blank because a date (12/8/16) needs to be inserted.

Mr. Tolmach reiterated for the record that the Boccia's own Meynard Road, but they may not prevent public access to it. Mr. Wilson said that was true.

Mr. McDermott asked for a motion to adopt the Town of Kent Freshwater Wetland, Steep Slope/Erosion Control Permit approvals with conditions described in the Resolution prepared by Mr. Wilson. The motion was made by Mr. Lam 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>
Janis Bolbrock	<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.



• **SSEL Corporation, Dean Road, Kent, NY; TM: 10.-2-10.-2**

This project is for an erosion control plan to construct a single-family residence on Dean Road. Mr. Scott Frey represented the applicant.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that there will be part of a shared driveway and is similar to another project on Dean Road. Ms. had a question about a retaining wall and that it was not noted on the drawing. She asked for detail on the existing dry-well structures and that they be shown on the drawing. She recommended that the bond estimate which was \$5,510.00 be changed to \$8,925.60 be changed because she added the following items:

- A topsoil stockpile;
- Stormwater piping; and
- Rock outlet protection

Mr. Frey said that he thought the applicant would agree to the bond estimate Ms. Mangarillo recommended to ensure that the project was not held over for another month but said he would check with him. Ms. Mangarillo recommended waiving the Public Hearing because this project had been referred to the Zoning Board of Appeals, who held a Public Hearing even though it was determined that it really did not need a variance from the ZBA.

Mr. McDermott asked for a motion to waive the Public Hearing, recommend a bond amount of \$8,925.60 be forwarded to the Kent Town Board for approval and that this project be moved to the administrative track. The motion was made by Mr. Tolmach and seconded by Mr. Lam. The roll call votes were as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<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.

• **Alou Construction, Dean Road, Kent, NY; TM: 10.-2-10.-3**

Mr. Scott Frey was present.

Ms. Mangarillo said that this project was also inadvertently referred to the ZBA and said that she needed to do a completeness review and an MS4 form before the drawings could be signed.



• **Harris Property, 669 Gypsy Trail Road, Kent, NY; TM: 21.18-1-32**

Ms. Mangarill advised the Planning Board that the applicants were requesting that their erosion control bond of \$2,047.10 be refunded. The property was a single family home with additions and a driveway which was added. She inspected the property and found that it had been stabilized for approximately 6 months. She recommended waiving the two-year waiting board and that the bond be released.

Mr. McDermott asked for a motion to recommend to the Kent Town Board that the two-year waiting period be waived and that the bond be refunded to Mr. Harris. 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>
Janis Bolbrock	<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.

• **Patterson Crossing, Route 311, Kent, NY; TM: 22.-2-48**

Mr. Jeff Contelmo, of Insite Engineering, represented the applicant. This was an amended site plan to the portion of the property in Kent which showed East of Hudson watershed stormwater improvements along the western portion of the property. Mr. Contelmo pointed out that the eroded ditch which went down to Route 311 has been repaired. The stormwater drain and basin along Route 311 has also been repaired. The updated plan submitted reflects these changes. The approvals of the site plan expire in March 2017 and Mr. Contelmo requested re-approval of the site plan. Mr. Tolmach asked about the tenants for this project. Mr. Contelmo said that the only entity confirmed was Cosco Corporation.

Mr. Barber's Comments (memo attached)

Mr. Barber confirmed that the efforts of East of Hudson has made the improvements that Mr. Contelmo mentioned and that work will be suspended until spring to when the plantings would be put in. A planning board member asked previously about a gate on the access road. Mr. Barber had contacted East of Hudson and was told that there were no plans to put up a gate, but it could be discussed later. Another question pertained to landscape screening (pine) which will be done in the spring. Mr. Barber said that there was substantial phosphorous reduction flowing into the lake due to the reparations made by East of Hudson and Insite Engineering.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that the existing conditions on the drawings are confusing and asked that a note be added pertaining to East of Hudson work and dates completed. She also requested a record copy of East of Hudson drawings, SWPPP and as-built drawings for the Planning Board files.

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Mr. Wilson's Comments (memo attached)

Mr. Wilson said that this project has received several approvals dating back to 2010. The next time extension or re-approval is due in March. Mr. Wilson said that he recommended waiving a public hearing because several had been held previously. He also asked that the Planning Board authorize him to prepare a resolution in January granting a time-extension of an amended site plan for this project. The approval in January will be for another year as well as two 90-day extensions.

Mr. Contelmo said that he is working on an as-built drawing for East of Hudson and that it will be given to the Planning Board as well when it is completed. Mr. Contelmo said that they will be adding a gate to the access drive.

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

Mr. Jack Karell represented the applicant. The revised plans were submitted.

Ms. Mangarillo's Comments

Ms. Mangarillo said that Health Department and County Highway Department approvals for the driveway were required. A public hearing was conducted by the Zoning Board of Appeals for this property, therefore another one was not required. A bond in the amount of approximately \$9,000.00 was posted previously on this property, but there were some changes to the plan and Ms. Mangarillo recommended adding \$3,400.00 to the existing bond. She recommended that the Planning Board attorney prepare the bond and that the Town Board accept the additional bond of \$3,415.00. She said it was ready for administrative review.

Mr. McDermott asked for a motion to recommend the Town Board accept an additional erosion control bond of \$3,415.00 to be added to the existing bond, that the Planning Board attorney prepare the bond agreement and that a public hearing be waived. 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>
Janis Bolbrock	<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 move this project to the administrative track. The motion was made by Ms. Bolbrock 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>
Janis Bolbrock	<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.

- **O'Mara Property, Lhasa Court, Kent, NY; TM: 31.09-1-6**

Mr. Jack Karell represented the applicant.

Ms. Mangarillo's Comments

Ms. Mangarillo said that this project received a variance from the Zoning Board of Appeals. The end of Lhasa Court is going to be extended and the plans for this project had been referred to the Kent Fire Department for their input. Health Department Approval was also required. Driveway waivers were requested (15% instead of 10% and greater than 5% within 30' of the town road). The Highway Superintendent had no objection to either waiver and neither did Ms. Mangarillo. A request to waive the public hearing was also recommended. She asked for a note from the Highway Superintendent stating that the work within the town road right-of-way was approved. Erosion control matting in the town right-of-way was added by Ms. Mangarillo to the bond estimate and she suggested changing unit costs. The initial proposed bond estimate of \$24,700.00 was increased to \$28,150.00 with these changes. Mr. Karell agreed to the new bond estimate of \$28,150.00.

Mr. McDermott asked for a motion to grant the driveway waivers, waive the public hearing, recommend a bond of \$28,150.00 to the Town Board and move this project to the administrative track. Ms. Bolbrock made the recommendation and it was seconded by Mr. Tolmach. The roll call votes were as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<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.



- **O'Mara Property, Mt. Nimham Road, Kent, NY; TM: 10.20-1-1**

Mr. Jack Karell represented the applicant.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo asked Mr. Karell if the ZBA had granted variances pertaining to this property and Mr. Karell said that they had done so. Ms. Mangarillo said that driveway waivers had also been requested for this property, but the driveway slopes down towards a town road and that there are footing drains directed towards the road right-of-way so she wanted input from the Highway Superintendent. The driveway was constructed under a previous approval, therefore a center line profile should be provided to ensure that it meets the current proposed plan. Health Department approval is pending and Ms. Mangarillo made a recommendation to waive the public hearing. A bond estimate of \$5,534.00 was provided and Ms. Mangarillo agreed with that estimate. Ms. Mangarillo agreed to move this to administrative track with the condition that the highway superintendent approves the plan.

Mr. Karell said that part of the driveway had already been constructed and that the center line profile needed to be in before the driveway was paved, but that any modifications on as-built conditions of the whole driveway could be handled and a survey needed to be done later.

Mr. McDermott asked for a motion to waive the driveway requirement pending approval from the Highway Superintendent, to recommend to the Town Board the erosion control bond of \$5,534.00 be accepted, that this project be moved to the administrative track and to waive the public hearing. The motion was made by Mr. Lam 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>
Janis Bolbrock	<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 Street, Kent, NY; TM: 31.17-1-7**

Mr. Michael Todd, owner of Rainbow Pools, represented Mr. Von Rosenvinge regarding this project. This project involved damage done to a neighboring property when an access road was constructed to construct a swimming pool on the Von Rosenvinge property by Rainbow Pools. Mr. Todd advised the Planning Board that he had met with the neighbor whose property was affected and the Planning Board consultants at the monthly consultants' review meeting.







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KENT PLANNING BOARD AGENDA – MEETING

Workshop: December 01, 2016 (Thursday, 7:30 PM)

**DECEMBER 2016**

Meeting: December 08, 2016 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from November 2016
- Boccia Property  
Beach Court, Kent, NY TM: 21.-1-16      Public Hearing Continued/  
Erosion Control Plan/Wetland Permit      Review
- SSEL Corporation  
Dean Road, Kent, NY TM: 10.-2 -10.-2      Erosion Control Plan      Review
- Alou Construction  
Dean Road, Kent, NY TM: 10.-2 & 10.-3      Erosion Control Plan      Review
- Harris Property  
669 Gipsy Trail Road, Kent, NY TM: 21.18-1-32      Request to Return      Review
- Patterson Crossing  
Route 311, Kent, NY TM: 22.-2-48      Amended Site Plan  
Bond Pending      Review
- O'Mara Property  
Peekskill Hollow Road, Kent, NY  
TM: 42.07-1-7      Erosion Control Plan      Review
- O'Mara Property  
Lhasa Court, Kent, NY  
TM: 31.09-1-6      Erosion Control Plan      Review
- O'Mara Property  
Mt. Nimham, Kent, NY  
TM: 10.20-1-1      Erosion Control Plan      Review
- Von Roseninge Property  
451 Pudding St., Kent, NY  
TM: 31.17-1-7      Erosion Control Plan  
for In-Ground Swimming Pool      Status Report

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

- Wagner Millwork Timber Harvest  
Long Mountain Road, Kent, NY TM: 8.-1-2      Erosion Control Plan      Discussion
- Cypress Creek/Solar Energy Farm  
Mooney Hill/Kent, NY (Armstrong Property) TM: 12.-3-9      Site Plan/Erosion Control Plan      Status Report
- Jason Kinash  
71 Cottage Road, Kent, NY 10512  
TM: 33.42-2-49, 50, 51      Erosion Control Plan      Status Report
- Holmes Presbyterian  
60 Denton Lake Road, Holmes, NY TM: 2.-1-47-1      Site Plan/Erosion Control Plan      Status Report
- Basharat/Mann Property  
Marshall Road, Kent, NY TM: 11.-15-1-35      Sub Division Application      Status Report
- Deliland  
Route 52, Kent, NY TM: 33.48-1-12      Site Plan/Addition      Status Report
- More Than Masonry  
Route 52, Kent, NY TM: 44.9-2-20, 44.5-28 & 29      Site Plan      Status Report
- Kent Planning Board Fees & Returning review fees      Discussion
- Executive Session to discuss Planning Board Organization for 2017      Discussion

Revised 12/1/16

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

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**Matter of Joseph and Sabina Boccia**

**Whereas**, the Town of Kent Planning Board has received an application from Joseph and Sabina Boccia (hereinafter “Boccia”) for Freshwater Wetland Permit and Steep Slope and Erosion Control Permit approvals to allow the development of a single family residence including an access driveway, water supply well, and an on-site sewage disposal system on a site located on Beach Court, tax parcel numbers 21.-1-16 and 21.-1-1.2; and

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

**Whereas**, the Planning Board convened a public hearing on November 10, 2016 and December 8, 2016 and closed the public hearing on December 8, 2016; 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 in compliance 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

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Steel Slope and Erosion Control Permit Approval  
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4. The proposed activity will preserve and protect existing watercourses, flood plains 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 Chapter 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 "*Erosion Control Plan, Joseph and Sabina Boccia*" prepared by Harry W. Nichols, Jr., P.E. consisting of the following:

1. *EC-1 – Erosion Control Plan*, dated January 6, 2014, last revised November 30, 2016.
2. *EC-2 – Erosion Control Plan Profile & Details*, dated March 20, 2014, last revised November 30, 2016.
3. *SS-8 – Proposed SSTS*, dated September 4, 2012, last revised October 20, 2016

**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 November 8, 2016.*
- 2) *Address to the satisfaction of the Planning Board the comments of the Planning Board Environmental Consultant as set forth in a memorandum dated December 7, 2016.*
- 3) *Prior to obtaining 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) *Planning Board Engineer approval of the plans to implement the Steep Slope and Erosion Control Permit.*
  - b) *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 of surety in the amount(s) approved by the Town Board.*
  - c) *Approval of the Planning Board's Professional Engineer and Environmental Consultant of the description and the location of the boundary of the Preserved Area for preservation of the wetland. The location shall be by metes and bounds and shall be placed on Drawing EC-1 as described herein.*



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- d) *Approval of the Planning Board's Attorney, the Town Planner, and the Planning Board's Environmental Consultant of the form of the deed restriction/restrictive covenant of the Preserved Area for preservation of the wetland. The language of the deed restriction/restrictive covenant shall provide the following:*
- i) *Except as provided for in the Wetland Permit the following activities shall be prohibited within the Preserved Area: filling, draining, flooding, dredging, impounding, clearing, burning, cutting or destroying vegetation, cultivating, excavating, erecting, constructing, releasing wastes, or otherwise doing any work in the Preserved Wetland Areas; and from changing the grade or elevation, impairing the flow or circulation of waters, reducing the reach of waters, and any other discharge or activity requiring a permit under clean water or water pollution control laws and regulations, as amended. The following are expressly excepted from this paragraph: a) cumulatively very small impacts associated with hunting (excluding planting or burning), fishing, and similar recreational or educational activities, consistent with the continuing natural condition of the Preserved Area; b) removal or trimming of vegetation hazardous to person or property, or of timber downed or damaged due to natural disaster; c) survey activities; d) any restoration or mitigation required under law; e) removal of invasive vegetation; f) construction and maintenance of a dock and associated walkway; and g) planting and maintenance of native vegetation; and*
  - ii) *Provide for enforcement of the restrictions by the Town of Kent.*
  - iii) *Place the language of the restriction on plan sheet EC-1 along with a note stating that the deed restriction/restrictive covenant has been filed with the Office of the Putnam County Clerk.*
- e) *Any required approvals from the NYC Department of Environmental Protection.*
- f) *Any required approvals from the New York State Department of Environmental Conservation.*
- g) *Any required U.S. Army Corps of Engineers (ACOE) permit(s).*
1. *Prior to the commencement of the 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.*
  2. *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.*
  3. *At the completion of construction the applicant shall provide a certification prepared and sealed by a New York State Licensed Professional Engineer to the Town Building Inspector and the Planning Board that all site work has been carried out and completed in substantial compliance with the approved Site Plan for the project, and shall also provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed development prepared and sealed by a New York State Licensed Land Surveyor.*
- 4) *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.*

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- 5) *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 Board's Consulting Planner. The signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Professional Engineer verifying that each of the conditions of this Approval have been completed. The proposed final Sheets shall not be accepted by the Planning Board without submission of proof of completion.*
- 6) *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: Mr. Lam

Second: Mr. Sisto

Michael McDermott, Chairman Aye

Janis Bolbrock, Vice Chair Aye

George Brunner Absent

Dennis Lowes Aye

Phil Tolmach Aye

Charles Sisto Aye

Glenna Wright Aye

Date: December 8, 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, Clerk  
Town of Kent Planning Board





# Memorandum

**To:** Planning Board  
Town of Kent

**Attn:** Michael McDermott  
Chairman

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

**Subject:** Erosion Control Plan  
Planning Board Meeting

**Date:** November 10, 2016

**Project:** Boccia ECP  
TM # 21.-1-16; 21.-1-1.2

The following materials were reviewed:

- Letter prepared by Harry W. Nichols Jr., P.E., dated 10/24/2016
- Drawings prepared by Harry W. Nichols Jr., P.E., including:
  - EC-1, Erosion Control Plan, revised 10/20/2016
  - EC-2, Erosion Control Plan Profile & Details, revised 10/20/2016
  - SS-8, Proposed SSTS, revised 6/20/2016
- "Final Subdivision Plan known as Upper Nimham Lake" prepared by Nicholas G. Chapis, LS and Cashin Associates, last revised April 23, 1987
- "Survey of Property prepared for Lake Nimham Hills, Limited," prepared by Nicholas G. Chapis, LS, last revised May 15, 1990.

The project proposes construction of a single family house, including septic system, water well and driveway.

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

The subject Erosion and Sediment Control Plan is not approved. Refer to attached previously issued review memo, dated April 9, 2014 (**see below**).

#### **New Comments 11/10/2016:**

1. Extend the limits of disturbance and the area of disturbance calculation to include the proposed catchbasins and 15 foot long riprap swales.
2. Show proposed piping to septic system on other parcel. Extend the limits of disturbance to include the piping.
3. Provide metes and bounds of easement on the drawing for septic system on other parcel. Provide copy of easement language for review.
4. The "Parcel Plan" included on EC-2 and SS-8 does not appear to match metes and bounds description in the deed and the survey for the southern lot, TM 21.-1-1.2.
5. The survey provided for parcel TM 21.-1-1.2 has "Property lines to be extinguished" along Maynard Road. Presumably the property lines have not been extinguished at this time.



Comments from a memo dated August 10, 2016:

1. Provide updated Health Department approval for well and septic, including off-site septic expansion area. – **In progress.**
3. From an email (edited for minor typographical errors) prepared by Ronald Blass, Esq, Planning Board attorney, provide the following information for review:
  - a. Applicant has provided title work showing that their parcel own to the center line of "Maynard Road". As stated, the title report excepts the "rights of others" to Maynard Road. The title work does not speak to much other than that one boundary of each Boccia parcel is co-terminus with the center line. It does not address the rights of other at all to Maynard Road.
  - b. There are two improved residential parcels intervening between the public road and the start of Maynard Road. If the erosion control improvements may physically impact either parcel, or either parcel's use of Maynard Road, then we should be provided deed information as to those parcels and their rights relative to Maynard Road, and we should also be provided with the subdivision map of 1987 referenced in the description of Boccia Parcel II.
    - i. 10/12/2016: Provide the subdivision map for both parcels owned by the Boccia's. The deeds for the neighboring lots have been provided.
    - ii. **11/10/2016: The subdivision map for the northerly parcel, with proposed house (TM 21.-1-16) has been provided. A survey for the southerly parcel with proposed septic system (TM 21.-1-1.2) has been provided. Provide the subdivision map for the southerly parcel.**

The following comments are provided for the Planning Board's consideration from memos dated 2/28/2014 and 4/9/2014:

3. Provide the following information as required by Town Code Chapter 66-6.B.2:
  - a. §66-6.B.2.a – Provide "the location of the proposed area of disturbance and its relationship to property lines, easements, buildings, roads, walls and wetlands, if any, within 50 feet of the boundaries of said area."
    - i. 4/9/2014: The existing gravel access drive will require improvement. Provide information within 50 feet of the gravel access drive from the paved turnaround of Beach Court to the proposed single-family home driveway. *For example, show the property lines and driveway for TM 21.13-1-20 and asphalt curbing of Beach Court.*
    - ii. **11/10/2016: Show and label the property lines for the neighboring property TM 21.13-1-20 on Sheet EC-2. Show the property lines for the southern Boccia property (TM 21.-1-1.2) on EC-1 and EC-2, similar to how the property lines for the northern Boccia property (TM 21.-1-16) are shown.**
  - c. §66-6.B.2.e – Provide "Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map." – Slopes 15% or greater are shaded within the area of disturbance. Extend slope information to include the entire property. Provide date

and source of the soils and steep slope data on the map. It is acknowledged that there is a note on the drawing indicating survey information. However, a date of the survey is not provided on the drawing.

*i. 4/9/2014: Similar to 3a and 3b above, extend steep slope data for the existing gravel drive from the paved turnaround of Beach Court to the proposed single-family home driveway. Date and source of soils data on the map could not be located.*

**ii. 11/10/2016: Date and source of soils data on the map could not be located.**

7. 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.
8. A bond estimate of \$10,801 prepared by Harry W. Nichols Jr., P.E., dated 1/7/2014 was provided.
  - a. **11/10/2016 – Provide an updated erosion control bond estimate which includes the proposed catch basins and riprap swales.**

“New” Comments from 4/9/2014 memo:

2. The parcel is in zoning district R-80 which requires 250 feet of highway frontage. Unless the existing gravel drive is proven to be on Town road right-of-way, the parcel does not have sufficient highway frontage. A variance from the Zoning Board of Appeals will be required. If a variance has already been granted, provide a copy of the decision and add a note to the drawing. Include highway frontage and maximum impervious surface coverage on the Zoning Chart on drawing EC-1.
5. Revise the design of the proposed single family home driveway to meet the requirements in Town Code Chapter 57 for driveways. For example, per §57-26.A.(2) (a) “Finished grades...shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road or private road. The driveway shall slope down and away from the Town road or private road in this thirty-foot-long segment...” – The driveway profile shows the proposed driveway only slopes down and away from the existing gravel drive at 1% for 25 feet from the intersection with the existing gravel drive.
8. Provide an updated Notice of Intent (NOI).

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board Secretary via email  
William Walters via email  
Bruce Barber via email  
Neil Wilson via email  
12-261-999-141





November 8, 2016

To: Planning Board  
From: Bruce Barber  
Town of Kent Environmental Consultant  
Re: **Boccia Application**  
Beach Court  
Section 21. Block1 Lot 16

I have reviewed the following pertinent documents relative to the above referenced project:

- Plans entitled; "Joseph and Sabina Boccia" prepared by Harry W. Nichols, Jr., P.E., dated 11/30/16 (rev.), 2 sheets: EC-1, EC-2.
- Plan entitled; "Joseph and Sabina Boccia" prepared by Harry W. Nichols, Jr., P.E., dated 10/20/16 (rev.), 1 sheet: SS-8.
- Letter executed by Harry Nichols, P.E. dated 11/22/16, 4 pages.
- Short-form EAF (Part I), executed by Harry W. Nichols, Jr., P.E. dated 10/20/16 (rev.)... Part II is not signed or dated.

**Comments:**

The applicant has provided satisfactory responses to the majority of the comments in the review memo prepared by this office dated November 8, 2016. The following are remaining comments:

1. As grading/land disturbance is indicated to occur on the existing access driveway, this area should be included in the limits of disturbance.
2. Provide deed restriction language and metes and bounds description of deed restricted area. A baseline study of the deed restricted area which documents existing conditions is required.
3. Provide notes on the plan indicating plantings and maintenance within the deed restricted area.
4. This office defers to the Planning Board Engineer regarding review of stormwater, grading and site improvement design.
5. This office defers to the Town Planner regarding review of access and applicable planning issues.

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

Sincerely,

Bruce Barber, Certified Ecologist  
Town of Kent Environmental Consultant



## Planning Kent

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**From:** Planning Kent  
**Sent:** Thursday, December 08, 2016 8:08 AM  
**To:** Building Inspector; Bruce Barber; Julie Mangarillo - RSA; Neil Wilson; Charles Sisto (csisto4004@comcast.net); Dennis Lowes; Gary Lam; George Brunner (bluehog90@verizon.net); Janis Bolbrock (Janis\_Bolbrock@msn.com); Michael McDermott (edituhmike@verizon.net); Phillip Tolmach (bestscapes@verizon.net); Planning Kent  
**Subject:** FW: Bocchio family/Vera Patterson

FYI for tonight's meeting.

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

---

**From:** [xluzr@netzero.net](mailto:xluzr@netzero.net) [<mailto:xluzr@netzero.net>]  
**Sent:** Tuesday, December 06, 2016 9:13 PM  
**To:** Planning Kent  
**Subject:** Bocchio family/Vera Patterson

Hi Vera, my name is Tony Mele. I'm a property owner at Ninham estates. Just wanted to send you a quick note to give my support for the Bocchio family. I'm sure all consideration is being given to their approval, but I thought putting in my 2 cents couldn't hurt. I think the addition of this family would be an asset, not only for the revenue to the town but to add to the family feel of the community. Thank you so much for your consideration and time. Sincerely Tony Mele.

## Planning Kent

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**From:** Planning Kent  
**Sent:** Tuesday, December 06, 2016 8:17 AM  
**To:** Building Inspector; Bruce Barber; Julie Mangarillo - RSA; Neil Wilson; Charles Sisto (csisto4004@comcast.net); Dennis Lowes; Gary Lam; George Brunner (bluehog90@verizon.net); Janis Bolbrock (Janis\_Bolbrock@msn.com); Michael McDermott (edituhmike@verizon.net); Phillip Tolmach (bestscapes@verizon.net); Planning Kent  
**Subject:** FW: Boccia property vera patterson

Fyi, for the meeting on Thursday.

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

---

**From:** George Tuchman [<mailto:gjtuchman@aol.com>]  
**Sent:** Tuesday, December 06, 2016 8:11 AM  
**To:** Planning Kent  
**Subject:** Fwd: Boccia property vera patterson

-----Original Message-----

**From:** George Tuchman <[gjtuchman@aol.com](mailto:gjtuchman@aol.com)>  
**To:** planningkent <[planningkent@townofkentny.com](mailto:planningkent@townofkentny.com)>  
**Sent:** Sat, Dec 3, 2016 8:42 am  
**Subject:** Boccia property vera patterson

To The Town of Kent Planning Board:

My name is George Tuchman and I reside at 29 Beach Ct. in Kent, NY. Joe and Sabina Boccia will be my new neighbors as I reside next door to the Boccia's property. I was planning on attending the planning board meeting next week but, due to my business travel, I will be unable to attend that evening's session.

I got to know Joe and Sabina very early on when they purchased their property 6 years ago and I feel they will be an asset to our community. They love nature and they love to hike. Having lived in Kent for over 30 years, I know that what makes this place so special is the beauty of the area the friendliness of the local people. Joe and Sabina have that same sense. They live in a place on Long Island that is more congested and they will enjoy their new home with their family as a solemn retreat for many years

My understanding is that at the last Planning Board meeting there was some opposition for the Boccias to build a home on their 40 acres. I do not understand why they would incur that feeling when the Boccias have followed Town of Kent guidelines to insure their home will have a minimal impact on the environment and the surrounding area.

In addition, since their ownership, there has been a significant reduction in the amount of guns being shot, fires being set and ATV's being ridden on the property. All of which I have personally witnessed during my time as a property owner in Kent and all of which has been trespassing on privately owned property. This has been one of many positives of having the Boccias own the property next to mine and I look forward to having Joe and Sabina Boccia as my new neighbors.

Please do not hesitate to contact me, if you have any questions

Sincerely  
George Tuchman  
29 Beach Court  
Kent, NY



## Planning Kent

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**From:** Planning Kent  
**Sent:** Monday, December 05, 2016 8:59 AM  
**To:** Building Inspector; Bruce Barber (barberbruce@yahoo.com); Julie Mangarillo (jmangarillo@rsaengrs.com); Neil Wilson; Charles Sisto (csisto4004@comcast.net); Dennis Lowes; Gary Lam; George Brunner (bluehog90@verizon.net); Janis Bolbrock (Janis\_Bolbrock@msn.com); Michael McDermott (edituhmike@verizon.net); Phillip Tolmach (bestscapes@verizon.net); Planning Kent  
**Subject:** FW: To: Vera Patterson Re: Bocchia Property

Fyi, for our meeting Thursday night when the Public Hearing will be re-convened for the Bocchia property.

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

---

**From:** Bruce Judson [mailto:BruceJudson@JudsonMobile.com]  
**Sent:** Sunday, December 04, 2016 1:25 PM  
**To:** Planning Kent  
**Cc:** xluZR@netzero.com; mauricio@bocciabros.com; sabina1260@aol.com; Sandra DeBernardi; Robert Hauver  
**Subject:** Re: To: Vera Patterson Re: Bocchia Property

Dear Ms. Patterson,

I want to add my support to the statement of Mr. Robert Hauver, in the email letter below.

It's our understanding that the proposed dwelling construction will be undertaken in a manner that protects the ecology of Upper Lake Ninham. At the same time, since the home will be at the far end of the Lake, it will not be visible (or otherwise interfere with the beauty and enjoyment of the lake) for any of the residents who are enjoying the public access beach on the lake, swimming in the roped-in public access portion of the lake.

As Mr. Hauver so eloquently states, the residents of community with deeded lake access, enjoy all of the benefits of the Lake, without the responsibility *to pay any* of the taxes associated with the

property underlying the Lake. In contrast, the parcel owned by the Bocchia's is responsible for the single, largest portion of the Lake taxes, and their commitment to maintaining this necessary financial support has been unflagging and remains critical to ensuring the owners of the Lake can continue to meet the annual town and county taxes associated with this property.

As Mr. Hauver explained, Upper Lake Ninham was developed such that the town and county receive one payment from the Lake owners combined. However, our individual deeds establish our responsibility, for the portion of the Lake taxes due, and the Bocchia's property represents over 49% of this total.

Once again, I would, therefore, like to restate my support for their proposed dwelling construction.

Sincerely,

Bruce Judson  
186 Smalley Corners Rd.  
Carmel, NY  
(partial owner of Upper Lake Ninham)

---

**From:** Robert Hauver <[bnphvr@yahoo.com](mailto:bnphvr@yahoo.com)>  
**To:** [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
**Cc:** Bruce Judson <[BruceJudson@JudsonMobile.com](mailto:BruceJudson@JudsonMobile.com)>; [xluzr@netzero.com](mailto:xluzr@netzero.com); [mauricio@bocciabros.com](mailto:mauricio@bocciabros.com); [sabina1260@aol.com](mailto:sabina1260@aol.com); Sandra DeBernardi <[sdebernardi@carmelta.org](mailto:sdebernardi@carmelta.org)>  
**Sent:** Sunday, December 4, 2016 11:34 AM  
**Subject:** To: Vera Patterson Re: Bocchia Property

Dear Ms. Patterson,  
I'm writing to you to say that my wife and I support the Bocchia family's efforts to build a house on Upper Lake Nimham. I administer the tax payments for the lake itself, which has separate tax bills from the surrounding property parcels.

You can reference the lake's tax records via parcel 372200 21.13-1-19 22 Beach Court.

The lake itself has special taxes, which the Bocchias have been instrumental in paying. In fact, since they acquired their 40 acre parcel, they've paid their share of back taxes, and have been current on their 49.63% share of all current tax bills for the lake.

We consider the Bocchias' financial support to have been vital in not letting the lake property fall into foreclosure, which could have had very negative consequences for the Upper Lake Nimham community.

I wish to point out, that, although all of the many families living on Chief Nimham Drive and Circle

have lake rights,  
they have no tax responsibility for paying these taxes on the lake property.

Instead, that financial burden falls upon just 6 families, plus the developer, Robert Frackman, the original developer of the lake, and its surrounding properties.

Unfortunately, Robert Frackman passed away in 2015, and his estate is no longer paying its share of the lake taxes, so, the rest of us have been paying his share of these taxes.

The records show that, for years, the lake's taxes were in arrears, due to non-payment by the absentee prior owners of the parcel that the Bocchias now own, and also due to non-payment by the developer for his share - (those 2 shares account for over 60% ownership of the lake parcel).

In fact, it was only through the efforts of our neighbor, Bruce Judson, and myself, contacting the Bocchias and getting their support, that we were able to finally bring these lake taxes fully current for all Town and County back taxes.

The Bocchias are solid citizens, and will make a good addition to this community. They've gone to considerable time and expense to comply with the stipulations from the Planning Board, in developing their constructions plans in coordination with the Town Engineer.

For all of the reasons listed above, we feel that it's in the community's best interests that the Bocchias be allowed to move forward with their building plans.

Sincerely,  
Robert & Patricia Hauver



## Planning Kent

---

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Sincerely,

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Carmel, NY  
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---

**From:** Robert Hauver <[bnphvr@yahoo.com](mailto:bnphvr@yahoo.com)>  
**To:** [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
**Cc:** Bruce Judson <[BruceJudson@JudsonMobile.com](mailto:BruceJudson@JudsonMobile.com)>; [xluzr@netzero.com](mailto:xluzr@netzero.com); [mauricio@bocciabros.com](mailto:mauricio@bocciabros.com); [sabina1260@aol.com](mailto:sabina1260@aol.com); Sandra DeBernardi <[sdebernardi@carmelta.org](mailto:sdebernardi@carmelta.org)>  
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For all of the reasons listed above, we feel that it's in the community's best interests that the Bocchias be allowed to move forward with their building plans.

Sincerely,  
Robert & Patricia Hauver





# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

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

Subject: Erosion Control Plan  
December Planning Board Meeting

Date: December 8, 2016

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

The following materials were reviewed:

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

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

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

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

Memorandum  
SSEL Corp – Dean Road ECP  
TM # 10.-2-10.2  
December 8, 2016  
Page 2 of 2

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

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

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

Bruce Barber via email  
Neil Wilson via email



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

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

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

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

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

The erosion control bond is as follows:

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

Erosion control bond estimate prepared by applicant:

**\$ 5,510.00**



## Planning Kent

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**From:** Neil Wilson [nwilson.lrcplanning@gmail.com]  
**Sent:** Wednesday, December 07, 2016 11:36 PM  
**To:** barberbruce@yahoo.com; Building Inspector; Charles Sisto; Dennis Lowes; Gary Lam; George Brunner; Janis Bolbrock; Julie Mangarillo; Michael McDermott; Phil Tomalch; Ron Blass; Planning Kent  
**Subject:** Fees  
**Attachments:** Chapter 36 Fees Draft Redline 111016.pdf

Good evening to all. Attached is a redline of the fee schedule with some recommended changes.

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

**Chapter 36  
Planning Board Fees**

**Chapter 39A,  
Freshwater  
Wetlands**

Permit application fee		\$500
<u>Review fee</u>	<u>\$500 initial deposit. Applicant shall be responsible for full payment of actual costs of review.</u>	
<u>Inspection Fee</u>	<u>\$1000 initial deposit. Applicant shall be responsible for full payment of actual costs of inspection.</u>	
Rescission of a Stop Work Order		
First		\$250150
Second		\$500250
Additional thereafter		\$750350

**Chapter 57**

Road inspections (see §57-14)	\$1000, initial review fee deposit. Applicant shall be responsible for full payment of actual costs of inspection.	
Rescission of a Stop Work Order (see §57-27)		
First		\$250150
Second		\$500250
Additional thereafter		\$750350

**Chapter 63, Soil  
Removal**

Application for permit		\$500
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**Chapter 66,  
Steep Slope  
Protection and  
Stormwater  
Management**

Application for permit		\$500
<u>Review fee</u>	<u>\$500 initial deposit. Applicant shall be responsible for full payment of actual costs of review</u>	
Inspection fee	\$500, initial review fee deposit. Applicant shall be responsible for full payment of	

	actual costs of inspection.
SWPPP review	<del>\$500</del> 100
Rescission of a Stop Work Order (see §57- 27)	
First	<del>\$250</del> 150
Second	<del>\$500</del> 250
Additional thereafter	<del>\$750</del> 350

**Chapter 66A,  
Subdivision of  
Land**

Lot line revision	
Application fee	\$250
Preliminary subdivision	
Application fee	\$750
Plus fee per new lot	\$500
Review fee, initial deposit	\$1000, initial review fee deposit. Applicant shall be responsible for full payment of actual costs of <u>review</u> inspection.

Final subdivision	
Application fee	\$750
Review fee, initial deposit	\$1000, initial review fee deposit. Applicant shall be responsible for full payment of actual costs of <u>review</u> inspection.

Recreation fee in lieu of land for residential subdivisions, per bedroomnew lot      \$~~1,500~~5,500

**Chapter 76,  
Watercourses  
Inspection fee**

~~\$250~~10



Chapter 77,  
Zoning

Preliminary site plan application fee	\$1,000, plus \$50 per parking space for the first 25 spaces, plus \$20 for each additional parking space over 25	
Final site plan application fee		\$500
Special use permit application fee	\$500 plus site plan application fee set forth above	
<u>Recreation fee in lieu of land for residential site plan project, per bedroom</u>		<u>\$1,500</u>
Special use and site plan <u>review/inspection</u> fee	\$1000, initial <del>review</del> fee deposit. Applicant shall be responsible for full payment of actual costs of <u>review/inspection</u> .	
Sign permit application fee		\$150
Zoning amendment application fee		\$1,500
Area variance application fee		
Single-family		<del>\$200</del> 150
Other		<del>\$400</del> 300
Use variance application fee		
Single-family		\$250
Other		\$500
Interpretation application fee		\$500