

Minutes  
Town of Kent Planning Board Meeting  
November 10, 2016

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  
Dennis Lowes, Vice Chairman  
Janis Bolbrock

George Brunner  
Charles Sisto  
Philip Tolmach

**Others in Attendance:**

Bruce Barber, Environmental Consultant  
Julie Mangarillo, Engineering Consultant

Bill Walters, Kent Building Inspector  
Neil Wilson, Planner

**Absent:**

Gary Lam

• **Approve Planning Board Minutes from October 2016 Meeting**

Mr. McDermott asked for a motion to approve the minutes from the October meeting. There were no changes to be made to the October Planning Board minutes. The motion to approve the minutes 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>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

Mr. Harry Nichols represented the applicants, Mr. & Mrs. Boccia, who also attended the meeting. This was a Public Hearing for an erosion control plan for property, which was located on Maynard Road. Mr. McDermott asked for a motion to open the Public Hearing. The motion was made by Mr. Brunner 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Ms. Penny Osborne Tarbox and Mr. Gil Tarbox asked to be heard. Ms. Tarbox advised the Planning Board that Maynard Road was a paper road that flowed through the Town of Kent and went up Mount Nimham and was an access road for the fire department. She stated that there was some question as to who owns the road and said that it was owned by the Town of Kent. She also stated that this road was originally an Indian trade route that went to Gypsy Trail. Ms. Tarbox said that there was no reason for the town to relinquish ownership of this road. Ms. Tarbox said that, on at least three occasions, the owners of the property had put chains up and closed off the road. Ms. Tarbox read part of a letter, dated February 20, 1981, that stated "excepting the rights of the public in the highway running through the premises". She also said she had documentation regarding ownership of this road and would share it with the Planning Board.

Mr. Tarbox reiterated that this road was a historical road and that it should not be paved. Mr. Tolmach also noted that this road was an access road to the firetower and used by many.

Ms. Arrucci, a resident who lives on Beach Road near Lake Nimham, asked to be heard. She said that there was much damage done to this property. She asked that the road not be closed because many people used it. Ms Arrucci said that the owners of the property also had prevented other residents from using the public beach and wanted that noted for the record

Ms. Wendy Mathison said that the comments about Ms. Doherty and Mr. Curtiss were untrue. She had a letter, dated July 17, 2012, from Mr. Curtiss advising Ms. Sikorsky that a gate and sign placed on the property must be removed within ten (10) days because it blocked Maynard Road, a public road, and not the owners property.



Mrs. Boccia asked to be heard and stated that she and her husband do own the road and that they have a deed to prove it and wanted that on the record. She said that when they put up the chain they did so at the direction of Ms. Kathy Doherty, the supervisor at that time, and the town attorney, Mr. Timothy Curtiss. Mrs. Boccia said that she and her husband own the two pieces of the property and the road is in the center of the two properties.

Ms. Laura Sikorsky, the attorney for Mr. & Mrs. Boccia, asked why the hearing was being adjourned to December. Mr. McDermott said that there were some issues which needed to be investigated and resolved. Ms. Sikorsky asked what would happen prior to the December meeting and at the workshop. Mr. Wilson advised her that he would be having a discussion with the Town of Kent attorney the other consultants before the workshop. At the workshop this matter would be discussed again. Ms. Sikorsky said that the public hearing pertained to an erosion control plan and not ownership of the property. She said Mr. Nichols would discuss that matter further.

Mr. Tolmach asked Mr. Wilson if anyone could own a public road. Mr. Wilson said the answer was yes. He said that this road started off as a path and that the public has acquired the right to use this road. Someone set the deeds for this property many years ago and that this is a "user road" and the public has the right to use it, as does the highway department to maintain it to facilitate public travel. He said the Boccia's do own the road, but they do not have the right to stop the public from using it unless the town of Kent abandons the road.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo issued a memo with additional comments regarding:

- Extending the limits of disturbance line for the rip-rap swales;
- A request that that the location where the pipe was going to go between the house location and septic system. Because the septic system will be on the other parcel a metes and bounds easement must be shown on the drawings;
- Board of Health approval is still pending;
- The property line for one of the neighboring parcels needs to be shown on the drawings;
- The date and source of soils data needs to be added to the map;
- An updated erosion control bond estimate needs to be submitted;
- The section of the driveway which is wholly on the parcel for the road is shown at 1% for 25 feet and it needs to be 1 1.2 % per 30 feet. 'This needs to be adjusted or a waiver needs to be requested; and
- An updated Notice of Intent (NOI) needs to be provided.

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Mr. Nichols said the septic plan has been revised in accordance with changes recommended by the Putnam County Board of Health showing where the primary and reserve septic systems should be, which had been submitted to the Board of Health 3 weeks ago and a response should be received shortly. Mr. Nichols said the percentage on the road noted by Ms. Mangarillo was not a problem and that comments made at the meeting would be addressed in a positive way. He also noted that the portion of the road that would be utilized for the driveway would not be paved and would be gravel. The improvements to the road would be that it would be more acceptable to vehicle traffic. Drainage for the road would be improved by 7 or 8 riprap swales (stone swales) on the lower part of the road. At the present time there are no defined facilities on the road.

Mr. Barber's Comments (memo attached)

Mr. Barber stated that one of the most substantive environmental elements recommended was to relocate the primary septic system to the adjoining property and locate the expansion area 90' away from the wetlands in order to minimize the pollutants flowing into the lake. Board of Health approval is also required in this matter. The access across the road onto the adjoining property and how it is to be constructed and maintained in the future also is an issue which needs to be considered. Because of the expansion area being within the 100' wetland area a wetland permit is necessary. There is a wetland system coming from the upper lot coming down to the proposed house lot and it was recommended that a cross-over pipe or stone ditch be constructed to ensure that the flow into the wetlands is not impeded. The area of wetlands adjacent to the lake had been disturbed and trees were cut down previously by the applicant and the applicant has changed that area from a conservation easement area to a deed-restricted area. An agreement is being worked on regarding this. Mr. Nichols said that one of the local wetland buffers which will be infringed will only be infringed by 10'. He said that a waiver had been discussed regarding this matter. Mr. Barber said that the code does provide a permissible action within encroachment of 100' of wetlands but it is not a waiver. Mr. Barber said that a wetland permit is still required so that Board of Health approval is not delayed.

Mr. McDermott asked for a motion to adjourn the meeting to the December meeting. Mr. Sisto made the motion 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.



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

This matter involved a request for a time extension for an erosion control plan for a proposed subdivision. Ms. Jaimie LoGuidice, of Insite-Engineering, represented Mr. Esposito, the owner of this property, at the meeting. The current status is that the owners are speaking with developers regarding pricing for the road and are hoping to begin construction in the spring of 2017.

Mr. McDermott asked Mr. Wilson to discuss the Resolution of Approval for this project. Mr. Wilson said that the new proposed Resolution would grant two 90 days extensions. The current Resolution would expire November 22, 2016 and the extensions would expire May 20, 2017. Mr. Wilson said that there were no changes to the previous plans and that the only change to the new Resolution he prepared was the new expiration date.

Mr. McDermott asked for a motion to adopt the Resolution of approval for a time extension for Hilltop Estates. Mr. Brunner made the motion 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

There was no one present representing the applicant, who had advised the Planning Board that they would attend the consultants' monthly review meeting on November 18, 2016.

Mr. Wilson's Comments (memo attached)

Mr. Wilson said that there was a lot of work still needed to be done pertaining to this project. He mentioned that the number of panels to be installed had been reduced, but that it would not reduce the land disturbance. The security fence still runs around the perimeter of the property. He said that in August he recommended to the Planning Board that there be an 80' buffer to provide screening for the neighboring properties. He said that the amended site plan did not comply with this recommendation. He still has concerns about the amount of trees which will be removed. This is a Type 1 action and the Planning Board is the Lead Agency. If the Board should decide that they want an Environmental Impact Statement (EIS) that decision needed to be made quickly and a Negative Declaration would be needed. He did not suggest that the Board make this decision at the November meeting and said that this would be discussed further at the consultants' meeting on November 18<sup>th</sup>.



Mr. Barber's Comments (memo attached)

Mr. Barber noted that the applicants had submitted a Stormwater Pollution Prevention Plan (SWPPP) and that the applicant advocated going above the "Five Acre Clearing Standard" and instead wanted to clear the entire site in one phase. Mr. Barber said that this property was a steeply sloping, rocky site with an important wetland resource at the bottom of the property that discharges into a trout stream. He felt that there were no appropriate measures to ensure that there was no catastrophic failure of sedimentation getting into those resources during a substantial rain event. The SWPPP is confusing because the applicant is advocating no change to the "runoff curve number" between the forested community and the grass community under the solar panels. The critical issue with respect to the wetlands is to make sure that the water budget matches its volume and periodicity in post construction and the applicant has not done so. Also, the applicant's plans included a 20' vegetative buffer. However, the plants the applicant were proposing to use included three trees – one was a heavily diseased tree (the Eastern Hemlock) and Mr. Barber felt that the trees would not provide adequate screening and would not survive. The biodiversity requirements were provided to the applicants and they have not complied with them. The study submitted by the applicant did not address the breeding bird and interior bird breeding season, the amphibian season or the vernal pool on the site. Also, the proposed fencing around the property would cause migration problems for the wildlife and habitat migration. Mr. Barber had some concerns about the grass being used under the solar panels.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that her memo was not very lengthy, but that she would be submitting another one after the consultants' meeting. She had concerns about visibility and site distance where the driveway was going to be constructed. The applicants plans indicated that part of the road on the other side of Mooney Hill would be cleared and she asked for drawings showing property lines to ensure that the neighboring properties would not be involved. Ms. Mangarillo agreed with Mr. Barber that there were a lot of consistencies in the SWPPP plan.

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

Mr. Jack Karell represented the applicant at the meeting. Mr. Karell requested waivers for the driveway slopes, which were granted previously. The Board of Health approval is pending and the renewal of the variances were pending until approval by the Board of Health was issued. He also requested a waiver of a Public Hearing.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo advised the Planning Board that an erosion control bond had been posted in 2006 for this project, but that she felt, with the additional runoff measures needed to keep runoff away from the road, an updated bond estimate would be helpful. A driveway permit from the county and the Board of Health approvals would also need to be submitted to the Planning Board. She had no ob-

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jections to the driveway waivers as long as the county was agreeable since this was on a county road. She also recommended waiving the Public Hearing because the Zoning Board was conducting one.

Mr. McDermott asked for a motion to grant the two waivers requested for the driveway and a Public Hearing for the erosion control plan. 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>Aye</u>
Gary Lam	<u>Absent</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. Karell also represented the applicant for this property, which was for a renewal of an erosion control plan. Mr. Karell met with the Highway Superintendent and Julie Mangarillo. This was before the Zoning Board of Approval for renewal of variances granted previously. Mr. Karell said he would return to the Planning Board when he was finished with the Zoning Board of Appeals.

- **Putnam Stone/Kent Investors, 301 Route 52, Kent, NY; TM: 44.6-1-7**

Mr. Walters Comments (memo attached)

Mr. Walters told the Planning Board that there was a building collapse in the rear of this building on October 27, 2016 on the second floor. A permit to repair and replace machinery was issued and the applicants were in the process of doing so. Because the building was deemed unsafe a "stop work order" was issued to the owners of the property and Building Permit 1692 was revoked. Mr. Walters met with Mr. Flood, one of the owners of the property, and an inspection was conducted. Mr. Walters advised Mr. Flood that a structural engineer needed to analyze the building to determine the integrity of the building. Mr. Flood advised Mr. Walters that Mr. Day, from Wappinger Falls, would inspect the property that Saturday. An initial report was submitted dated October 31, 2016 by Mr. Day. This report stated that the collapse of the walls occurred after workers placed large cement blocks backfilled with concrete to create formwork in the back wall where the aggregate hopper from the batch plant was located. The large concrete blocks fell over hitting the floor supporting the second floor office area. Multiple cracks were found in the foundation walls and structure. Mr. Day recommended that the rear portion of the building dedicated to the batch plant hopper be razed due to current conditions. Mr. Day also found other structural deficiencies and recommended that the entire building be razed and reconstructed to meet current building standards and owners' requirements. Mr. Walters stated that these blocks were not structural elements, approved by the Building Department, shown on the plan review or discussed at the pre-permit inspection.



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Mr. Walters accepted and endorsed Mr. Day's report and condemned the building. The concrete batch plant was a pre-existing condition, which was considered an industrial use in a commercial district. Due to the amount of damage, Mr. Walters reviewed town code 77-47(1)(A) and section (1)(A)(5) and found that they state that a building shall not be enlarged, altered, reconstructed or restored or re-established. Therefore, the batch plant area is condemned and may not be reconstructed. Mr. Flood was advised of this fact. Mr. Walters also said that the stump grinding process approved by the Planning Board had been completed.

Mr. McDermott asked if the "grandfather clause" pertaining to the manufacturing of concrete is now null and void. Mr. Walters said that was true. Mr. Walters said that, if the applicants wished to reconstruct the building it could only be used as a commercial property and not industrial and they would need to return to the Planning Board for approvals.

Mr. Barber said final plans from the East of Hudson had been completed and were out to bid to contractors for construction.

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

This project pertained to the status of an erosion control plan for an in-ground swimming pool which damaged a neighbor's property. The applicant's representative, Mr. Todd of Rainbow Pools, and the owners of the neighboring property are planning on attending the consultants' review meeting on November 18, 2016.

Mr. Wilson told the Planning Board that he had prepared a resolution (attached) which would notify the applicant that if a response to memos dating back to June was not submitted to the Planning Board by November 17, 2016 the Board would consider the application withdrawn without prejudice and enforcement actions would be imposed in December.

Mr. McDermott asked for a motion to adopt the Resolution. The motion was made by Mr. Brunner 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.



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

- Jason Kinash  
71 Cottage Road  
Kent, NY  
TM: 33.42-2-49, 50, 51  
Erosion Control Plan  
Status Report

Ms. Mangarillo said that the soil testing still needed to be done.

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

This is before the ZBA for renewal of a variance

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

Waiting to hear from Holmes Presbyterian regarding changes to their stormwater management based on the presence of rock.

- Alou Construction  
Dean Road, Kent, NY  
TM: 10.-2 & 10.-3  
Erosion Control Plan  
Status Report

Before the ZBA for road frontage variance

- Basharat/Mann Property  
Marshall Road, Kent, NY  
TM: 11.-15-1-35  
Sub Division Application  
Status Report

Waiting for re-submittal

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

Nothing new



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Workshop: November 03, 2016 (Thursday, 7:30 PM)

NOVEMBER 2016

Meeting: November 10, 2016 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from October 2016
  - Boccia Property  
Beach Court, Kent, NY TM: 21.-1-16      Public Hearing/  
Erosion Control Plan      Review
  - Hilltop Estates Subdivision  
Peckslip Road & NYS Rte. 52, Kent, NY  
TM: 12.-1-42      Request for Time Extension  
Subdivision      Review
  - Cypress Creek/Solar Energy Farm  
Mooney Hill/Kent, NY (Armstrong Property)  
TM: 12.-3-9      Site Plan/Erosion Control Plan      Review
  - O'Mara Property  
Peekskill Hollow Road, Kent, NY  
TM: 42.07-1-7      Erosion Control Plan      Review
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Lhasa Court, Kent, NY  
TM: 31.09-1-6      Erosion Control Plan      Review
  - Putnam Stone/Kent Investors  
301 Route 52, Kent, NY  
TM: 44.6-1-7      East of Hudson Corp/  
Stormwater Management      Review
- Permit Applications Review (Applicants attendance not required/Workshop Discussion):
- Kent Planning Board Fees      Discussion
  - Jason Kinash  
71 Cottage Road, Kent, NY 10512  
TM: 33.42-2-49, 50, 51      Erosion Control Plan      Status Report
  - O'Mara Property  
Nimham Road Court, Kent, NY  
TM: 10.20-1-1      Erosion Control Plan      Status Report
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  - Von Rosenvinge Property  
451 Pudding St., Kent, NY  
TM: 31.17-1-7      Erosion Control Plan  
for In-Ground Swimming Pool      Status Report
  - Patterson Crossing  
Route 311, Kent, NY  
TM: 22.-2-48      Amended Site Plan  
Bon d Pending      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



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Mr. McDermott asked for a motion to adjourn the meeting to the December meeting. Mr. Sisto made the motion 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

This matter involved a request for a time extension for an erosion control plan for a proposed subdivision. Ms. Jaimie LoGuidice, of Insite-Engineering, represented Mr. Esposito, the owner of this property, at the meeting. The current status is that the owners are speaking with developers regarding pricing for the road and are hoping to begin construction in the spring of 2017.

Mr. McDermott asked Mr. Wilson to discuss the Resolution of Approval for this project. Mr. Wilson said that the new proposed Resolution would grant two 90 days extensions. The current Resolution would expire November 22, 2016 and the extensions would expire May 20, 2017. Mr. Wilson said that there were no changes to the previous plans and that the only change to the new Resolution he prepared was the new expiration date.

Mr. McDermott asked for a motion to adopt the Resolution of approval for a time extension for Hilltop Estates. Mr. Brunner made the motion 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

There was no one present representing the applicant, who had advised the Planning Board that they would attend the consultants' monthly review meeting on November 18, 2016.

Mr. Wilson's Comments (memo attached)

Mr. Wilson said that there was a lot of work still needed to be done pertaining to this project. He mentioned that the number of panels to be installed had been reduced, but that it would not reduce the land disturbance. The security fence still runs around the perimeter of the property. He said that in August he recommended to the Planning Board that there be an 80' buffer to provide screening for the neighboring properties. He said that the amended site plan did not comply with this recommendation. He still has concerns about the amount of trees which will be removed. This is a Type 1 action and the Planning Board is the Lead Agency. If the Board should decide that they want an Environmental Impact Statement (EIS) that decision needed to be made quickly and a Negative Declaration would be needed. He did not suggest that the Board make this decision at the November meeting and said that this would be discussed further at the consultants' meeting on November 18<sup>th</sup>.



Mr. Barber's Comments (memo attached)

Mr. Barber noted that the applicants had submitted a Stormwater Pollution Prevention Plan (SWPPP) and that the applicant advocated going above the "Five Acre Clearing Standard" and instead wanted to clear the entire site in one phase. Mr. Barber said that this property was a steeply sloping, rocky site with an important wetland resource at the bottom of the property that discharges into a trout stream. He felt that there were no appropriate measures to ensure that there was no catastrophic failure of sedimentation getting into those resources during a substantial rain event. The SWPPP is confusing because the applicant is advocating no change to the "runoff curve number" between the forested community and the grass community under the solar panels. The critical issue with respect to the wetlands is to make sure that the water budget matches its volume and periodicity in post construction and the applicant has not done so. Also, the applicant's plans included a 20' vegetative buffer. However, the plants the applicant were proposing to use included three trees – one was a heavily diseased tree (the Eastern Hemlock) and Mr. Barber felt that the trees would not provide adequate screening and would not survive. The biodiversity requirements were provided to the applicants and they have not complied with them. The study submitted by the applicant did not address the breeding bird and interior bird breeding season, the amphibian season or the vernal pool on the site. Also, the proposed fencing around the property would cause migration problems for the wildlife and habitat migration. Mr. Barber had some concerns about the grass being used under the solar panels.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that her memo was not very lengthy, but that she would be submitting another one after the consultants' meeting. She had concerns about visibility and site distance where the driveway was going to be constructed. The applicants plans indicated that part of the road on the other side of Mooney Hill would be cleared and Ms. Mangarillo asked for drawings showing property lines to ensure that the neighboring properties would not be involved. Ms. Mangarillo agreed with Mr. Barber that there were a lot of inconsistencies in the SWPPP plan.

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

Mr. Jack Karell represented the applicant at the meeting. Mr. Karell requested waivers for the driveway slopes, which were granted previously. The Board of Health approval is pending and the renewal of the variances were pending until approval by the Board of Health was issued. He also requested a waiver of a Public Hearing.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo advised the Planning Board that an erosion control bond had been posted in 2006 for this project, but that she felt, with the additional runoff measures needed to keep runoff away from the road, an updated bond estimate would be helpful. A driveway permit from the county and the Board of Health approvals would also need to be submitted to the Planning Board. She had no ob-

**Town of Kent Planning Board Minutes  
November 10, 2016**

jections to the driveway waivers as long as the county was agreeable since this was on a county road. She also recommended waiving the Public Hearing because the Zoning Board was conducting one.

Mr. McDermott asked for a motion to grant the two waivers requested for the driveway and a Public Hearing for the erosion control plan. 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>Aye</u>
Gary Lam	<u>Absent</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. Karell also represented the applicant for this property, which was for a renewal of an erosion control plan. Mr. Karell met with the Highway Superintendent and Julie Mangarillo. This was also before the Zoning Board of Approval for renewal of variances granted previously. Mr. Karell said he would return to the Planning Board when he was finished with the Zoning Board of Appeals.

- **Putnam Stone/Kent Investors, 301 Route 52, Kent, NY; TM: 44.6-1-7**

Mr. Walters Comments (memo attached)

Mr. Walters told the Planning Board that there was a building collapse in the rear of this building on October 27, 2016 on the second floor. A permit to repair and replace machinery was issued and the applicants were in the process of doing so. Because the building was deemed unsafe a "stop work order" was issued to the owners of the property and Building Permit 1692 was revoked. Mr. Walters met with Mr. Flood, one of the owners of the property, and an inspection was conducted. Mr. Walters advised Mr. Flood that a structural engineer needed to analyze the building to determine the integrity of the building. Mr. Flood advised Mr. Walters that Mr. Day, from Wappinger Falls, would inspect the property that Saturday. An initial report was submitted dated October 31, 2016 by Mr. Day. This report stated that the collapse of the walls occurred after workers placed large cement blocks backfilled with concrete to create formwork in the back wall where the aggregate hopper from the batch plant was located. The large concrete blocks fell over hitting the floor supporting the second floor office area. Multiple cracks were found in the foundation walls and structure. Mr. Day recommended that the rear portion of the building dedicated to the batch plant hopper be razed due to current conditions. Mr. Day also found other structural deficiencies and recommended that the entire building be razed and reconstructed to meet current building standards and owners' requirements. Mr. Walters stated that these blocks were not structural elements, approved by the Building Department, shown on the plan review or discussed at the pre-permit inspection.



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**November 10, 2016**

Mr. Walters accepted and endorsed Mr. Day's report and condemned the building. The concrete batch plant was a pre-existing condition, which was considered an industrial use in a commercial district. Due to the amount of damage, Mr. Walters reviewed town code 77-47(1)(A) and section (1)(A)(5) and found that they state that a building shall not be enlarged, altered, reconstructed or restored or re-established. Therefore, the batch plant area is condemned and may not be reconstructed. Mr. Flood was advised of this fact. Mr. Walters also said that the stump grinding process approved by the Planning Board had been completed.

Mr. McDermott asked if the "grandfather clause" pertaining to the manufacturing of concrete is now null and void. Mr. Walters said that was true. Mr. Walters said that, if the applicants wished to reconstruct the building it could only be used as a commercial property and not industrial and they would need to return to the Planning Board for approvals.

Mr. Barber said final plans from the East of Hudson had been completed and were out to bid to contractors for construction.

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

This project pertained to the status of an erosion control plan for an in-ground swimming pool which damaged a neighbor's property. The applicant's representative, Mr. Todd of Rainbow Pools, and the owners of the neighboring property are planning on attending the consultants' review meeting on November 18, 2016.

Mr. Wilson told the Planning Board that he had prepared a resolution (attached) which would notify the applicant that if a response to memos dating back to June was not submitted to the Planning Board by November 17, 2016 the Board would consider the application withdrawn without prejudice and enforcement actions would be imposed in December.

Mr. McDermott asked for a motion to adopt the Resolution. The motion was made by Mr. Brunner 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>Aye</u>
Gary Lam	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

- Jason Kinash  
71 Cottage Road  
Kent, NY  
TM: 33.42-2-49, 50, 51  
Erosion Control Plan  
Status Report

Ms. Mangarillo said that the soil testing still needed to be done.

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

This is before the ZBA for renewal of a variance

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

Waiting to hear from Holmes Presbyterian regarding changes to their stormwater management based on the presence of rock.

- Alou Construction  
Dean Road, Kent, NY  
TM: 10.-2 & 10.-3  
Erosion Control Plan  
Status Report

Before the ZBA for road frontage variance

- Basharat/Mann Property  
Marshall Road, Kent, NY  
TM: 11.-15-1-35  
Sub Division Application  
Status Report

Waiting for re-submittal

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

Nothing new



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- Deliland  
Route 52, Kent, NY  
TM: 33.48-1-12  
Site Plan/Addition  
Status Report

Waiting for additional material

- More Than Masonry  
Route 52, Kent, NY  
TM: 44.9-2-20; 44.5-28 & 29  
Erosion Control Plan  
Status Report

A site plan application was submitted, but more information needs to be submitted.

- Kent Planning Board Fees  
Discussion

Mr. Wilson sent the Kent fees as well as other surrounding town codes to the Planning Board prior to the workshop and made some recommendations. He will prepare a more detailed memo for the December meeting

Mr. McDermott asked for a motion to adjourn the meeting at 9:30 PM. The motion was made by Mr. Brunner 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>Aye</u>
Gary Lam	<u>Absent</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  
November 10, 2016**

Workshop: November 03, 2016 (Thursday, 7:30 PM)

NOVEMBER 2016

Meeting: November 10, 2016 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from October 2016
  - Boccia Property  
Beach Court, Kent, NY TM: 21.-1-16      Public Hearing/  
Erosion Control Plan      Review
  - Hilltop Estates Subdivision  
Peckslip Road & NYS Rte. 52, Kent, NY  
TM: 12.-1-42      Request for Time Extension  
Subdivision      Review
  - Cypress Creek/Solar Energy Farm  
Mooney Hill/Kent, NY (Armstrong Property  
TM: 12.-3-9      Site Plan/Erosion Control Plan      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
  - Putnam Stone/Kent Investors  
301 Route 52, Kent, NY  
TM: 44.6-1-7      East of Hudson Corp/  
Stormwater Management      Review
- Permit Applications Review (Applicants attendance not required/Workshop Discussion):
- Kent Planning Board Fees      Discussion
  - Jason Kinash  
71 Cottage Road, Kent, NY 10512  
TM: 33.42-2-49, 50, 51      Erosion Control Plan      Status Report
  - O'Mara Property  
Nimham Road Court, Kent, NY  
TM: 10.20-1-1      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
  - Alou Construction  
Dean Road, Kent, NY  
TM: 10.-2 & 10.-3      Erosion Control Plan      Status Report
  - Basharat/Mann Property  
Marshall Road, Kent, NY  
TM: 11.-15-1-35      Sub Division Application      Status Report
  - Von Rosenvinge Property  
451 Pudding St., Kent, NY  
TM: 31.17-1-7      Erosion Control Plan  
for In-Ground Swimming Pool      Status Report
  - Patterson Crossing  
Route 311, Kent, NY  
TM: 22.-2-48      Amended Site Plan  
Bon d Pending      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



Tel: (845) 225-7802

TOWN OF KENT  
PLANNING BOARD  
25 Sybil's Crossing  
Kent Lakes, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)

Fax: (845) 306-5283



**LEGAL NOTICE #4**  
**PUBLIC HEARING FOR**  
**JOSEPH & SABINA BOCCIA**  
**12 EUSTON ROAD**  
**GARDEN CITY, NY 11530**  
**FOR PROPERTY ON BEACH COURT**  
**KENT, NY 10512**  
**TAX MAP: 21.-1-16**  
**YEAR 2016**

**NOTICE OF PUBLIC HEARING**  
**THE PLANNING BOARD OF THE TOWN OF KENT, NEW YORK**

NOTICE IS HEREBY GIVEN that a Public Hearing held before **The Town of Kent Planning Board** on **Thursday, November 10, 2016 at 7:30 PM**, or as soon thereafter as the matter may come to be heard, located at:

**KENT TOWN HALL**  
**25 Sybil's Crossing**  
**Kent Lakes, NY 10512**

This Public Hearing pertains to an application for approval of an Erosion Control Plan for Joseph & Sabina Boccia, 12 Euston Road, Garden City, NY 11530; Tax Map Number 21.-1-16. The proposed activity involves construction of a new single-family residence to be served by a private septic and well.

At this hearing all persons appearing in favor or in opposition shall be heard.

Files on the subject may be inspected at the Planning Board office Mondays, Tuesdays and Thursdays from 9:00 - 4:00 PM prior to the meeting. The telephone number for the Kent Planning Board is: 845-225-7802.

Date: October 18, 2016

By order of:  
Vera Patterson, Secretary for  
The Town of Kent Planning Board  
County of Putnam  
State of New York  
25 Sybil's Crossing  
Kent, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)

P. 10/24, 10/30, 11/07  
Kent Planning Board Public Hearing Notice #4 2016



# 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:

- Plan entitled; "Joseph and Sabina Boccia" prepared by Harry W. Nichols, Jr., P.E., dated 10/20/16 (rev.), 3 sheets: EC-1, EC-2, SS-8.
- Letter executed by Harry Nichols, P.E. dated 10/24/16, 3 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.

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**Comments:**

The applicant has provided satisfactory responses to the majority of the comments in the review memo prepared by this office dated October 7, 2016. The following are remaining comments:

1. Indicate limits of disturbance and include temporary erosion and sediment controls for all proposed disturbed areas (including proposed road improvements).
2. Provide wetland hydrological connection(s) between lots 16 and 1.2.
3. Provide deed restriction language and clear demarcation of deed restricted area.
4. Provide notes on the plan indicating plantings and maintenance within the deed restricted area.
5. Provide easement documents for septic system (right of septic system on Lot 1.2 to serve Lot 16).
6. Please revise EAF response to Question 13a on page 2 of 4 to "yes" and Question 13b to "septic system 100% expansion area located in 100' Town of Kent regulatd wetland buffer.
7. Please revise EAF response to Question 14 on Page 2 of 4 to include "wetland" and "shoreline".



8. Please revise EAF response to Question 17 on page 2 of 4 to "yes". Please respond to Question 17a.
9. Provide details and dimensions of proposed foot pathway and dock
10. The date of wetland boundary confirmation (8/25/16 should be indicated).
11. Provide survey of entire parcels.
12. This office defers to the Planning Board Engineer regarding review of stormwater, grading and site improvement design.
13. 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

**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 circumstances 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, 2015 to February 26, 2016; and forward from February 26, 2016 to May 25, 2016, and from May 25, 2016 to November 22, 2016; 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(1) 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 November 22, 2016 to May 20, 2017; and

*Town of Kent Planning Board  
Matter of Hilltop Estates  
Resolution of Time Extension  
Steep Slope and Erosion Control Permit & Freshwater Wetland Permit Approvals  
November 10, 2016*

**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: George Brunner \_\_\_\_\_

Second: Phil Tolmach \_\_\_\_\_

Michael McDermott, Chairman Aye \_\_\_\_\_

Dennis Lowes, Vice Chairman Aye \_\_\_\_\_

Janis Bolbrock Aye \_\_\_\_\_

George Brunner Aye \_\_\_\_\_

Gary Lam Absent \_\_\_\_\_

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 November 10, 2016.

  
\_\_\_\_\_  
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:** Site Plan & Erosion Control  
November 2016 Planning Board  
meeting

**Date:** November 10, 2016

**Project:** Armstrong/Cypress Creek  
Renewables – Solar Farm  
TM # 12.-3-9

Documents submitted:

1. Binder with drawings dated 10/19/2016
2. SWPPP Binder, revised October 17, 2016

The project proposes construction of a solar farm on a 41+ acre parcel on Mooney Hill Road.

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

1. The proposed entrance has been moved to the existing "dirt travelway" as shown on the Alta surveys. Brush removal will be required. Revise the "landscaping buffer" to prevent new landscaping from being planted that could block the sight distance. Show the property lines on the other side of Mooney Hill Road to determine if brush clearing can be done within the road right-of-way. The Alta survey also has an area indicated as "reserved for future highway purposes." The brush removal appears to fall within the "reserved" area.
2. The proposed driveway will have to meet the requirements of Town Code Chapter 57. Provide additional details on the construction of driveway and a profile.
3. There are multiple inconsistencies within the drawings and between the drawings and the SWPPP. For example, on some drawings the infiltration basins on the westerly side of the project (C and D) are not always within the limits of disturbance. All work is to be within the limits of disturbance.
4. Proposed infiltration basins cannot be used as sediment basins during construction.
5. Infiltration tests will have to be performed and witnessed by representatives of NYCDEP.
6. More detailed comments will be provided in the next few days.

Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
16-261-230

Bruce Barber via email  
Neil Wilson via email

# LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

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

## MEMORANDUM

TO: Town of Kent Planning Board  
From: Neil A. Wilson  
Date: November 10, 2016  
Re: Armstrong Solar Farm Site Plan  
114-116 Mooney Hill Road  
Tax Parcel No. 12.-3-9

With reference to the above matter, we have reviewed the latest set of plans and materials received by the Planning Department on October 20, 2016 and offer the following for the Board's consideration:

### Summary

1. As noted in our memorandum of August 26, 2016 the project is the development of a solar electric generating facility (i.e. a solar farm) on a ±41.9-acre parcel. The solar farm would take up approximately ±15-acres, or a little less than half, of the property. The site is forested and includes areas of regulated freshwater wetlands.
2. The project is classified as a "public utility" within the meaning of §77-65 of the Town Code, and is therefore a permitted use subject to site plan approval, specifically:

*Any person, firm, corporation or governmental agency, duly authorized to furnish to the public, under governmental regulation, electricity, gas, water, sewage treatment, steam or communication service. This definition shall not bestow any special status or standing not already provided by state or federal law.*

3. Although the company that would install and operate the solar farm is a privately owned Limited Liability Company the rates charged to customers are regulated by the Public Service Commission thereby bringing the use within the meaning of "public utility". Public Utility structures are allowed subject to Site Plan Approval in the R-80 District.

### SEQRA

1. The project would result in the disturbance of more than ten (10) acres of land and is therefore a Type I Action. Given that the thresholds for requiring a Draft Environmental Impact Statement (DEIS) are very low the Board should consider and discuss whether a Positive Declaration requiring the preparation of a DEIS should be taken up at the December 8, 2016 meeting. Among the potentially significant environmental impacts that may trigger a Positive Declaration are the following:



- a. Impacts to freshwater wetlands including impacts to wetland function and wetland habitat.
  - b. Impacts to on-site flora and fauna considered to be rare, endangered, threatened, or of special concern including both the wetland and non-wetland areas.
  - c. Impacts to the visual environment related to the removal of forest and the introduction of solar panels and security fencing.
  - d. Impacts to soils and surface waters related to increased potential for erosion and sediment runoff from removal of forest cover and extensive site grading to accommodate the solar facility use.
2. The amount of land disturbance also brings the project within the jurisdiction of the State Pollutant Discharge Elimination System (SPDES) program and a Storm Water Pollution Prevention Plan (SWPPP) will be required.
  3. The facility would be unmanned and would be visited by personnel approximately once a month for routine maintenance or as necessary in the event of an emergency. It would not generate any demand for water, sewage treatment, or traffic, and is not expected to generate any appreciable demand for emergency services.
  4. Unless the Town were to "opt-out" the project would be exempt from real property taxes due to recent changes to the State tax code adopted as an incentive for creation of sustainable energy projects such as the one proposed. Alternatively the Town may require the owner to enter into a Payment In Lieu of Tax (PILOT) arrangement. (A copy of §487 of the Real Property Tax Law is attached).
  5. The primary effects of the project are related to short-term and long-term water quality and impacts to wetland resources from tree removal and grading, visual impacts to neighboring properties due to the removal of trees and vegetation, and construction related noise and air quality impacts associated with the operation of equipment. The long-term impact of the project is primarily visual related to the removal of forest and the introduction of an expanse of solar panels across approximately 20 acres of previously forested land.
  6. The Planning Board is the designated lead agency for this project since no objection was received following the Board's Notice of Intent at the August 11, 2016 meeting.

#### Site Plan Application

1. To assist the Planning Board and the applicant as to the completeness of this most recent submittal the following checklist from §77-60(F) of the Zoning Law along with our analysis as to completeness/incompleteness is offered:
  - a. *The site plan shall use as a base map an accurate boundary and topographic survey of the property depicting all existing improvements and grades prepared by a New York State licensed land surveyor.*

Comment: This item is complete.



- b. *The plan shall depict all proposed improvements and shall be prepared by a professional engineer, a landscape architect, or an architect licensed by the State of New York and shall include the following information:*

Comment: This item is complete.

- c. *A location map, at a convenient scale, showing the applicant's entire property and all boundaries, easements and streets within 500 feet thereof.*

Comment: This item is complete.

- d. *The location, size, use and architectural design of all existing buildings and structures.*

Comment: The property is forested and with the exception of stone walls does not contain any buildings. The stone walls are depicted on the existing conditions map. This item is complete.

- e. *The location of all property lines and structures within 200 feet of the property boundary, with topography extended 50 feet outward from the site property boundary and 200 feet outward along existing roads.*

Comment: An aerial map of the site with proposed improvements and showing improvements on neighboring and adjoining properties has been provided. This item is complete.

- f. *Any proposed division of buildings into units of separate occupancy.*

Comment: No subdivision of land is proposed. This item is not applicable.

- g. *Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Planning Board, soil types, wetlands and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of eight inches dbh and greater.*

Comment: The applicant has provided a grading plan (Sheet C1.0) but it is at a scale that makes it difficult to review whether the proposed storm water mitigation makes sense. Additionally, the applicant should provide a preliminary SWPPP. This item is incomplete.

- h. *The location and capacity or number of all existing and proposed roads, driveways, parking and loading areas, including access and egress drives.*

Comment: The design of the driveway and the turnaround has been revised. Pending verification of compliance with Chapter 57 of the Town Code this item appears complete.

- i. *The location of outdoor storage areas.*

Comment: It does not appear that the use requires outdoor storage. This item is complete.

*j. The location of fire access roads and fire protection features.*

Comment: Pending review by the Lake Carmel Fire District this item is incomplete.

*k. The location, description and design of all existing and proposed site improvements, including pavement, walkways, curbing, drains, culverts, retaining walls, fences, parks, open spaces, and recreation areas.*

Comment: We defer to the Planning Board's Professional Engineer as to whether this item is complete as to storm water controls.

*l. The location, design and description of water supply and sewage disposal facilities.*

Comment: Water and sewage disposal facilities are not required for this facility. This item is not applicable.

*m. The location, design and description of stormwater management facilities, including proposed grading plan.*

Comment: We defer to the Planning Board's Professional Engineer as to whether this item is complete as to storm water controls.

*n. The location, height, size and design of all signs.*

Comment: Information as to required signage has been provided. This item is complete.

*o. The location, height, and species of landscape plantings on a landscape plan.*

Comment: As noted below the proposed planting plan is based on the original site plan and not the amended plan. This item is incomplete.

*p. The location and design of lighting and communication facilities.*

Comment: It does not appear that the facility requires lighting or communication facilities. This item is complete.

*q. The location, type and design of all waste and refuse storage and handling facilities.*

Comment: This is not the type of facility that would generate waste so as to require refuse enclosure or storage facilities. This item is not relevant to the application.

*r. The character and location of all power distribution and transmission lines.*



Comment: The details as to the location and type of connection to the power grid have been provided. This item is complete.

- s. *The location and description of all subsurface site improvements and facilities.*

Comment: The applicant has verified that utilities will be placed underground. This item is complete.

- t. *The extent and amount of cut and fill for all disturbed areas, including before-and-after profiles of typical development areas, parking lots, driveways and roads.*

Comment: A grading plan has been provided but a cut and fill analysis is not included in the response. This item is incomplete.

- u. *Adequate provisions for the handling of stormwater runoff, including retention/detention, piping or channeling to existing or proposed drainage systems during and after construction.*

Comment: See previous comments regarding the proposed grading plan and storm water facilities plan. Pending verification by the Planning Board's Professional Engineer this item is incomplete.

- v. *Phasing of development, if any.*

Comment: A phasing plan has been provided. This item is complete.

- w. *A signature block for Planning Board endorsement of approval.*

Comment: A proper signature block with the language as specified in the application forms has not been provided. This item is incomplete.

- x. *The name and address of the owner of the property proposed for development along with the signature of said owner.*

Comment: Owner signature on the site plan has not been provided. This item is incomplete.

- y. *The name and address of the applicant, if different, along with the signature of said applicant.*

Comment: This item is complete.

- z. *At the request of the Planning Board, any other pertinent information as may be deemed necessary to determine and provide for the proper enforcement of this Chapter.*

Comment: To be determined.

### Comments

1. The current plan decreases the number of proposed solar panels in order to avoid moderate and very steep slope areas and to pull the panels away from adjoining property lined.
2. Although the revised site plan (Sheet Z2.0) delineates a limit of disturbance around the solar panels the actual disturbance will, in many cases, still extend to within 20 feet of the property lines in order to accommodate an access road and storm water management facilities, as well as tree removal for solar access to the panels. The access road and storm water facilities should be placed inside the fenced area so that the fence itself defines the limit of disturbance thus limiting removal of vegetation along the property lines. In this regard in many areas the security fence will extend well beyond the location of the solar panels resulting in additional land disturbance merely to install the fence. The applicant should provide a justification as to why the security fence is not co-terminus with the so-called limits of disturbance.
3. In our previous memorandum we requested information as to whether additional trees not in the area of the proposed solar panels or access road would need to be removed to ensure a clear line-of sight for seasonal sun angles to the panels. In other words, is the area of tree removal greater than the area of disturbance for the solar panels? This question has not been clearly addressed. The application includes a detailed ALTA survey that also depicts the location of large trees. However, no information has been provided to identify which of the surveyed trees are proposed for removal except within the generically defined "limits of disturbance", which as noted above does not include the actual limit of tree removal. Limit of disturbance does not only encompass ground disturbance but tree and vegetation removal as well. It is disingenuous to suggest otherwise.
4. The proposed planting plan (Sheet LO-1) is based on the original site plan rather than the amended site plan revised October 19, 2016. The planting plan is weak with regard to its depth and should be revised to a depth equal to the limit of disturbance around the solar panels. (See prior comments regarding the limits of tree clearing and location of the access road.) The planting plan will need to be revised to reflect the current plan and should include a mix of low and high growing trees and vegetation.
5. As noted in our prior memorandum a field visit conducted on August 12, 2016 reveals that the areas of greatest visual sensitivity are along the entirety of the site where it abuts a residential property. The proposed site plan (see sheet Z1.0) would provide a buffer of 20 feet along the entirety of the perimeter. This proposed 20-foot buffer is the minimum required side yard setback for the R-80 District. However, field observations indicate that once the large trees are removed from the central part of the site views of the solar panels from many of the homes on Saddle Ridge Road, the Aquaro, Collado, and Vitiello properties to the west and south, and the Nelson property to the east, and they would have largely unshielded views of the solar panels. This would occur due to the height of the mature trees (i.e. the top of the canopy is 70 to 80 feet in height and there are no low hanging branches growing out of the tree trunks) within the 20-foot setback and the lack of significant natural understory vegetation to provide a significant visual buffer. Additionally, the areas of the site in which the solar panels would be located range from 20 to 30 feet higher in elevation than the proximate elevations of the adjoining homes to the west and south, and would be roughly at the same elevation as the homes to the east. While the reduction in the number of solar panels increases the distance of the panels to adjoining property lines the proposed plan

would still remove large numbers of trees and understory in areas not proposed for solar panels.

6. The applicant has not identified the true extent of tree removal across the site. While we are prepared to reconsider our previous recommendation that the Planning Board establish a minimum 80 foot non-disturbance buffer area along the entirety of the property perimeter, the lack of response and information from the applicant as to the true extent of tree and understory clearing that would occur along the property line indicates a need to establish an unequivocal non-disturbance buffer of some depth in order to ensure that adjoining homes and property are properly screened.
7. We defer to Bruce Barber with respect to wetland, stream, and steep slope impact issues.
8. We defer to Julie Mangarillo with respect to site engineering, sewer, water supply, and storm water management impact issues.

**Recommendation**

1. The Board should discuss whether a Positive Declaration to require a Draft Environmental Impact Statement should be issued.
2. A copy of the amended application should be sent to the Putnam County Planning Department for review pursuant to GML 239-m.
3. A copy of the amended application should be sent to the Lake Carmel Fire District for review.
4. Pending receipt and review of responses to the comments above, and comments from the Planning Board's Professional Engineer and Environmental Consultant, the application is incomplete and is not yet ready for public hearing.





# Cornerstone Associates

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*Environmental Consultants*

*1770 Central Street*

*Yorktown Heights, NY 10598*

*Phone: (914)-299-5293*

November 9, 2016

To: Planning Board

From: Bruce Barber, Town Environmental Consultant

**RE: Armstrong Solar, LLC Application**

Section 12 Block 3 Lot 9

114-116 Mooney Hill Road

Please be advised that this memo amends the original review memo of this project dated August 11, 2016 and is reflective of the site inspection conducted on August 12, 2016. The following documents have been reviewed relative to the above referenced project:

- Stormwater Pollution Prevention Plan prepared by Hudson Land Design dated October 17, 2016 (rev.).
- Site Plan Review Application Package prepared by Cypress Creek Renewables dated 10/20/16.
- Plans entitled; "Armstrong Solar, LLC" prepared by Cypress Creek Renewables dated 10/5/16, 3 sheets: C 1.0, C 1.1, Z 3.0.
- Plans entitled ; "Armstrong-Kent Solar, LLC-Planting Plan" prepared by The LA Group dated 9/23/16, 2 sheets: L-01, L-02.
- Plans entitled; "ALTA/NSPS Land Title Survey prepared for Cypress Creek Renewables" prepared by TEC Land Surveying dated 7/6/16, 2 sheets: 2 of 3, 3 of 3.
- Letter executed by Rosita Miranda of the Army Corps of Engineers received 10/26/16, 3 pages.

The following review comments are preliminary in nature. Additional comments will be provided as information is provided by the applicant.

**SWPPP:**

The SWPPP was found to be incomplete.

1: The applicant proposes to clear greater than five (5) acres at any one time. The presence of steep slopes, rock outcropping, clear cutting and wetlands on the site greatly increases the potential for substantial erosion and sediment impacts. . Phasing and construction sequencing details and a more fully developed erosion and sediment control plan to address the potential impacts should be submitted.

2: The applicant indicates that no stormwater quantity or quality practices are required as there is effectively no change in the pre and post construction runoff curve number. This assertion requires further review and analysis. The applicant does however provide a hydrological analysis and indicates on the plans stormwater infiltration practices. Soil testing and complete pollutant analysis is required.

3: Potential hydrological impacts have not been analyzed. A water budget should be developed to determine if existing wetland/watercourse hydrology will be altered due to the proposed project.

## Site Plan Review Application Package:

### Tab 1:

Town of Kent Planning Board Application: Please clarify if the application should indicate a Town of Kent wetland permit is required (also see Section D2c response of the application and potential access road disturbance to wetland buffer).

Narrative: Quantify and provide greater detail from the Town Assessor's office regarding the enhancement of the tax base.

Narrative: If there is planned redevelopment in the future, the EAF should reflect this.

Statements of Justification #2: the applicant has not provided documentation regarding professed glare mitigation.

Statements of Justification #3: the applicant has not provided documentation that the proposed solar farm will be "fully screened".

Statements of Justification #6: the NYCDEP and the Town of Kent are the jurisdictional entities regarding stormwater approval (not the County). The statement that the project "will protect the natural features on the site" has not been fully substantiated.

### Responses to Preliminary Review Comments:

Response 4a1: Possible NYSEG easement information pending.

Response 4bb: Response is incomplete. Additional impacts of tree removal are required.

Response 5a: Town of Kent jurisdictional wetland and wetland buffer area (Wetland C) should be clearly labeled and the date of verification indicated on the map.

Response 5b: Please provide executed NYSDEC wetland validation block. Indicate ACOE jurisdiction.

Response 6a: Biodiversity: report does not fully comport with Town of Kent study requirements (see below).

### Tab 2:

Provide sign and date Part I of the EAF. Provide Part II of the EAF. Documents will be fully reviewed when Part II is submitted.

### Tab 4:

#### Biodiversity Study:

The biodiversity study is incomplete. Protocols regarding habitat assessment develop of specie(s) specific timing of field work and field work design is not fully developed.

Information regarding interior bird species/breeding birds and amphibians/vernal pools and reptiles is not fully developed. The applicant has not fully addressed the impacts of the clearing and solar installation to the landscape ecological impacts and has not provided research documentation that the proposed grass installation will provide mitigation. Wildlife corridors have not been identified. The impacts of glare and the proposed installation of fencing have not been developed.

#### Plans:

Landscape Plans: The choice of mitigation plantings requires additional review as some will not provide year round screening and are prone to disease. The proposed 20' buffer is not determined to be acceptable.

This office defers to review of the engineering components of the SWPPP and site plan to the Planning Board Engineer and review of zoning components to the Town Planner.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Barber', written in a cursive style.

Bruce Barber, Certified Ecologist  
Town of Kent Environmental Consultant





# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

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

Subject: Erosion Control Plan

Date: November 10, 2016

Project: O'Mara – Peekskill Hollow Rd  
TM # 42.07-1-17

The following materials were reviewed:

- Letter prepared by John Karell, Jr, P.E., dated October 19, 2016
- Deed
- NOI revised Page 1
- MS4 SWPPP Acceptance Form with Sections I and II completed
- Drawing prepared by John Karell, Jr, P.E., last revised 10/18/2016

The project proposes construction of a single family house with well and septic. The parcel received variances from the ZBA in 2006. Information provided indicates the lot had Putnam County Health Department approval for well and septic, issued in 2006, which is now expired. Application form indicates re-approval from Health Department has been requested. The project was previously granted an Erosion Control Permit in 2006, which has since expired.

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 October 12, 2016:

1. Provide current ZBA waiver(s).
6. Provide erosion control bond estimate.
  - a. **We have been informed there is an existing erosion control bond for approximately \$9,000 from when the project was previously approved in 2006. Additional security will be required for the additional erosion & sediment control measures of riprap swale and underground stormwater storage. Provide a cost estimate for the additional measures.**
9. Refer to the Drawings:
  - c. Per Town Code Chapter 57, §57-26.A(2)(a): "Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road... The slope shall not exceed 3% within 30 feet of a garage or parking pad."

- i. The proposed driveway is shown as 15%. A waiver from the Planning Board will be required to exceed 10%, with input from Town Highway Superintendent and Fire Department.
    1. **A walver has been requested per the 10/19/2016 response letter. We have no objection to this waiver being granted.**
  - ii. The proposed driveway is shown as greater than 5% within 30 feet of the Town road. Adjust the driveway grading or request a waiver from the Planning Board.
    1. **The driveway intersects a County Road, not a Town Road. See below.**
  - iii. Show on the profile that the driveway slope complies with the requirement not to exceed 3% within 30 feet of the garage.
    1. **The profile has been clarified to show 2.75% within 20 feet of the garage. A walver has been requested per the 10/19/2016 response letter. We have no objection to this waiver being granted.**
  - e. Refer to "Soil Erosion Control & Sequence of Construction Notes". Under #11, revise "slopes steeper than 2:1" to "slopes steeper than 3:1" to be consistent with Town Code and other note on the drawing.
    - iv. **Revise note #11 to read "3:1" to be consistent with the other note on the drawing.**
10. 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.

**New Comments:**

1. Provide Health Department approval.
2. As noted during the last Planning Board meeting and by the applicant's engineer, Peekskill Hollow Road is a County Road.
  - a. Provide current approval from County Highway Department for the driveway and connection of stormwater piping to the County drainage system.
  - b. Revise Notice of Intent, page 5, #16 to reference the County as the MS4 entity instead of the Town.
3. Assuming the ZBA grants the requested variances, we recommend the public hearing be waived per §66-6.F as this project would be subject to a public hearing during the ZBA approval process.

Memorandum  
O'Mara Peekskill Hollow Road  
TM # 42.07-1-17  
November 10, 2016  
Page 3 of 3

  
Julie S. Mangarino, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
04-261-999-82

Bruce Barber via email  
Neil Wilson via email



**O'Meara, Melanie S NAN**

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47 ca  
TB  
Planning  
Reg  
TA  
Hw

**From:** O'Meara, Melanie S NAN  
**Sent:** Thursday, October 27, 2016 1:20 PM  
**Subject:** USACE Jurisdictional Determination Letter CC: NAN-2016-01449-WOM (UNCLASSIFIED)  
**Attachments:** NAN-2016-01449-WOM\_Jurisdictional Determination Letter\_Copy.pdf

**Classification:** UNCLASSIFIED

CLASSIFICATION: UNCLASSIFIED

Good Afternoon,

Attached, for your files, is a copy of the Jurisdictional Determination letter for the Cypress Creek Renewables site in the Town of Kent, Putnam County (USACE Project File Number: NAN-2016-01449-WOM). The original letter, jurisdictional determination forms, and attachments are being mailed to the applicant.

V/r,  
Melanie

Melanie O'Meara  
Regulatory Project Manager  
Western Section

New York District, US Army Corps of Engineers  
Regulatory Branch  
26 Federal Plaza, Room 1937  
New York, NY 10278  
Phone - (917) 790-8417  
Fax - (212) 264-4260

[www.nan.usace.army.mil](http://www.nan.usace.army.mil)

CLASSIFICATION: UNCLASSIFIED

RECEIVED  
KENT TOWN OF KENT  
2016 OCT 31 PM 3:29



DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278-0090

OCT 26 2016

Regulatory Branch

SUBJECT: Permit Application Number NAN-2016-01449-WOM  
by Cypress Creek Renewables

Cypress Creek Renewables  
C/o Emily Wheeler, Environmental Analyst  
3250 Ocean Park Blvd, Suite 355  
Santa Monica, California 90405

Dear Ms. Wheeler:

On August 30, 2016, the New York District of the U.S. Army Corps of Engineers received a request for a Department of the Army jurisdictional determination for the above referenced project. The review area consists of approximately 25 acres, within a larger 42 acre site, in the Hudson River watershed, in the Town of Kent, Putnam County, New York. Site development plans would include solar installation.

In the letter received on August 30, 2016, your office submitted a proposed delineation of the extent of waters of the United States within the project boundary. A site inspection was conducted by representatives of this office on September 15, 2016, in which it was determined that USACE concurred with the delineation report prepared by Terrestrial Environmental Specialists, Inc. and dated August 26, 2016.

Based on the material submitted and the observations of the representatives of this office during the site visit, this site has been determined to contain jurisdictional waters of the United States based on: the presence of wetlands determined by the occurrence of hydrophytic vegetation, hydric soils and wetland hydrology according to criteria established in the 1987 "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1 that are either adjacent to or part of a tributary system; the presence of a defined water body (e.g. stream channel, lake, pond, river, etc.) which is part of a tributary system; and the fact that the location includes property below the ordinary high water mark, high tide line or mean high water mark of a water body as determined by known gage data or by the presence of physical markings including, but not limited to, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter or debris or other characteristics of the surrounding area.

These jurisdictional waters of the United States are shown on the drawing entitled "Figure 6 - Wetland Delineation Map, Armstrong Solar Site, Cypress Creek Renewables, Putnam, New York," prepared by Environmental Resources Management, and dated August 25, 2016. This drawing indicates that there are two (2) principal wetland areas in the project area which are part of a tributary system, and are



OCT 26 2016

considered to be waters of the United States. The first wetland, Wetland C, is located in the southern portion of the project area and is approximately 10.16 acres within the project boundary. The second wetland, Wetland B, is located to the east of Wetland C, and is approximately 0.32 acres within the project boundary. Also, within the project area boundary, Stream C runs through Wetland C for approximately 528 linear feet.

It should be noted that, in light of the U.S. Supreme Court decision (Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1178, January 9, 2001), the remaining wetland and stream shown on the above referenced drawing (Wetland A and Stream D) do not meet the current criteria of waters of the United States under Section 404 of the Clean Water Act. The Court ruled that isolated, intrastate waters can no longer be considered waters of the United States, based solely upon their use by migratory birds.

This determination regarding the delineation shall be considered valid for a period of five years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This determination was documented using the Approved Jurisdictional Determination Form, promulgated by the Corps of Engineers in June 2007. A copy of that document is enclosed with this letter, and will be posted on the New York District website at:  
<http://www.nan.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations/RecentJurisdictionalDeterminations.aspx>

This delineation/determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a combined Notification of Appeal Process (NAP) and Request For Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the North Atlantic Division Office at the following address:

James W. Haggerty, Administrative Appeals Review Officer, CENAD-PD-OR  
North Atlantic Division, U.S. Army Engineer Division  
Fort Hamilton Military Community  
General Lee Avenue, Building 301  
Brooklyn, New York 11252-6700

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by DEC 23 2016. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.



OCT 26 2016

This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

It is strongly recommended that the development of the site be carried out in such a manner as to avoid as much as possible the discharge of dredged or fill material into the delineated waters of the United States. If the activities proposed for the site involve such discharges, authorization from this office may be necessary prior to the initiation of the proposed work. The extent of such discharge of fill will determine the level of authorization that would be required.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

If any questions should arise concerning this matter, please contact Melanie O'Meara, of my staff, at (917) 790-8417.

Sincerely,

  
Rosita Miranda  
Chief, Western Section

Enclosures

Cf:  
NYSDEC – Region 3  
Town of Kent  
Michael Fishman - Environmental Resources Management



# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

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

Subject: Erosion Control Plan

Date: November 10, 2016

Project: O'Mara Realty Lhasa Ave  
TM # 31.9-1-6

The following materials were reviewed:

- "Drainage Infiltration Study" prepared by John Karell, Jr., P.E., undated
- Drawing "Erosion Control Plan" prepared by John Karell, Jr., P.E., last revised September 26, 2016

The project proposes construction of a single family house. According to the Combined Application Form, the parcel received variance from the ZBA. Information provided indicates the lot has Putnam County Department of Health approval for well and septic, issued in 2008, which would now be expired.

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

The subject Erosion and Sediment Control Plan is not approved. This project has been before the Planning Board at various times since 2004. The following comments are provided for the Planning Board's consideration from a comment memo dated June 8, 2016:

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002.
3. The Combined Application Form indicates an area variance has been granted. When was the area variance granted? If more than 12 months ago, a new variance will have to be granted by the ZBA.
  - a. **11/10/2016 – It is our understanding this project is currently before the ZBA.**
4. The Notice of Intent for the current General Permit GP-0-15-002 should be provided instead of for the previous General Permit GP-0-10-001.
  - a. **11/10/2016 - Provide Federal Tax ID if work is being done by a business as opposed to by an individual.**

5. The driveway will have to meet the standards in the driveway code, Town Code Chapter 57 Article II.
  - a. **8/10/2016 - If the driveway cannot meet the standards, specific waivers can be requested. Provide justification for the requested waiver(s).**
6. Any extension of or turnaround for Lhasa Avenue will have to meet current NYS Fire Code standards.
7. Provide current Department of Health approvals.

**New Comments:**

1. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed.
2. Provide erosion control bond estimate.
3. Refer to the Drawing "Erosion Control Plan":
  - a. Refer to the Driveway Section detail: per current driveway code in Town Code Chapter 57, §57-26.A(4), the minimum subbase thickness is 8 inches and minimum top course is 3 inches. Revise drawing to comply.
  - b. Per Town Code Chapter 57, §57-26.A(2)(a): "Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road... The slope shall not exceed 3% within 30 feet of a garage or parking pad."
    - i. The proposed driveway is shown as 15%. A waiver from the Planning Board will be required to exceed 10%, with input from Town Highway Superintendent and Fire Department.
    - ii. The proposed driveway is shown as greater than 5% within 30 feet of the Town road. Adjust the driveway grading or request a waiver from the Planning Board.
  - c. Refer to "Soil Erosion Control & Sequence of Construction Notes". Under #11 regarding requirement for erosion control matting, revise "slopes steeper than 2:1" to "slopes steeper than 3:1" to be consistent with Town Code.
  - d. Add a note to the drawing referencing the SWPPP.
4. Refer to Drawing "Drainage Control Plan"
  - a. Eliminate underground stormwater chamber that is outside the property limits and on the Town Road right-of-way. Revise the calculations accordingly.
  - b. Include construction of berm along other side of Town Road in the "limits of disturbance" outline and calculation.
  - c. Ensure construction of berm is in the Town Road right-of-way and does not extend onto the neighboring property, unless written permission is obtained from neighbor.
  - d. Provide additional notes for the berm in the Town Road right-of-way for vegetation or other means of stabilization.



- e. The driveway has swale on only one side of the driveway. Recommend a swale be added to the uphill side of the driveway to control runoff and prevent it from flowing "on to" the driveway.
  - f. On the "Yard Drain Detail" include a note that knock-out openings are to be bricked-up full thickness of the yard drain wall.
5. Assuming the ZBA grants the requested variances, we recommend the public hearing be waived per §66-6.F as this project would be subject to a public hearing during the ZBA approval process.
6. 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.

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

cc: Planning Board via email  
Bill Walters via email  
04-261-999-81

Bruce Barber via email  
Neil Wilson via email

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

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**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, Clerk

Town of Kent Planning Board



Michael Schmitt  
Ann Doyle  
90 Hudson Street #7E  
New York, New York 10013  
212 431 5886

November 3, 2016

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

**RE: Driveway/Pool Construction at 451 Pudding Street**

Dear Mr. McDermott

We are the owners of property located at 449 Pudding Street (Tax ID 31.17-1-8). In the Fall of 2015 the owners of the adjoining property at 451 Pudding Street constructed a driveway for access to their pool reconstruction project. This driveway crosses our property at the entrance from Pudding Street. Permission to cross our property was never requested from our neighbor nor was permission ever granted by us. When it was brought to our attention that our property was altered without permission to install this driveway we called the Building Department to notify the Building Inspector, Bill Walters and we wrote a letter to the Planning Board in April 2016. A copy of which is attached.

It is our understanding that in addition to not receiving permission from us to construct the entrance for this driveway over our property, an erosion control plan was never obtained, which is a violation of Planning Board regulations. We were told at the time that a plan was being prepared for submission to the Planning Board in order to obtain the required approvals for the driveway. We also were told by our neighbors that once the pool was completed, the driveway and all evidence of it would be removed and the land restored back to the natural slope, vegetation and terrain. For the record, during these conversations with our neighbors and to this day, they still have never asked for or have been given permission to cross our property for their construction project.

Two weeks ago we received a call from the owner and their contractor stating that all the work was complete, the driveway removed and the natural terrain restored. We were even told that large boulders were placed "where the driveway was". Last weekend we went to look at what was done. Unfortunately the land has not been restored to the former natural condition and the "large boulders" are nothing more than a few rubble rocks thrown across the driveway. There is no evidence of any sincere effort made to return this area to its natural terrain nor have any trees or vegetation been planted. (See attached photo.) As well, there are now two propane tanks installed adjacent to this driveway. Though these tanks are on their property, there seems to be no clear access to refill/service the tanks or to service the new pool without crossing our property.

Yesterday we contacted Mr. Walters to discuss the matter. He informed us that an erosion control permit was never finalized or issued for the work. In addition he said he saw the "attempt" to restore the driveway with the "large boulders". He informed us there is a Planning Board meeting this week and this

issue was on the agenda. We are writing this letter asking the Board to incorporate it into the meeting minutes. We ask the Board to require the Owners of 451 Pudding Street to obtain an approved erosion control permit as required by Town regulations. Further, we ask the Board to have the permit include and the Owners of the property agree to the following:

1. Staking of the property lines by a licensed surveyor.
2. A written explanation acceptable to the Planning Board, on how access to service the pool and refill propane tanks will be done without crossing our property line.
3. Removal of all evidence of the driveway including gravel and stone bed.
4. Restoration of the property back to the natural terrain and slope.
5. Planting of vegetation and trees to control future erosion.
6. A requirement that we are notified once the work is completed to inspect and sign off that it is done to our satisfaction.
7. A statement by the property Owners that they will never cross our property to access their pool or any other structures.

We hope that the Planning Board will enforce a resolution that reflects what is right and fair and does not allow people or their property to be taken advantage of.

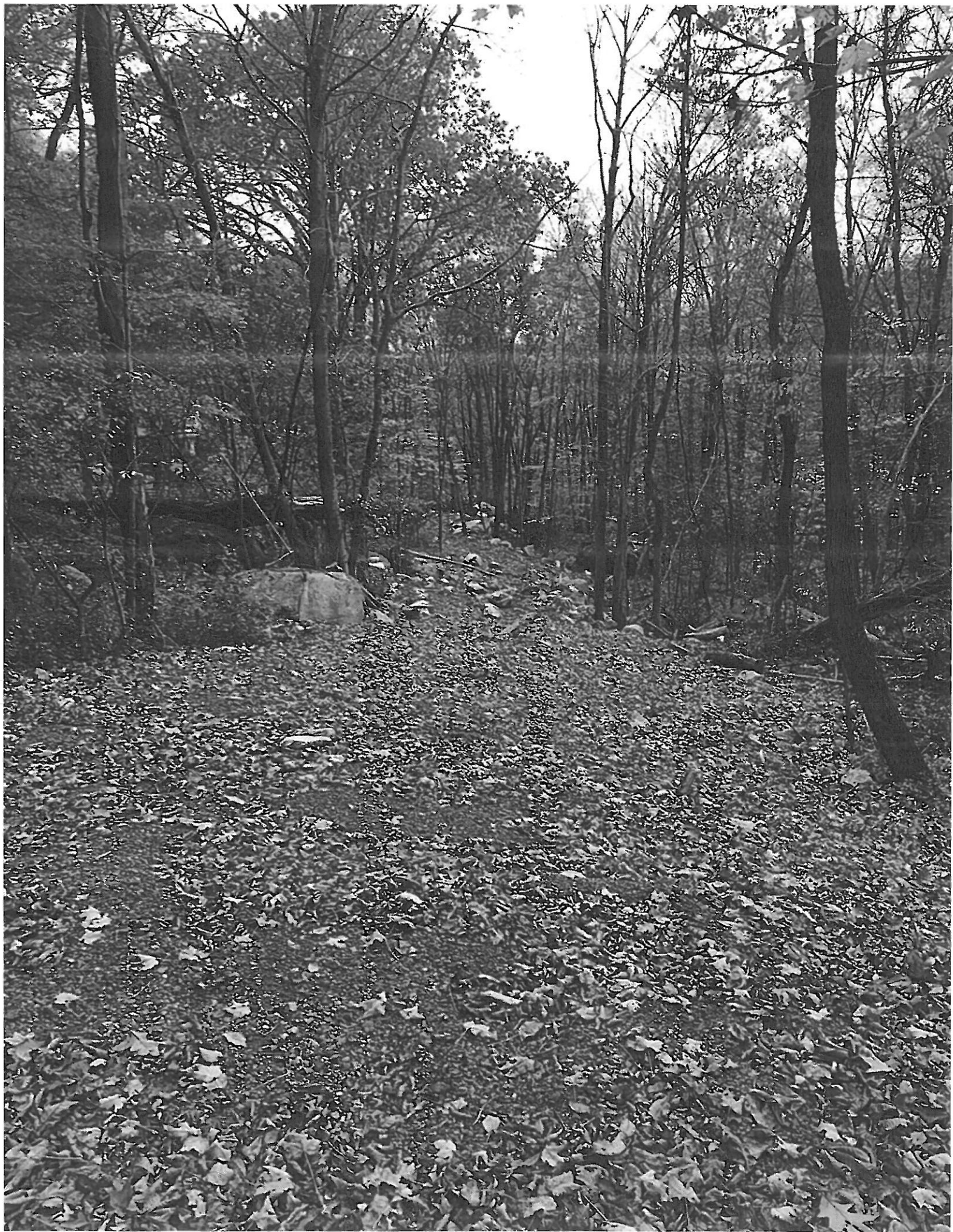
Yours Sincerely,

Handwritten signatures of Michael Schmitt and Ann Doyle.

Michael Schmitt and Ann Doyle

Cc: Planning Board, Town of Kent  
Bill Walters, Building Inspector







April 22 2016

**Pool Construction at 451 Pudding Street:**

**Attn: Town of Kent Planning Board**

We are the owners of the lot at 449 Pudding Street (Tax ID 31.17-1-8). In the fall the owners of the adjoining property at 451 Pudding Street constructed a driveway required for access to their pool reconstruction project. This driveway crosses our lot without permission. The lots along Pudding Street at this location have narrow street frontage. The destruction of the natural terrain devalues the property.

- No permission to use our lot was asked for or given.
- Stakes at the lot confirm that the pool access driveway does cross our lot.
- This large access driveway involved moving rock to level the grade and removing trees.
- No erosion control plan was obtained.
- Mike Schmitt had a conversation with Mike Todd the contractor who installed the swimming pool and the access driveway. He apologized for using our lot.

Mike Todd agreed to the following requests:

- The disturbed areas will be restored to the natural terrain with no evidence of this large driveway remaining.
- Trees and vegetation will be planted.
- In addition it was discussed that we will be notified once the work is nearly complete so we can inspect the remediation work and ensure that it is to our satisfaction.
- Future access to the swimming pool area will not be possible nor allowed across our property.

We hope that the Planning Board will enforce a resolution that requires fulfillment of our requests.

Ann Doyle

Mike Schmitt

# LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

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

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## MEMORANDUM

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TO: Town of Kent Planning Board  
From: Neil A. Wilson  
Date: November 10, 2016  
Re: Deliland Site Plan

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With reference to the above matter, we have reviewed the application submitted to the Planning Board on October 20, 2016 and offer the following for the Board's consideration.

### Summary

1. The application is for site plan approval to allow the construction of a second floor addition to the existing single story delicatessen building to allow a residential apartment.
2. The applicant appeared at the November 3, 2016 Planning Board workshop and was advised of the following:
  - a. The application includes only building elevations and information relative to the design of the second story addition but a full site plan, based on a current land survey showing existing conditions, will be required.
  - b. The application will require a site plan in accordance with §77-60 of the Town Code to show the location of, among other things, tenant parking, customer parking, access to the second floor addition, location of water supply and sewage disposal facilities, trash disposal facilities, etc.
  - c. The applicant was also advised to contact the Building Inspector to understand the fire separation requirements between the first floor commercial use and the second floor residential use.
  - d. That until a site plan in accordance with §77-60 is received the Planning Board cannot process the application.

**2016 Town User Fees and Escrow Deposits Schedule  
for the Town of Hyde Park  
January 4, 2016, Amended April 4, 2016**

**In connection with any application made by the Town of Hyde Park for any approval by any department, committee, commission, board or agency of the Town of Hyde Park under the Code of the Town of Hyde Park, all fees and escrows payable hereunder in connection with such application are hereby waived.**

**Chapter 1 GENERAL PROVISIONS**

<b>§ 1-9</b>	<b>Copies of the Code Book*</b>	Actual Cost of Reproduction
	Town Code & Zoning Laws*	Actual Cost of Reproduction
	Zoning Map*	Actual Cost of Reproduction
	Subdivision Regulations*	Actual Cost of Reproduction
	Corridor Management Plan*	Actual Cost of Reproduction

\*The Town Code which includes the Town's Zoning Law, Subdivision Regulations and Zoning Map can be accessed electronically at the Town of Hyde Park official website.

**Chapter 25 PUBLIC RECORDS, ACCESS TO**

<b>§ 25-7</b>	<b>Fees</b>	
§ 25-7B	Certification Fee	\$10.00 per copy
§ 25-7C	Photocopies not exceeding 11" by 17"	\$ 0.25 per page
§ 25-7D	Copies of records other than photocopies which are 11" by 17" or less in size	Actual cost of reproduction
	Color reproductions not exceeding 11" by 17"	\$2.00 per page
	Doubled-sided copies	\$0.50 per page

**Chapter 40 BUILDING CODE ADMINISTRATION AND ENFORCEMENT**

<b>§ 40-4</b>	<b>Building Permits</b>	
§ 40-4A	Residential Construction – Group R-1, R-2, R-3, R-4 Single family dwellings, multiple dwellings, apartments, boarding houses, hotels, motels, childcare facilities, etc. (Based upon construction space. All floors except crawl spaces, includes basements, cellars.)	\$0.60 per square foot
	Commercial Construction – All floors, basements or cellars, includes additions.	\$0.70 per square foot
	Group A - Assembly	
	Group B - Business	
	Group E - Education	
	Group F - Factory	
	Group I - Institutional	
	Group M - Mercantile	
	Group S - Storage	
	Group U - Utility	
§ 40-4A	Group H – Hazardous	\$1.25 per square foot



§ 40-4A	Conversions/changes of use, alterations, additions, replacement and repairs. (Based upon total number of square feet of space/area affected by work, includes decks, porches, and equipment systems.)	\$0.60 per square foot
	Minimum Permit Fee - for all items above	\$100.00 minimum
	Mechanical Work only	\$100.00 minimum
	Hydronic/forced air furnace oil, gas or electric	
	Fuel tank replacement, less than 660 gallons	
	L.P. gas tank replacement	
	Heat pump installation	
	Hot water heater/oil or gas	
	HVAC/HRV	
	Generator oil/gas	
	Commercial kitchen hood replacement	\$ 150.00
	Residential PV Solar Panel System	
	PV Panel System Less than 20KW	\$ 150.00
	PV Panel System 21KW-200KW	\$2500.00
	PV Panel System Over 200KW	\$7500.00
	Replacement of Bulk Storage Tanks & Fuel Dispensing Equipment (gasoline, diesel, kerosene)	
	Up to 5000 gallons per tank	\$2500.00
	Over 5000 gallons per tank	\$5000.00
	Sewage Treatment Facility Building	\$0.95 per square foot
	Private Water Treatment Facility Building	\$0.95 per square foot
	Accessory Pre-fab Residential Storage Buildings	\$0.60 per square foot \$150.00 minimum
	Demolition Permit	\$150.00
	Building Permit - Late Filing Fee (After work has commenced without valid Building Permit issuance by Town.)	Double standard fee
	Renewal of Active Permit - 75% of original fee not less than \$100.00 plus \$50.00 for each expired year.	
	Re-inspection Fee. 3 <sup>rd</sup> Re-inspection fee \$75.00 and thereafter for each inspection.	

<b>§ 40-7</b>	<b>Certificates of Occupancy</b>	
§ 40-7B	Application fee for final site inspection	
	Single family residential	\$100.00
	Multi-family residential	\$750.00
	Commercial	\$200.00 per building or occupancy
	Mobile Home	
	Single Wide	\$400.00
	Double Wide	\$600.00
	Pools	
	Above-ground	\$175.00
	In-ground	\$575.00
	Solid Fuel Burning Device: wood, coal, pellet, fireplace with pre-fab or masonry chimney	\$150.00
	Certificate of Occupancy (Administrative Search of records only)	\$100.00 residential \$200.00 commercial
<b>§ 40-10</b>	<b>Operating Permits</b>	
	101- 300 People	\$325.00
	301- 600 People	\$400.00
	601- 1000 People	\$750.00
	Over 1000 People	Add \$25.00 per 100 persons to maximum of \$1000.00
<b>Chapter 45</b>	<b>DOGS</b>	
<b>§ 45-5</b>	<b>Seizure and Impoundment</b>	
§ 45-5B	Redemption Fee for First Seizure and Impoundment	\$ 50.00
	Redemption Fee for Second Seizure and Impoundment	\$100.00
	Redemption for Third Seizure and Impoundment	\$200.00

In addition to the above Redemption Fees, the redeeming party shall also pay all costs incurred by the Town for boarding, impoundment and veterinary care of said dog during the term of impoundment.

**Waiver of Redemption Fees**

The Town Board shall have the discretion upon the recommendation of the Dog Control Officer to waive all or part of the redemption fee for a dog which is identified, seized and redeemed by the dog's owner on the same date of seizure and delivery to the Town's authorized boarding facility provided that the dog has not been boarded at the facility overnight. In such cases, the Dog Control Officer shall collect the appropriate redemption fee, which shall be held by the Town in escrow until such time as all of the applicable facts with recommendation of waiver are presented by the Dog Control Officer to the Town Board and the Town Board authorizes by resolution the waiver of all or part of the redemption fee. In any such case where the redemption fee is waived in whole or in part, that portion of the redemption fee which is waived shall be returned to the dog's owner.

§ 45-5E The owner of a dog who has been seized but who does not redeem that dog, shall be responsible for the impounding cost, plus all boarding, veterinary care and euthanasia costs incurred by the Town for said dog.

**§ 45-17 Dog License Fees**

Type of Dog	Fee	Surcharge	Total
Altered Dog	\$14.00	\$1.00	\$15.00
Unaltered Dog	\$20.00	\$3.00	\$23.00
<b>Owner Over 65</b>			
Altered Dog	\$ 7.00	\$1.00	\$ 8.00
Unaltered Dog	\$10.00	\$3.00	\$13.00
Replacement Dog Tag Fee			\$13.00

**Chapter 57 FIRE PREVENTION**

- § 57-2E Inspection of multiple dwellings \$30.00 each unit  
minimum fee \$200.00
- § 57-2E Inspection of general Non-residential buildings \$60.00 each 1000 sq. ft. minimum fee \$200

**Chapter 60 FLOOD DAMAGE PREVENTION**

- § 60-13 Application for Flood Plain Development Permit \$500.00

**Chapter 66 GARBAGE, RUBBISH AND REFUSE**

- § 66-4 License or permit to carry on or conduct the service of refuse collection and disposal \$500.00

**Chapter 70 HAWKING AND PEDDLING**

- § 70-3E Application for license \$100.00
- § 70-5 License for a six-month period \$200.00
- § 70-5 License for a twelve-month period \$400.00
- § 70-6B Replacement of lost or stolen license \$100.00

**Chapter 75 NOISE**

- § 75-7C Application for variance to Chapter 75 \$500.00

**Chapter 79 OUTDOOR WOOD-BURNING FURNACES**

- § 79-6A Permit Fee \$250.00

**Chapter 80 PARKING LOT, TOWN HALL**

- § 80-1B Parking Permit \$100.00 per quarter

**Chapter 87 SEWERS**

- § 87-22D Permits, renewals or reissuance \$ 300.00
- § 87-24A Permit for opening any street or pavement \$ 25.00 plus \$1000.00 deposit

**Chapter 92 SOIL AND MINING EXTRACTION**

- § 92-6F Permit for property not previously used for commercial mining \$1000.00
- § 92-10 Continuance of permit \$ 500.00



<b>Chapter 93</b>	<b>STORMWATER AND EROSION AND SEDIMENT CONTROL</b>	
§ 93-6A2	Stormwater Management Permit	\$ 800.00
§ 93-6A(7)	Stormwater Management Permit Renewal	\$ 100.00
§ 93-6B2	Erosion and Sediment Control Permit	\$ 200.00
§ 93-6B(4)	Erosion and Sediment Control Permit Renewal	\$ 50.00
<b>Chapter 95</b>	<b>STREET OPENING AND DRIVEWAYS</b>	
§ 95-5A(1)	Street opening permit, supervision and inspection	\$ 100.00
§ 95-5A(2)	Deposit	\$1000.00
§ 95-10A	Driveway permit	
	New construction or reconstruction	\$ 200.00
	Resurfacing existing driveway	\$ 100.00
<b>Chapter 96</b>	<b>SUBDIVISION LAW OF THE TOWN OF HYDE PARK</b>	
<b>§ 96-8</b>	<b>Reservations and Easements</b>	
§ 96-8A4	Recreation fee	\$5000.00 per new lot
<b>§ 96-12</b>	<b>Sketch Plan, Context Map, and Existing Resources/Site Analysis Map</b>	
§ 96-12A	Application for review of sketch plan	\$ 400.00 plus
		\$ 30.00 per lot
	Annual renewal fee: 75% of the original fee	
<b>§ 96-13</b>	<b>Approval of Minor Subdivisions</b>	
§ 96-13A	Application for approval of subdivision plat	\$ 400.00 plus
		\$ 30.00 each lot
	Circulation fee for revised plan	\$ 100.00
	Re-advertising fee	\$ 200.00
<b>§ 96-14</b>	<b>Approval of Major Subdivisions</b>	
§ 96-14A(1)	Application for review and approval of a preliminary plat	\$2000.00 plus
	Circulation fee for revised plan	\$ 30.00 per lot
	Re-advertising fee for revised plan	\$ 100.00
	Annual renewal fee: 75% of the original fee	\$ 150.00
§ 96-14B(1)	Application for approval of a subdivision plat in final form	\$ 30.00 per lot
	Major subdivision – Section of Final Plat	
	First Section	\$ 30.00 per lot
	(A) Each additional section	\$ 300.00
	(B) Lot or unit not shown on Preliminary plat	\$ 30.00 each
	Annual renewal fee: 75% of the original fee	
§ 96-14B8e3	Recreation fee	\$5000.00 per new lot
§ 96-16E	See Inspection Expenses Schedule	

**Chapter 101 TELECOMMUNICATIONS TOWERS AND FACILITIES**

**§ 101-21A Building Permit**

New tower	\$1000.00
Co-location	\$ 500.00
Special Use permit	\$ 550.00
Site plan review and approval	
Up to 1000 sq. ft.	\$ 550.00
Over 1000 sq. ft.	\$2250.00
Application fee for amendment to site plan	\$ 300.00
Circulation fee for revised site plan application	\$ 100.00
Re-advertising fee for revised site plan application	\$ 200.00
Safety inspection report	\$ 50.00
Annual reporting to Zoning Administrator	\$ 50.00
Annual renewal fee: 75% of the original fee	

**Chapter 102 REGULATION OF FOREST MANAGEMENT**

**§ 102-6 Permit Application Procedure**

§ 102-6A Timber Harvesting Permit Application	\$ 600.00
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**Chapter 108 ZONING LAW OF THE TOWN OF HYDE PARK**

**§ 108-4 General Regulations**

§ 108-4.3B5 Site Plan Approval for Animal Husbandry Use	\$300.00*
§ 108-4.3C2 Building Permit for construction trailer	\$100.00
§ 108-4.3C3a Permit for commercial trailer used for the purpose of storage	\$100.00
§ 108-4.3C3b Application for dockside vessel used for the purpose of storage	\$100.00

\*Application fee shall be reduced to \$100.00 for animal husbandry applications which involve a valid 4-H program for animal husbandry use.

**§ 108-5 District Regulations and Standards**

§ 108-5.12 Bellefield PDD Waiver Application	\$250.00
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**§ 108-7 Planned Unit Development**

§ 108-7.3A PUD pre-application conference	\$800.00 per conference
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§ 108-7.3B/C Concept Plan submission to Planning Board	
Up to 100,000 square feet	\$ 3000.00
100,000 to 500,000 square feet	\$ 7500.00
Over 500,000 square feet	\$10000.00

§ 108-7.4B Final Development Plan – Site Plan	See §108-9.3A
§ 108-7.4B Final Development Plan – Subdivision	See §96-13 or §96-14

**§ 108-8 Special Use Permits**

§ 108-8.2B Residential one and two-family and accessory apartments	\$350.00
§ 108-8.2B All other Residential Use	\$600.00
§ 108-8.2B Non-residential	\$600.00

<b>§ 108-9</b>	<b>Site Plan Approval - See also Inspection Expenses Schedule</b>	
§ 108-9.2B/C	Site Plan Residential Waiver	\$ 50.00
§ 108-9.3A	Site Plan Residential	\$300.00 minimum Plus \$30.00 each lot or dwelling unit
	Application fee for amendment to site plan	Same as above
	Circulation fee for revised site plan application	\$100.00
	Re-advertising fee	\$200.00
	Annual renewal fee: 75% of the original fee	
§ 108-9.3A	Site Plan Non-Residential	
	Change in tenancy and/or signage	\$100.00
	Interior modifications only	\$300.00
	Exterior minor modifications	\$400.00
	All others	
	Square Footage of developed area:	
	Up to 1,000	\$ 650.00
	1,001 to 10,000	\$3000.00
	10,001 and over	\$5500.00
	Application fee for amendment to site plan	Same as above
	Circulation fee for revised site plan application	\$ 100.00
	Re-advertising fee	\$ 200.00
	Annual renewal fee 75% of the original fee	
	Second pre-application meeting	\$ 100.00
	(No charge for first pre-application meeting.)	
§ 108-9.3E4c	Extended Site Plan Approval	\$ 200.00
§ 108-9.3G2	Recreation fee	\$5000.00 per dwelling unit
§ 108-9.6A	Construction	
	Extend Site Plan to begin substantial construction	\$500.00
	Extend Site Plan to complete construction	\$500.00
<b>§ 108-20</b>	<b>Home Occupations</b>	
§ 108-20.3C4	Home Occupation License	\$100.00
<b>§ 108-21</b>	<b>Adult Uses</b>	
§ 108-21.2B	Special use permit application	\$600.00
§ 108-21.2B	License	\$100.00
§ 108-21.3	Registration fee	\$100.00
<b>§ 108-22</b>	<b>Public Utility Facilities</b>	
§ 108-22.2B	Special use permit application	\$600.00
<b>§ 108-24</b>	<b>Signs</b>	
§ 108-24.3	Sign permit application - Per Sign:	\$150.00
§ 108-24.3	Temporary Non-Exempt Sign Permit Application	\$ 50.00
<b>§ 108-25</b>	<b>Scrap Yards</b>	
§ 108-25.3B	Annual scrap yard license	\$350.00



<b>§ 108-26      Manufactured Homes</b>		
§ 108-26.2	Application for a building permit to replace a manufactured home not in a licensed manufactured home park	
	Single wide	\$350.00
	Double wide	\$500.00
§ 108-26.4	Manufactured home park annual license or renewal	\$350.00
§ 108-26.4	Transfer of license fee	\$100.00
§ 108-26.4	Renewal of license	\$350.00
<b>§ 108-27      Used Car Lots</b>		
§ 108-27.1C	Used car lot license and renewal fees	\$350.00
<b>§ 108-30      Enforcement</b>		
§ 108-30.6B1	Sign permit application - per sign	\$150.00
	Temporary non-exempt sign permit application	\$ 50.00
§ 108-30.6B2	Trailer permit	
	Construction trailer	\$100.00 each
	Commercial trailer used for storage	\$100.00
§ 108-30.6B3	Vehicle for sale permit	\$ 50.00
§ 108-30.6B4	Storage of unregistered vehicle permit	\$ 20.00 for 2 months
		\$ 45.00 for 3 months
		\$ 80.00 for 4 months
		\$125.00 for 5 months
		\$180.00 for 6 months
§ 108-30.6B5	Roadside stand permit	\$150.00
§ 108-30.6B6	Home occupation permit	\$100.00
<b>§ 108-32      Certificate of Occupancy</b>		
	See Chapter 40: Building Construction	
§ 108-32.1B1	Zoning Administrator Review Fee	\$ 50.00
<b>§ 108-33      Zoning Board of Appeals</b>		
§ 108-33.4	Appeal from determination of administrative official of the Town of Hyde Park, including but not limited to, appeal from determination of Zoning Administrator or Building Inspector	\$150.00*
§ 108-33.4	Use variance	\$600.00
§ 108-33.4	Fee for change in an application	\$100.00
§ 108-33-4	Area Variance, Residential, one-family dwelling	\$300.00
	All other residential use	\$400.00
	Non-residential	\$500.00

\*If the Zoning Board of Appeals determines upon initial review of the appeal that the appeal will require an interpretation on one or more provisions of the Town Code, the fee shall be increased to \$250.00. The ZBA shall also have the authority to require an initial deposit for the Attorney to the ZBA in accordance with the Escrow Deposit Schedule set forth in this Fee Schedule.

<b>§ 108-34</b>	<b>Amendments</b>	
§ 108-34.1A	Petition by private individual or entity for rezoning to Town Board	\$1500.00
<b>§ 108-36</b>	<b>Expenses, Escrow Deposits, Recreation Fees</b>	
§ 108-36	Escrow Deposit Schedule: See following pages	
§ 108-36.4A	Recreation fee for approval of any site plan application for the construction or conversion of multifamily dwelling units and manufactured home parks	\$5000.00 per dwelling unit
§ 108-36.4B	Recreation fee for approval of a site plan showing two or more buildings containing multiple dwelling units or a manufactured home park	\$5000.00 per dwelling unit

**Appendix A111 ROAD SPECIFICATIONS**

§ A111-47C	Driveway permit	
	New construction or reconstruction	\$200
	Resurfacing existing driveway	\$100
	Posting of Driveway Bond	\$1000

## ESCROW DEPOSIT SCHEDULE

<b>Chapter 60</b>	<b>FLOOD DAMAGE PREVENTION</b>	
§ 60-12	<b>Floodplain Development Permit</b>	
§ 60-12B	Engineering Consultant	
	Review of Application for Floodplain Development	
	Permit as determined by Local Administrator	\$500.00 for Engineer
<b>Chapter 93</b>	<b>STORMWATER MANAGEMENT AND EROSION AND SEDIMENT</b>	
§ 93-6	<b>Permit Requirements</b>	
§93-6A2	Stormwater Management Permit	\$1000.00 Engineer
§93-6B2	Erosion and Sediment Control Permit	\$500.00 for Engineer

**Note: Chapter 96 and Chapter 108**

Escrow may be required for environmental review when appropriate.

**Chapter 108 ZONING**

**§ 108-36 Expenses, Escrow Deposits and Recreation Fees**

Type of Application	INITIAL DEPOSIT each for:		
	Engineer/Planner	Attorney	Recommended minimum reserve (*)
Subdivisions: No. of lots:			
Lot Line Realignment	\$1000	\$1000	\$ 200
2 to 5 lots	\$2000	\$1000	\$ 250
6 to 10 lots	\$3500	\$2500	\$ 500
11 to 20 lots	\$5000	\$2500	\$1000
21 and over	\$8500	\$5000	\$2000
Special Use Permits:	Same as Site Plan for all consultants, except that where both site plan and special use permits are required, the escrow for special use permit shall be one-half of the escrow required for site plan.		
Site Plans: Square Footage			
Up to 1,000	\$ 1000	\$1000	\$ 200
1,001 to 10,000	\$ 5000	\$2500	\$ 250
10,001 and over	\$10,000	\$5000	\$2000
Multifamily Plans:			
100 or more units	\$10,000	\$5000	\$2000
Under 100 units	\$ 5000	\$3000	\$ 500
Re-zonings	\$ 4000	\$2000	\$ 500
Area Variance			
Residential, except single-family	\$ 500	\$ 500	\$ 200
Commercial	\$ 500	\$1000	\$ 200



## ESCROW DEPOSIT SCHEDULE

Type of Application	INITIAL DEPOSIT each for:		
	Engineer/Planner	Attorney	Recommended minimum reserve (*)
Use Variance			
Up to 1,000 square feet	\$500	\$1000	\$200
Over 1,000 square feet	\$500	\$2000	\$200
Interpretations		\$1000	\$200*
*The ZBA shall, in its discretion, require the Escrow Deposit for the Attorney to the ZBA in the event of an application before it requires the interpretation of one or more provisions of the Town Code.			
P.U.D. Pre-application Conference	\$ 1000	\$ 500	\$ 200
Amendment to Zoning – Pre Petition Conference (Private Individual or entity)	\$ 1000	\$ 500	\$ 200
Concept Plan Submission to Planning Board			
Up to 100,000 sq.ft.	\$10,000	\$ 5000	\$2000
100,000 to 500,000 sq.ft.	\$15,000	\$ 7500	\$3000
Over 500,000 sq.ft.	\$20,000	\$10,000	\$4000
P.U.D. Concept Plan Town Board Review			
Up to 100,000 sq.ft.	\$10,000	\$ 5000	\$2000
100,000 to 500,000 sq.ft.	\$15,000	\$ 7500	\$3000
Over 500,000 sq.ft.	\$20,000	\$10,000	\$4000
P.U.D. Final Development Plan Application to Planning Board			
Up to 100,000 sq.ft.	\$10,000	\$ 5000	\$2000
100,000 to 500,000 sq.ft.	\$15,000	\$ 7500	\$3000
Over 500,000 sq.ft.	\$20,000	\$10,000	\$4000

(\*) Recommended minimum redeposit level is the outstanding invoices plus an amount equal to the initial deposit for each professional.

## INSPECTION EXPENSES SCHEDULE

### Chapter 96 SUBDIVISION OF LAND

§ 96-16	<b>Securities and Improvements</b>	
§ 96-16 E1	Inspection of Improvements	
	Administrative Fee for Inspecting Public Improvements (including private roads)	
	Major subdivisions up to 20 lots	\$ 500.00
	Major subdivisions over 20 lots	\$1000.00

Initial Escrow Deposit for Town Engineer for Inspection of Public Improvements (including private roads). Two percent (2%) of approved total financial security for all public improvements (including private roads).

### Chapter 108 ZONING

§ 108-9	<b>Site Plan Approval</b>	
	Administrative Fee for Inspection of compliance with approved site plan	
§108-9.3A	Site Plan Residential	\$150 (minimum) plus \$10 for each dwelling
	Site Plan Nonresidential	
	Change in tenancy and/or signage	\$ 50.00
	Interior modifications only	\$100.00
	Exterior minor modifications	\$200.00
	All others	\$500.00
	Inspection of Site Plan Compliance by Town Engineer	
	Initial Escrow Deposit	
	Site Plan	
	Square Footage:	
	1,001 to 10,000	\$1000.00
	10,001 and over	\$2000.00
	Multifamily Plans	
	100 or more units	\$2500.00
	Under 100 units	\$1500.00

**2016 RECREATION FEES**  
**Updated January 25, 2016**

**Recreation Memberships**

Available to Hyde Park residents only.

Entitles you to the use of pool and special rates for services.

	<b>2015</b>	<b>2016</b>
Youth	\$ 65.00	\$ 75.00
Adult	\$ 90.00	\$100.00
Senior	\$ 30.00	\$ 50.00
Family of up to 6	\$240.00	\$270.00
Single parent with 3 children	\$140.00	\$160.00
 <b>Adventure Day Camp</b>		
Member	\$115.00	\$120.00
Resident	\$145.00	\$150.00
Non-Resident	\$165.00	\$175.00
 <b>Theater Arts</b>		
Member	\$130.00	\$140.00
Resident	\$140.00	\$150.00
Non-Resident	\$160.00	\$170.00
 <b>Sports</b>		
Member	\$130.00	\$135.00
Resident	\$140.00	\$145.00
Non-Resident	\$160.00	\$170.00
 <b>Travel 1&amp;2</b>		
Member	\$190.00	\$200.00
Resident	\$200.00	\$210.00
Non-Resident	\$240.00	\$255.00
 <b>AM Care</b>		
Member	\$ 35.00	\$ 35.00
Resident	\$ 40.00	\$ 40.00
Non-Resident	\$ 45.00	\$ 45.00
 <b>PM Care</b>		
Member	\$ 40.00	\$ 40.00
Resident	\$ 45.00	\$ 45.00
Non-Resident	\$ 60.00	\$ 60.00



	2015	2016
<b>Daily Pool Passes</b>		
Youth	\$ 5.00	\$ 5.00
Adult	\$10.00	\$10.00
Youth Non-Resident	\$10.00	\$10.00
Adult Non-Resident	\$15.00	\$15.00
<b>Swimming Lessons</b>		
Member	\$55.00	\$60.00
Resident	\$60.00	\$65.00
Non-Resident	\$70.00	\$75.00

2016 Facility Use Fee Schedule		Town of Hyde Park		NEW				
Pck.#	Park Description	HP Rec Member	HP Resident	HP Non-Profit*	Non-Resident	Security Deposit		
1 Pin	Skatepark, Pavilion, 2 Tables Restrooms**	\$120.00	\$160.00	\$120.00	\$210.00	\$210.00		
2 Riv	Pavilion, 10 tables, Handicapped Port-o-john	\$160.00	\$210.00	\$160.00	\$275.00	\$210.00		
3 HHP	Pavilion, 15 tables, restrooms**, grill	\$160.00	\$210.00	\$160.00	\$275.00	\$210.00		
4 HHP	Pavilion, 15 tables, restrooms**, grill, sports field	\$200.00	\$275.00	\$200.00	\$345.00	\$210.00		
5 HHP	Pavilion, 15 tables, restrooms**, grill, 10 pool passes, sports field	\$275.00	\$370.00	\$275.00	\$465.00	\$210.00		
6HHP	Pavilion, 15 tables, restrooms**, grill, 10 pool passes, sports field, private use of pool from 6 pm until dusk****	\$400.00	\$530.00	\$400.00	\$735.00	\$210.00		
7HHP	Organized group camping, showers and restrooms**	N/A	N/A	\$105./+\$2 /camper	\$210./+\$2 /camper	\$210.00		
8 HHP	Program Building, 5x 6'x6' tables, chairs, kitchen	\$200.00	\$275.00	\$200.00	\$345.00	\$210.00		
<b>NEW 9 HHP</b>	<b>Use of pool ( licensed outside day camp group only) per hour</b>	<b>N/A</b>	<b>\$150.00</b>	<b>\$125.00</b>	<b>\$190.00</b>	<b>\$210.00</b>		
10 Dins	Gazebo, 2 tables	\$80.00	\$105.00	\$80.00	\$185.00	\$105.00		
11 Dins	Gazebo, 2 tables, sports field	\$120.00	\$160.00	\$120.00	\$275.00	\$105.00		
12 Dins	Sports field per day	\$100.00	\$125.00	\$100.00	\$125.00	\$105.00		
13 Dins	Basketball Court per day	\$100.00	\$125.00	\$100.00	\$150.00	\$105.00		
14 Grnfld	Pavilion, 2 tables, sports field, parking area	\$120.00	\$160.00	\$120.00	\$210.00	\$105.00		
<b>KEY:</b>								
<b>PIN</b>	Pinewoods Park		<b>RIV</b>	Riverfront Park				
<b>HHP</b>	Hackett Hill Park		<b>DINS</b>	Dinsmore Park				
<b>GRNFLD</b>	Greenfield Park							
*	Tax exempt/Non/Profit Group w/ 50% or more membership from Hyde Park							
**	Restrooms and showers available April 15 - October 15 only							
***	10 transferable day pool passes. Additional passes may be available for purchase at the discretion of the pool supervisor							
****	Includes the additional use of pool after public hours							
<b>NOTES:</b>								
The Hackett Hill pool, Hackett Hill disc golf course, Pinewoods skatepark, Dinsmore basketball court and other park facilities are open to the public. You are NOT renting the park & facility exclusively, only the pavilion. The fee for facility use and the security deposit are both required with this application to reserve the facility. These must be separate checks.								
Security deposits will be returned if the facility is left in clean and good order. Trash MUST be taken to the dumpster at Hackett Hill Park parking lot area in order to get your security deposit returned.								
<b>*Use of Athletic Fields, Pool, Basketball Courts, Skatepark, Horseshoe Pits*</b>								
Insurance is required for any business & non-profit reserving athletic fields, etc. Must be submitted 4 weeks prior to date of reservation.								
Alcohol is strictly prohibited, Beer/wine permit request must be submitted 4 weeks prior to date of reservation. Completed & correct insurance due to Rec Office 4 weeks in advance of date to receive permit.								
For insurance information contact Rec Office at 845-229-8086.								

**2016 POLICE DEPARTMENT FEES**

Non-criminal fingerprint ID for pre-employment or licensing for foster care, etc.	\$20.00
Copies of accident reports	\$10.00

**INSUFFICIENT FUND FEE**

The charge for any check made payable to the Town of Hyde Park or any of its offices dishonored by the issuer's Bank for insufficient funds	\$30.00
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**Town of Fishkill  
Planning Department  
807 Route 52  
Fishkill, NY 12524  
Phone: (845) 831-7800 ext. 3328 - Fax: (845) 831-3256**

**REQUIREMENTS GOVERNING SITE DEVELOPMENT PLAN & SPECIAL USE PERMIT APPLICATIONS**

All Applicants to the Planning Board must schedule and informational meeting with the Town Planning Department and/or the Town Building Inspector/Zoning Administrator **prior to** submitting an Application for Site Development Plan and/or Special Use Permit Approval.

The Planning Board meets regularly on the 2<sup>nd</sup> Thursday of each month; a copy of the Planning Board Meeting Schedule including Deadline Dates and Times for submissions is included in this packet. Please be sure to visit the Town's website to be sure that you have the most up-to-date Planning Board meeting Schedule at [www.fishkill-ny.gov](http://www.fishkill-ny.gov).

Any application for Site Development Plan and/or Special Use Permit Approval can be made by submitting by mail or in person **after** an information meeting has taken place with the Town Planning Department and/or the Town Building Inspector/Zoning Administrator.

An application for Site Development Plan and/or Special Use Permit Approval shall include, but is not necessarily limited to the submission of:

1. One (1) original and 14 copies of the completed Site Development Plan and Special Use Permit Application. Any request for waivers of requirement information must be included together with the reason for such request.
2. One (1) original and 14 copies of a completed Environmental Assessment Form. This form is available on the Town's website at [www.fishkill-ny.gov](http://www.fishkill-ny.gov), click on Downloadable Forms, scroll down to the Planning Department and click on the appropriate Environmental Assessment Form. The completion of either a Full Environmental Assessment Form or a Short Environmental Assessment Form shall be the decision of the Planning Department, the Town Building Inspector/Zoning Administrator and/or the Town Engineer.
3. 14 copies of the drawings detailing the proposed Site Development Plan. The drawings should be at a scale of 1" = 20' where possible and drawn on a map size no larger than 24" x 26". The Applicant shall describe the nature and intensity of the proposed use together with all pertinent information that is shown on the drawings.
4. One (1) CD containing copies of the Site Development Plan and Special Use Permit Application, the Environmental Assessment Form, the drawings and **all** other documentation being submitted as part of the application.
5. An Application Fee and an Escrow Deposit shall be submitted in accordance with the Town's Current Fee Schedule **at the time of application**. A copy of the pages from the Town's Fee Schedule, pertaining to the Site Development Plan and the Special Use Permit fees and Escrow Deposits are part of this packet. Please be sure to visit the Town's website at [www.fishkill-ny.gov](http://www.fishkill-ny.gov) to obtain a complete copy of the current Town's Fee Schedule. You may also purchase a copy of the Town's Current Fee Schedule from the Town Clerk's Office.

Please refer to the Town of Fishkill Town Code for all regulations and requirements for Site Development Plan and/or Special Use Permit Approval. The Town Code is available on the Town's website at [www.fishkill-ny.gov](http://www.fishkill-ny.gov), from the Welcome Page, under Quick Links, click on the Town Code link

**The entire completed application** package will be reviewed by the Planning Department and the Town Building Inspector/Zoning Administrator for conformance with the requirements of the Town Zoning Code and all other applicable regulations and/or standards of the Town of Fishkill.

The following pages of this document are from the current Town Fee Schedule that pertain to Site Development Plan and Special Use Permit Applications. A full copy of the Town's current Fee Schedule is available for download on the Town's website at [www.fishkill-ny.gov](http://www.fishkill-ny.gov) or for purchase at the Town Clerk's Office.

# **TOWN OF FISHKILL FEE SCHEDULE**



## **TOWN BOARD:**

Town Supervisor:	Robert P. LaColla
Councilperson:	Douglas A. A. McHoul
Councilperson:	Thomas Adams
Councilperson:	Ori Brachfeld
Councilperson:	Larry Cohen

*Adopted on: January 06, 2016*



**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**E. REZONING FEES** (continued)

**Note 3:**

Fees for legal ads are to be paid for by the applicant.

**Note 4:**

Standard 24"x36" public hearing notice sign is included in the application fee. If the Town Board requires a larger than standard sign, the additional cost of such sign shall be paid by applicant.

**Note 5:**

All fees are non-refundable.

**Note 6:**

When application for Rezoning is made simultaneously with an application for a Site Development Plan approval, Special Use Permit approval or Subdivision approval, 10% but not less than \$1,000.00 of the Site Development Plan, Special Use Permit or Subdivision fee set forth herein must be paid until the application for Rezoning is approved by the Town Board. In the event that the application for Rezoning is approved, the required remaining 90% of the Site Development Plan, Special Use Permit or Subdivision fee shall be immediately due and no further processing of the Site Development Plan, Special Use Permit or Subdivision application shall occur until the required remaining 90% of the fee is paid in full. In the event that the application for Rezoning is not approved, the required site plan, special permit or subdivision fee need not be paid. In all cases, the required "Escrow Funds" must be deposited for both the Rezoning application and for the Site Development Plan, Special Use Permit or Subdivision application at the time of the initial simultaneous application.

**F. SITE DEVELOPMENT PLAN (Chapter 150)**

Filing for Application:

For each structure up to 5,000 square feet	\$ 1,500.00
For each structure of 5,001-10,000 square feet	\$ 2,000.00
For each structure of 10,001-15,000 square feet	\$ 2,500.00
For each structure of 15,001-20,000 square feet	\$ 3,000.00
For each structure of 20,001-25,000 square feet	\$ 3,500.00
For each structure of 25,001-50,000 square feet	\$ 5,000.00
For each structure of 50,001-75,000 square feet	\$ 7,500.00
For each structure of 75,001-100,000 square feet	\$ 10,000.00
For each 25,000 sq. ft. over 100,000 square feet	\$ 2,500.00
For up to ten (10) parking places, add	\$ 50.00 per required parking space
For the next 490 parking spaces, add	\$ 20.00 per required parking space
For over 500 spaces, add	\$ 15.00 per required parking space
Recreation Fee in Lieu of Land	\$ 5,000.00 per dwelling unit
Recreation Fee (if approved on-site recreation area)	\$ 3,000.00 per dwelling unit
Retroactive Approval Fee	\$ 500.00
For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).	
Readoption of Approval Fee	\$250.00
Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.	



**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**F. SITE DEVELOPMENT PLAN (Chapter 150) (continued)**

**Adjustment of Recreation Fees Upon Reapproval**

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

\*\*\* See Revision Fees as noted on Page 12 \*\*\*

**Note 1:**

For all Site Plan applications please see the "Escrow Funds" section of this document.

**Note 2:**

Site Development Inspection Fees (Section 150-59C, Page 15091)

As a condition of Site Development approval, an inspection fee in an amount determined necessary by a Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing all private roads, sidewalks, water supply, sewerage, and storm drainage systems, grading, landscaping, and all other site improvements, not including building construction, shall be paid to the Town of Fishkill. Such fee shall be used to cover costs incurred by the Town of Fishkill in conducting inspections of such development as it progresses and upon completion.

**Note 3:**

Recreation Fees (in all cases) will be established by the Town Board on the basis of the current fee Schedule rather than on the year of application.

**Note 4:**

To avoid double payment, Recreation Fees are not applicable to the extent that such fees are charged by a Subdivision approval component of the project.

**Note 5:**

Fees for legal ads are to be paid for by the applicant.

**Note 6:**

All Fees are non-refundable.

**Note 7:**

When application for Site Development Plan approval is made simultaneously with an application Rezoning, please refer to "Section E - Rezoning Fees - Note 6" above).

**G. SPECIAL USE PERMIT (Chapter 150)**

Filing for Application:

For each structure up to 5,000 square feet	\$ 1,500.00
For each structure of 5,001-10,000 square feet	\$ 2000.00
For each structure of 10,001-15,000 square feet	\$ 2,500.00
For each structure of 15,001-20,000 square feet	\$ 3,000.00
For each structure of 20,001-25,000 square feet	\$ 3,500.00
For each structure of 25,001-50,000 square feet	\$ 5,000.00
For each structure of 50,001-75,000 square feet	\$ 7,500.00

**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING****G. SPECIAL USE PERMIT (Chapter 150)**

For each structure of 75,001-100,000 square feet	\$ 10,000.00
For each 25,000 sq. ft. over 100,000 square feet	\$ 2,500.00
For up to ten (10) parking places, add	\$ 50.00 per required parking space
For the next 490 parking spaces, add	\$ 20.00 per required parking space
For over 500 spaces, add	\$ 15.00 per required parking space
The following apply if the Special Use Permit includes dwelling units:	
Recreation Fee in Lieu of Land	\$ 5,000.00 per dwelling unit
Recreation Fee (if approved on- site recreation area)	\$ 3,000.00 per dwelling unit

Retroactive Approval Fee \$ 500.00

For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).

Readoption of Approval Fee \$250.00

Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

**Adjustment of Recreation Fees Upon Reapproval**

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

\*\*\* See Revision Fees as noted on Page 12 \*\*\*

**Note 1:**

For all Special Use Permit applications please see the "Escrow Funds" section of this document.

**Note 2:**

Special Use Permit Inspection Fees (Section 150-34-B, Page 15053):

As a condition of Special Use Permit approval, an inspection fee in an amount determined necessary by a Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing all private roads, sidewalks, water supply, sewerage, and storm drainage systems, grading, landscaping, and all other site improvements, not including building construction, shall be paid to the Town of Fishkill. Such fee shall be used to cover costs incurred by the Town of Fishkill in conducting inspections of such development as it progresses, and upon completion.

**Note 3:**

Recreation Fees (in all cases) will be established by the Town Board on the basis of the current Fee Schedule rather than on the year of application.

**Note 4:**

Fees for legal ads are to be paid for by the applicant.

**Note 5:**

All Fees are non-refundable



**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**G. SPECIAL USE PERMIT (Chapter 150)**

**Note 6:**

To avoid double payment, Recreation Fees are not applicable to the extent that such fees are charged by a Subdivision or Site Plan approval component of the project.

**Note 7:**

When application for Special Use Permit approval is made simultaneously with an application Rezoning - please refer to "Section E - Rezoning Fees - Note 6" above.

**H. LAND DEVELOPMENT PERMIT (Chapter 150)**

Filing for Application for Approval of Land Development Permit: \$1,500.00

Retroactive Fee: \$ 500.00

For Planning Board Approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for a Land Use Development Permit from the Planning Board (this fee is in addition to the above listed Application Fee.

Readoption of Approval Fee \$ 250.00

Applied in the event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that the project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

**\*\*See Revision Fees on Page 12\*\*\***

**Note 1:**

For all Land Development Permit Applications see the "Escrow Funds" section of this document.

**Note 2:**

Fees for legal ads are to be paid by the Applicant.

**Note 3:**

All fees are non -refundable.

**I. SUBDIVISION OF LAND (Chapter 132)**

Filing for Application for Approval of Subdivision Plat:

1 - 4 lots	\$ 1500.00
5 - 10 lots	\$ 2500.00
11 - 15 lots	\$ 3,500.00
Each additional lot over 16	\$ 250.00 per new lot
Recreation Fee in Lieu of Land	\$ 5,000.00 per new lot
Recreation Fee	\$ 3,000.00 per new lot

(if approved on-site recreation area)

Retroactive Approval Fee \$ 500.00

For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).



**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**J. REVISION FEES - DMUD, SITE DEVELOPMENT PLAN, LAND DEVELOPMENT PERMIT, SPECIAL USE PERMIT & SUBDIVISION**

All revisions to previously approved plans/plats which alter the Planning Board's Approval in a significant way as determined by the Town Planning Department or Town Engineer \$2,500.00

All revisions to previously approved plans/plats which alter the Planning Board's approval in a minor way as determined by the Town Planning Department or Town Engineer \$1,000.00

All items/plans which are only for discussion by the Planning Board (excluding revisions to previously approved plans or plats). \$ 100.00

**SECTION II - MOBILE HOME PARKS (Chapter 106)**

**A. APPLICATION FOR ORIGINAL LICENSE**

Up to and including five (5) homes	\$ 150.00 per
home	
Thereafter, per home	\$ 100.00 per
home	
Minimum Fee (per site)	\$ 300.00
Transfer of License	\$ 250.00

**B. RENEWAL OF ANNUAL PERMIT**

Renewal Fee 50% of amount as calculated from above figures.

**Note 1:** For all Mobile Home Park applications please see the "Escrow Funds" section of this document.

**Note 2:** All Fees are non-refundable.

**SECTION III - WATER AND SEWER FEES, RENTS, AND CHARGES**

**Town of Fishkill**

**Current Water and Sewer Rate Schedule - January 01, 2014**

Water and sewer rates by law, must be charged at cost to the actual users of the service. Multiple water and sewer districts were developed in Fishkill each with its own contractual relationships for water source, water distribution, sewage collection and sewage processing. Due to the nature of this pattern of development, several billing arrangements are in effect. The rates below are charged to residents receiving water and/or sewer service from the Town of Fishkill. Most residential customers are charged a base minimum charge plus the cost for any metered consumption over that minimum.

	Quarterly Minimum Usage	Quarterly Minimum Charge	Overage	Quarterly Meter Rental (Flat Fee)
<b>A. <u>WATER DISTRICTS</u></b>				
Beacon Hills Water	1,000 cu.ft.	\$55.50	0.0553/cu.ft.	\$0.50
Blodgett Water	1,000 cu.ft.	\$29.50	0.0500/cu.ft.	None
Brinckerhoff Water	1,000 cu.ft.	\$13.70	0.01370/cu.ft.	\$0.50
Brinckerhoff Water (Out of District):				
Aveonis	1,000 cu.ft.	\$27.40	0.2740/cu.ft.	\$0.50
Cedar Knolls	1,000 cu.ft.	\$27.40	0.02740/cu.ft.	\$0.50
Deer Crossing	1,000 cu.ft.	\$27.40	0.02740/cu.ft.	\$0.50

**SECTION IV - MISCELLANEOUS FEES****B. DOG CONTROL****Note 1:**

Residents over age 65 are exempt from local fee.

**C. PEDDLING AND SOLICITING (Chapter 112)**

Application Fee:	\$ 50.00 (non-refundable)		
<u>Activity</u>	<u>Per Week</u>	<u>Per Month</u>	<u>Per Year</u>
Peddling on foot	\$10.00	\$25.00	\$100.00
Peddling w/handcart or pushcart	\$25.00	\$50.00	\$200.00
Peddling w/vehicle (1 person)	\$25.00	\$50.00	\$200.00
Each helper to person peddling with vehicle	\$ 5.00	\$40.00	\$ 50.00

**SECTION V - ESCROW FUNDS****A. GENERAL**

In order to ensure that the cost of any Engineering, SEQR Experts, Planning, Legal or other Consultation Fees incurred by the Town of Fishkill with respect to matters before the Planning Board or the Town Board are borne by the applicants. Escrow Funds will be submitted by the applicants. Upon filing an application for either Subdivision, Site Plan, Rezoning, or Special Use Permit, the applicant shall deposit with the Planning Board Administrator a sum of money in accordance with the table below. The Planning Board Administrator, Town building Inspector / Zoning Administrator or Town Supervisor, shall authorize payment of all fees charged by any professionals employed by the Planning Board or Town Board with respect to the applicant's project. Said fees shall be submitted by voucher and paid as approved by the Planning Board Administrator or Town Supervisor. The Planning Board Administrator shall refund to the applicant any funds remaining on deposit at the conclusion of the project. If the Escrow Fund is depleted to the amount found in Subparagraph "B" herein, prior to completion of the project reviews, the applicant shall reimburse the Escrow Fund as stated therein. If the applicant fails to reimburse the Escrow Fund, the Planning Board or the Town Board shall cease all reviews of the applicant's development. The Town shall not schedule such an applicant for appearances before the Planning Board or the Town Board to discuss any application. This policy shall be strictly enforced by the appropriate Town officials. A Certificate of Occupancy shall not be issued unless all professional fees incurred by the applicant's project have been paid.

**B. CALCULATION OF ESCROW FUND**

<u>Type of Application</u>	<u>Initial Deposit</u>	<u>Depleted to</u>	<u>Replenishment</u>
A. Pre-Planning Meeting	\$1,000.00		
B. Planning Board Discussion	\$150.00	(Applied at discretion of Planning Dept.)	
C. Minor (1-5 lots)	\$ 2,500.00	\$ 1,000.00	Current Bills + \$1,000.00
D. 6-15 lots	\$ 3,000.00	\$ 1,500.00	Current Bills + \$1,500.00
E. Over 15 lots	\$ 5,000.00	\$ 2,000.00	Current Bills + \$3,000.00
F. Lot line realignments	\$ 1,500.00	\$ 500.00	Current Bills + \$ 500.00
G. All residential plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
H. All other plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
I. Land Use Development Permits	\$1,500.00	\$ 500.00	Current Bills + \$1,000.00
J. Special Use Permits	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
K. Rezoning (w/o Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2500.00
L. Rezoning (w/ Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$5000.00



**SECTION V - ESCROW FUNDS**

**B. CALCULATION OF ESCROW FUND** (continued)

**Note:** Amounts stated above may be increased as deemed appropriate by the Planning Board Administrator. Applicants seeking multiple approvals for a related Project may consolidate to a single escrow account by written request only. Escrow replenishment amounts will convert to the level of the greater escrow exposure rate.

**C. REVISIONS**

These Regulations may be revised by the Town Board of the Town of Fishkill by Resolution.

Fees are refundable when the Town Board deems that they should be refunded.

**SECTION VI – RECREATION FEES**

**A. WINTER RECREATION PROGRAM FEES**

<b>PROGRAM</b>	<b>FEE</b>
Afterschool Program (Brinckerhoff)	\$95.00/activity for the session
Afterschool Program (Fishkill)	\$95.00/activity for the session
Afterschool Program (Glenham)	\$95.00/activity for the session
Afterschool Program – Late Fee	\$15.00/activity
Babysitting Course	\$50.00
Babysitting Course – Late Fee	\$10.00
Girls Basketball Clinic	\$50.00
Teen Center	\$8.00/evening
Little Rascals	\$3.00/day
Open Gym	\$5.00/day
Winter Biddy Basketball	\$70.00
Winter Hoops 1 <sup>st</sup> & 2 <sup>nd</sup> Graders	\$80.00
Winter Hoops 3 <sup>rd</sup> – 8 <sup>th</sup> Graders	\$110.00
Winter Hoops 9 <sup>th</sup> – 12 <sup>th</sup> Graders	\$125.00
Winter Hoops Late Fee	\$25.00

**B. RECREATION ROOM RENTALS**

<b>ROOM RENTALS</b>	<b>HOURLY RENTAL RATE</b>
<b>Gym Rental</b>	
Recurring rental	\$60/hour**
One-time rental	\$75/hour**
Mats (if needed)	\$500
<b>Main Hall Rental</b>	
Recurring rental	\$50/hour**
One-time rental	\$60/hour**
<b>Multipurpose Room Rental</b>	
Program rental during the week 8am-4pm	\$20/hour
Program rental during the week after 4pm	\$30/hour
One-time rental and weekend rental	\$40/hour**
Security Deposit for Room Rentals	\$200



Revised 11/06/15

**2016 MEETING SCHEDULE**  
**TOWN OF FISHKILL PLANNING BOARD**  
**807 Route 52 • Fishkill, NY • 12524-3110**

**Phone : (845) 831-7800 ext. 3328**

**Fax : (845) 831-3256**

***All meetings are held at 7 p.m. in the Francois R. Cross Meeting Room located  
in the lobby of the Town Hall on the 2nd Thursday of each month  
unless otherwise noted below.***

<b>MEETING DATES</b>	<b>DEADLINE DATES FOR APPLICATION AND REVISION SUBMITTALS</b>
	<b><i>NO LATER THAN 2:30 P.M.</i></b>
<del>Thursday, January 07, 2016</del>	<del>Thursday, December 17, 2015</del>
Thursday, January 14, 2016	Wednesday, December 23, 2015
Thursday, February 11, 2016	Thursday, January 21, 2016
Thursday, March 10, 2016	Thursday, February 18, 2016
Thursday, April 14, 2016	Thursday, March 24, 2016
Thursday, May 12, 2016	Thursday, April 21, 2016
Thursday, June 09, 2016	Tuesday, May 19, 2015
Thursday, July 14, 2016	Thursday, June 23, 2016
Thursday, August 11, 2016	Thursday, July 21, 2016
Thursday, September 08, 2016	Thursday, August 18, 2016
Thursday, October 13, 2016	Thursday, September 22, 2016
Thursday, November 10, 2016	Thursday, October 20, 2016
Thursday, December 08, 2016	Thursday, November 17, 2016

***Planning Board agendas are available one (1) week prior to each meeting on  
on the Town's website - [www.fishkill-ny.gov](http://www.fishkill-ny.gov)***

***• This Schedule Is Subject To Change •***

## 2016 Town of Southeast Fee Schedule

DESCRIPTION OF FEE	FEE	
<b>TOWN ASSESSOR</b>		
Digital Files (Assessment Roll/GIS Data)	\$ 550.00	
Copy GIS Spatial Analysis	\$ 44.00	
<b>PARKING DEPARTMENT</b>		
<b>Brewster North Station Permits</b>		
Resident-Annual, one car	\$ 386.00	
Semi-Annual, one car	\$ 206.00	
Resident-Annual, two cars	\$ 432.00	
Semi-Annual, two cars	\$ 229.00	
Non-Resident- Annual, one car	\$ 590.00	
Semi-annual, one car	\$ 313.00	
Non-Resident- Annual, two cars	\$ 636.00	
Semi- annual, two cars	\$ 336.00	
<b>Southeast Gold Lot Permits</b>		
Resident-Annual, One Car	\$ 386.00	
Semi-annual	\$ 206.00	
Resident- Annual, two cars	\$ 432.00	
Semi-annual	\$ 229.00	
Non-Resident-annual, one car	\$ 590.00	
Semi-annual	\$ 313.00	
Non-Resident- annual, two cars	\$ 636.00	
Semi-annual	\$ 336.00	
<b>PLANNING BOARD</b>		
<b>Subdivision Application</b>		
Lot Line Change (no new lots created)	\$ 250.00	
Escrow	\$ 1,500.00	
Minor Subdivision (2-4 lots)		
Sketch Review	\$ 250.00	plus \$50 per lot
Preliminary Review	\$ 250.00	per lot
Final Review	\$ 25.00	per lot
Escrow	\$ 3,000.00	plus \$250 per lot
<i>Additional monies will be required if the escrow account drops below half of the required amount due to ongoing consultant and engineering reviews required by the Planning Board.</i>		
Major Subdivision (5 or more lots)		
Sketch Review	\$ 250.00	plus \$50 per lot
Preliminary Review	\$ 500.00	per lot
Final Review	\$ 25.00	per lot
Escrow	\$ 5,000.00	plus \$250 per lot

## 2016 Town of Southeast Fee Schedule

<i>Additional monies will be required If the escrow account drops below half of the required amount due to ongoing consultant and engineering reviews required by the Planning Board.</i>		
Recreation Fees	\$ 7,500.00	per lot
Engineering/Inspection Fees	5% of the estimated cost of all subdivision plat improvements	(minimum fee \$300)
<b>Site Plan, Special Permit, and/or Conditional Use Permit Application</b>		
Pre-Application Meeting (Minor Project)	\$ 75.00	
Pre-Application Meeting (Major Project)	\$ 150.00	
Sketch Plan Review Fee	\$ 300.00	
Preliminary Plan Review Fee	\$ 200.00	
	plus \$ 110.00	per 500 sf of building area
	plus \$ 300.00	per acre of development coverage
Final Plan Review Fee	\$ 275.00	
Extension of Final Site Plan Approval	\$ 500.00	plus escrow
Amended Site Plan Approval	\$ 750.00	plus escrow
Conditional Use Permit Only (no Site Plan Approval required)	\$ 275.00	plus escrow
Conditional Use Permit Renewal Fee	\$ 75.00	
Special Permit	\$ 500.00	plus escrow
Public Hearing Fee (paid in advance)	\$ 200.00	per public hearing
<b>Escrow</b>		
Site Plan under 4,000 square feet	\$ 2,000.00	
Site Plan between 4,000 - 50,000 square feet	\$ 5,000.00	
Site plan over 50,000 square feet	\$ 10,000.00	
Minimum escrow balance for Site Plan Amendment and/or Extension of Final Site Plan Approval	\$ 1,500.00	
<i>Additional monies will be required If the escrow account drops below half of the required amount due to ongoing consultant and engineering reviews required by the Planning Board.</i>		
Engineering/Inspection Fee	4% of the estimated cost of site improvements	(minimum fee of \$750)
<b>Engineering/Inspection Fee Schedule</b>		
Field Change	\$ 500.00	
Grading or Earth Removal (where no site plan approval is required see §69-5)	\$ 500.00	plus escrow and \$250 for each acre or fraction thereof



## 2016 Town of Southeast Fee Schedule

Chapter 119 Stormwater Management and Erosion and Sediment Control Permit Review Fee (for projects not in conjunction with an active application before the Planning Board in good escrow standing)	\$ 500.00	plus escrow based on project size
MS4 Permit	\$ 500.00	
<b>Communication Tower Fees</b>		
Original Tower application-minimum	\$ 10,000.00	plus \$1,000 for each 10 feet in excess of 100 feet in height
Personal Wireless Service Facility	\$ 500.00	
Additional Application for co-location on an Existing Tower	\$ 500.00	
Escrow Account	\$ 3,000.00	
(Normal Site Plan Review Fees are in addition to the Charges)		
Exemption from Site Plan Review Request Fee	\$ 500.00	
<b>Wetland Permit</b>		
Activities of Minor significance (78-4.H)	\$ 200.00	plus \$500 escrow
Individual lots & residential subdivisions	\$ 880.00	plus \$550 for each lot requiring a wetland permit
For projects requiring Site Plan Approval	\$ 1,450.00	plus \$550 for each acre of controlled area involved
For projects involving the construction of a road, pipeline or utilities		
first 100 linear feet crossing a controlled area	\$ 1,210.00	
for each subsequent 100 linear feet	\$ 1,210.00	
for driveways	\$ 550.00	
Escrow (for projects not in conjunction with an active application before the Planning Board in good escrow standing)	\$ 1,000.00	
<b>ARCHITECTURAL REVIEW BOARD</b>		
Sign Permit Review Fee	\$ 75.00	per sign up to two signs
Sign Program Review Fee (for multiple signs of the same style within a shopping center or business park and Multi Tenant Sign Programs)	\$ 200.00	per program
Exterior Alterations or Additions to Commercial Properties Review Fee	\$ 150.00	
New Residential Structure in an Existing Subdivision Review Fee	\$ 75.00	per structure and/or house model
Escrow (for projects not in conjunction with an active application before the Planning Board in good escrow standing and excluding signs)	\$ 250.00	
<b>HIGHWAY DEPARTMENT</b>		
Driveway Bond	\$ 2,000.00	
Driveway Permit (With inspection)	\$ 100.00	

## 2016 Town of Southeast Fee Schedule

Additional Inspection	\$ 300.00	
<b>ZONING BOARD OF APPEALS</b>		
Area Variance	\$ 175.00	
Use Variance	\$ 400.00	
interpretation	\$ 200.00	
Administrative Appeal	\$ 250.00	
<b>BUILDING DEPARTMENT</b>		
<b>Building Permits</b>		
Small Projects under \$10,000	\$ 150.00	
Small Projects under \$30,000	\$ 330.00	
Small Projects over \$30,000	\$ 330.00	\$6/thousand
Large Projects over \$100,000	\$ 825.00	\$5/thousand
Certificate of Occupancy & Compliance	\$ 55.00	
Existing Buildings & Work Requiring Permit-In addition to Registration fees	\$ 55.00	
Renewal for expired permit ( one time only)	\$ 110.00	
Changes to approved plans	\$ 55.00	
Re-Inspection Fees	\$ 30.00	
Stop Work Order Fee	\$ 100.00	
Work Performed prior to permit issuance	\$ 150.00	
<b>Plumbing Permits</b>		
	Sliding Scale	
first \$1000 of work	\$ 50.00	
per additional thousand	\$ 6.00	
New Construction (residential, commercial S & S systems	\$ 50.00	
Additional Fee per fixture	\$ 6.00	
<b>(HVAC) Permit for heater, ventilating and air conditioning installation</b>		
	Sliding Scale	
<b>Sprinkler System &amp; Equipment Permits</b>		
	Sliding Scale	
\$50.00 first \$1000 of work and \$6.00 per additional \$1000 of work		
<b>Blasting Permit</b>	\$ 250.00	
<b>Demolition Permit</b>		
Residential	\$ 225.00	
Commercial	\$ 550.00	
<b>Municipal Searches</b>		
Residential	\$ 100.00	
Commercial	\$ 150.00	
<b>Oil Tanks</b>		
Install	\$ 50.00	per tank
Removal/Deactivation	\$ 75.00	per tank
<b>Accessory Apt Renewal 138-22 (D)</b>	\$ 300.00	3 years
<b>Rental Occupancy</b>		
per unit up to 4	\$ 150.00	3 years
per additional unit in same structure	\$ 100.00	3 years
<b>Permanent Sign Permit</b> (sign cost under \$5,000)	\$ 75.00	Sliding Scale
<b>Gas &amp; L.P. Permits</b>		

## 2016 Town of Southeast Fee Schedule

Residential		\$ 100.00	First 5 connections
		\$ 20.00	Each Additional
Commercial		\$ 200.00	First 5 connections
		\$ 35.00	Each Additional
Reinspection Fee		\$ 75.00	
<b>RECREATION</b>			
<i>Residents are defined as those who live in the Town of Southeast and within the Brewster Central School District</i>			
PASSES			
	Family July/August	\$ 165.00	
	Family August Only	\$ 85.00	
	Individual July/August	\$ 82.00	
	Individual August Only	\$ 41.00	
DAILY ADMISSION			
<b>Town Beach - Adult Weekends &amp; Holidays- Resident</b>		\$ 6.00	
	Guest	\$ 8.00	
Adult Weekdays	Resident	\$ 4.00	
	Guest	\$ 6.00	
Children anytime-	Resident	\$ 3.00	
	Guest	\$ 4.00	
	Under 4 years of age	FREE	
Guest Pass - Residents w/ Season Pass-2 per session		10 visits/\$35	
Senior Citizens ONLY 2 per season(grandchildren only)		10 visits/\$35	
<b>PROGRAMS-all fees are non-refundable</b>			
Brewster resident		\$ 130.00	
non-resident		\$ 160.00	
Youth Basketball-Grades 1-2-3 Boys & Girls- Resident		\$ 115.00	
	-Non-Resident	\$ 125.00	
Youth Basketball-Grades 4-5 Boys & Girls- Resident		\$ 140.00	
	-Non-resident	\$ 155.00	
-Grades6-7-8 Boys 7 Girls (patched refs)-Resident		\$ 140.00	
	- Non-resident	\$ 155.00	
swimming Lessons (6 weeks)		\$ 170.00	
Program Fees		\$ 30.00	
Lifeguard training -Resident		\$ 350.00	
	-Non-resident	\$ 400.00	
CPR	-Resident	\$ 60.00	
	- Non-resident	\$ 75.00	
First Aid	- Resident	\$ 60.00	
	- Non-resident	\$ 75.00	
Swim Team		\$ 170.00	
Youth Football, Baseball, Basketball, Volleyball, Tennis, Soccer, Softball Camps		\$ 30.00	
Field Hockey, Wrestling Full Session		\$ 30.00	
half session		\$ 15.00	



## 2016 Town of Southeast Fee Schedule

Women's Softball Summer Season Mon - Thurs June 1 - August 31	\$ 1,000.00	
Football -Youth	\$ 275.00	
Cheerleading (Youth)	\$ 175.00	
<b>All Recreational Fields</b>		
Fields (Upon Availability) - resident functions	FREE	
-non-resident per- for two hours	\$ 40.00	NO LIGHTS
each add'l hour	\$ 20.00	NO LIGHTS
Daily Rate - 8:00 A.M. - 8:00 P.M.	\$ 150.00	
Lights (per hour)	\$ 30.00	
<b>Lakeview Manor</b>		
Deposit to Hold Date (non-refundable)	\$ 100.00	
resident/non-resident	\$ 380.00	
Refundable Restoration Fee- held in the event of damage	\$ 250.00	
Fees to Hold Meetings per hour	\$ 50.00	
<b>TOWN CLERK'S OFFICE</b>		
Town Board Public Hearing Fee	\$ 200.00	
Quit Claim Deed	\$ 250.00	
Certification- per page	\$ 10.00	
Marriage License	\$ 40.00	
Marriage Certification	\$ 10.00	
Birth Certification	\$ 10.00	
Death Certification	\$ 10.00	
Search Fees- per hour	\$ 10.00	
Dog Enumeration fine	\$ 10.00	
Late Renewal Fee	\$ 5.00	
Dog License Local Fee : spayed/unspayed	\$8.00/\$16.00	
Purebred Local Fee- 0-10 dogs (each)	\$ 15.00	
11-25 dogs (each)	\$ 20.00	
Dog Residue Violation - 1st offense	\$ 25.00	
-2nd offense	\$ 50.00	
Dog Seizures 1st offense \$25.00 and \$25.00 each day after		
2nd offense \$30.00 and \$25.00 each day after- plus appearance ticket		
3rd offense \$35.00 and \$25 each day after-plus appearance ticket		
Returned Check Fee	\$ 30.00	
Maintenance Fee for Code Book (due January)	\$ 100.00	
Zoning Ordinance and Map	\$ 75.00	
Zoning Map	\$ 20.00	
Comprehensive Plan	\$ 75.00	
Copies- per page 8x10/11x17	.25/.50	
Solid Waste Application Fee	\$ 150.00	
Solid Waste Permit Fee	\$ 150.00	
Fee Per Vehicle	\$ 100.00	
Junkyard Fee	\$ 2,500.00	plus 2% per month late fee

## 2016 Town of Southeast Fee Schedule

Garbage Fine	\$ 100.00	
Christmas Tree Sales, Application Fee	\$ 50.00	
Christmas Tree Permit Fee	\$ 50.00	
Christmas Tree Sales Restoration Fee (refundable)	\$ 100.00	
Concessioner- Resident- per day	\$ 20.00	
Non-resident- per day	\$ 100.00	
Alarms- Residential Annual Fee	\$ 25.00	
False Alarms- First ( Residential)	Free	
False Alarms- Second (Residential)	\$ 125.00	
False Alarms- Third (Residential)	\$ 250.00	
False Alarms- Fourth (Residential)	\$ 500.00	
False Alarms- Fifth (Residential)	\$ 750.00	
False Alarm- Six Plus	\$ 1,000.00	
Alarms- Commercial Annual Fee	\$ 100.00	
False Alarms- First (Commercial)	\$ 125.00	
False Alarms- Second (Commercial)	\$ 250.00	
False Alarms- Third (Commercial)	\$ 500.00	
False Alarms- Fourth (Commercial)	\$ 750.00	
False Alarms -Fifth (Commercial)	\$ 1,000.00	
False Alarms - Six Plus	\$ 1,250.00	
Failure to Register Alarms Fine-Residential	\$ 100.00	
Failure to Register Alarms Fine-Commercial	\$ 200.00	
280(a) Permit	\$ 500.00	
281 Permit	\$ 1,000.00	
Water/Sewer Application	\$ 250.00	
Water/Sewer Meter	\$ 150.00	
Town of Southeast History Book	\$ 35.00	
Public Assembly Permit	\$ 250.00	
<b>Zoning Petition</b>		
Change of Zoning Designation (for first five acres or less) Zoning Maps	\$ 500.00	plus \$50 for each additional acre
Zoning Text Change	\$ 5,000.00	
<b>TAX RECEIVER'S OFFICE</b>		
Delinquent Tax Notification Fee	\$ 2.00	
All delinquent fees due to the Town are subject to a 2% per month late fee		

**TOWN OF KENT, NEW YORK**  
**SUMMARY OF APPLICATION FEES**  
**(ADOPTED JULY 2012)**

**1: BUILDING DEPARTMENT:**

**Chapter § 27, Building Administration & Construction**

Building Permit:	\$ 50.00 work up to \$1,000 and \$5 for every additional \$1,000. 00
Time Extension: year).	\$50 (building permits good for one)
Septic/Well:	\$10 each (new construction only)
Certificate of Occupancy:	\$75.00
Inspection fee, special use permit and site plan:	
<u>Rescission of a Stop Work Order :</u>	
• First	\$150
• Second	\$250
• Additional Thereafter	\$350
Flood Hazard Construction:	\$500.00
Application for Variance	\$500.00

**Chapter §54, Plumbing**

Plumbing additional fixture	\$50 for five fixtures, \$5 for each
Zoning	As per ordinance

**Chapter § 30, Christmas Tree Sales**

Application	\$25 plus site restoration deposit of \$200
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**Chapter § 38, Fire Prevention**

Blasting permit, including storage and use of explosives	\$100
Operating permit	\$ 50

**Chapter § 39, Flood Damage Prevention**

Flood hazard construction application	\$500
Application for a variance from requirements of Chapter 39	\$500
<u>Rescission of a Stop Work Order :</u>	
• First	\$150
• Second	\$250
• Additional Thereafter	\$350



**2: PLANNING DEPARTMENT:**

**Chapter § 39A, Freshwater Wetlands**

Permit Application fee \$ 500

Rescission of a Stop Work Order :

- First \$ 150
- Second \$ 250
- Additional Thereafter \$ 350

**Chapter § 63, Soil Removal**

Application for a permit \$ 500

**Chapter § 66, Steep Slope Protection and Stormwater Management**

Application for permit \$ 500

Inspection fee \$1,000 Initial review fee deposit  
Applicant shall be  
responsible for  
Full payment of actual costs  
of inspection

SWPPP Review \$ 100

Rescission of a Stop Work Order :

- First \$ 150
- Second \$ 250
- Additional Thereafter \$ 350

Site Plan, Inspection Fee and Special Use Permit \$ 150

Freshwater Wetland Permit Application Fee: \$ 500

Steep Slope/Stormwater Management \$ 500

Inspection \$1,000 Initial review fee deposit

Watercourse Inspection Fee \$ 10

**Chapter § 66A, Subdivision of Land**

Lot Line revision

Application fee \$ 250

Preliminary subdivision

Application fee \$ 750

Review fee, initial deposit

\$1,000 Initial review fee deposit  
Applicant shall be  
responsible for  
Full payment of actual costs  
of inspection

Final subdivision

Application fee

\$ 750

Review fee, initial deposit

\$1,000 Initial review fee deposit  
Applicant shall be  
responsible for  
Full payment of actual costs  
of inspection

- \* Note that a separate check is required for each Application, Inspection, and/or review fees and needs to be made out to:

The Town of Kent  
25 Sybil's Crossing  
Kent, NY 10512  
Attn: Planning Department

**3: TOWN BOARD:**

Soil Removal:

\$500 (temporary permit)

## Chapter A112. Fees

### § A112-38. Filings before Zoning Board of Appeals.

[Amended 4-4-2005 by L.L. No. 4-2005]

Fees for filings before the Zoning Board of Appeals shall be:

<b>Filing</b>	<b>Fee</b>
Application for a zoning variance	\$100
Other appeals	\$0
Single-family application	\$130
Two- to four-family dwelling application	\$250
Commercial and multifamily exceeding four dwellings	\$500
Zoning Code interpretations	\$0

### § A112-62. Excavations.

The permit fee for an excavation shall be \$25.

### § A112-89. Signs.

A. Permit fees shall be as follows:

<b>Type of Permit</b>	<b>Fee</b>
Sign of any size	\$15.00

B. Bond. A bond shall be posted in the amount and form approved by the Village Attorney.

### § A112-94. Subdivision of land.

[Added 5-22-1989 by L.L. No. 5-1989; amended 8-3-1992 by L.L. No. 4-1992; 8-3-1992 by L.L. No. 6-1992; 4-4-2005 by L.L. No. 4-2005]

Fees for subdivision of land shall be as follows:

A. Application for subdivision approval.

- (1) Conceptual review: \$400.
- (2) Preliminary or final plat approval: \$750, plus \$500 for each newly created lot.

B. Required planning escrow deposit.

- (1) Subdivision, number of proposed lots, initial deposit:
  - (a) Five or fewer: \$5,000.
  - (b) Six to 20: \$10,000.



Value of project: Twenty-one to 40: \$25,000.

Fee

(2) **\*\*Minor site plan" is defined as a project whose total costs are less than 10% of the property's market value as listed on the most recent final Village Assessment Roll.**

- (a) Minor site plan:\* \$2,500.
  - (b) Major site plan:\* \$5,000.
  - (c) Special permit: \$5,000.
  - (d) Code amendment: \$10,000 an acre, with a minimum payment of not less than \$10,000.
  - (e) Area site plan: \$20,000.
- (3) Fee in lieu of parking for CB1, CB2 and OD Districts: \$25,000.

**NOTES:**

**\*\*Minor site plan" is defined as a project whose total costs are less than 10% of the property's market value as listed on the most recent final Village Assessment Roll.**

\*\*Major site plan" is defined as a project whose total costs are more than 10% of the property's market value as listed on the most recent final Village Assessment Roll.

C. Recreation/Parkland fee, per proposed lot: \$7,500.

### § A112-99. Tree preservation.

[Added 1-23-1989 by L.L. No. 2-1989]

Permit fees shall be as follows:

- A. Permit to plant in public place: \$5.
- B. Permit for removal or alteration of tree: \$15.

### § A112-107. Wetlands and drainage.

[Amended 4-4-2005 by L.L. No. 4-2005]

Permit fees for wetlands and drainage projects shall be:

**Value of Project**

Under \$10,000

Over \$10,000

**Fee**

\$500

\$1,000

### § A112-110. Zoning and planning.

[Added 11-16-1987 by L.L. No. 12-1987;<sup>[1]</sup> amended 5-22-1989 by L.L. No. 5-1989]

Fees for zoning and planning shall be as follows:

- A. Payment in lieu of required parking: \$10,000 per space.
- B. Site plans.
  - (1) Conceptual review: \$100.
  - (2) Application for residential site plan approval: \$300.
  - (3) Application for commercial site plan approval: \$300, plus \$50 per required parking space.
  - (4) Change of use permit application fee: \$500, plus \$75 per required parking space existing and/or proposed or \$100 per proposed dwelling unit. Note: The fee per parking space refers to the number of parking

spaces required for the use proposed (major site plans only) and is required whether the spaces currently exist or are being proposed. This fee is paid with the initial application fee.

**Proposed Action**      **A Initial Deposit**      **B Depleted to:**      **C Further Deposit:**

C. Deposit for cost of review.  
 [Added 8-3-1992 by L.L. No. 4-1992]

<b>Proposed Action</b>	<b>A Initial Deposit</b>	<b>B Depleted to:</b>	<b>C Further Deposit:</b>
Minor site plan	\$1,000.00	\$500.00	\$500.00
Other site plan	\$5,000.00	\$1,500.00	\$3,500.00
Special permit	\$5,000.00	\$1,000.00	\$3,500.00
Code amendment	\$10,000.00	\$2,000.00	\$8,000.00
Area site plan	\$10,000.00	\$2,000.00	\$8,000.00

[1] *Editor's Note: This ordinance originally adopted this section as § A112-84, but the section designation was changed to § A112-110 to conform to the numbering system of this chapter.*

## Chapter A112. Fees

### § A112-38. Filings before Zoning Board of Appeals.

[Amended 4-4-2005 by L.L. No. 4-2005]

Fees for filings before the Zoning Board of Appeals shall be:

<b>Filing</b>	<b>Fee</b>
Application for a zoning variance	\$100
Other appeals	\$0
Single-family application	\$130
Two- to four-family dwelling application	\$250
Commercial and multifamily exceeding four dwellings	\$500
Zoning Code interpretations	\$0

### § A112-62. Excavations.

The permit fee for an excavation shall be \$25.

### § A112-89. Signs.

A. Permit fees shall be as follows:

<b>Type of Permit</b>	<b>Fee</b>
Sign of any size	\$15.00

B. Bond. A bond shall be posted in the amount and form approved by the Village Attorney.

### § A112-94. Subdivision of land.

[Added 5-22-1989 by L.L. No. 5-1989; amended 8-3-1992 by L.L. No. 4-1992; 8-3-1992 by L.L. No. 6-1992; 4-4-2005 by L.L. No. 4-2005]

Fees for subdivision of land shall be as follows:

A. Application for subdivision approval.

- (1) Conceptual review: \$400.
- (2) Preliminary or final plat approval: \$750, plus \$500 for each newly created lot.

B. Required planning escrow deposit.

- (i) Subdivision, number of proposed lots, initial deposit:
  - (a) Five or fewer: \$5,000.
  - (b) Six to 20: \$10,000.



Value of 10/100: Twenty-one to 40: \$25,000.

**Fee**

- (2) **\*\*Minor site plan" is defined as a project whose total costs are less than 10% of the property's market value as listed on the most recent final Village Assessment Roll.**  
 Site plans, special permits, initial deposit:
- (a) Minor site plan:\* \$2,500.
  - (b) Major site plan:\* \$5,000.
  - (c) Special permit: \$5,000.
  - (d) Code amendment: \$10,000 an acre, with a minimum payment of not less than \$10,000.
  - (e) Area site plan: \$20,000.
- (3) Fee in lieu of parking for CB1, CB2 and OD Districts: \$25,000.

**NOTES:**

**\*\*Minor site plan" is defined as a project whose total costs are less than 10% of the property's market value as listed on the most recent final Village Assessment Roll.**

**\*\*Major site plan" is defined as a project whose total costs are more than 10% of the property's market value as listed on the most recent final Village Assessment Roll.**

C. Recreation/Parkland fee, per proposed lot: \$7,500.

## § A112-99. Tree preservation.

[Added 1-23-1989 by L.L. No. 2-1989]

Permit fees shall be as follows:

- A. Permit to plant in public place: \$5.
- B. Permit for removal or alteration of tree: \$15.

## § A112-107. Wetlands and drainage.

[Amended 4-4-2005 by L.L. No. 4-2005]

Permit fees for wetlands and drainage projects shall be:

**Value of Project**

**Fee**

Under \$10,000

\$500

Over \$10,000

\$1,000

## § A112-110. Zoning and planning.

[Added 11-16-1987 by L.L. No. 12-1987;<sup>[1]</sup> amended 5-22-1989 by L.L. No. 5-1989]

Fees for zoning and planning shall be as follows:

- A. Payment in lieu of required parking: \$10,000 per space.
- B. Site plans.
  - (1) Conceptual review: \$100.
  - (2) Application for residential site plan approval: \$300.
  - (3) Application for commercial site plan approval: \$300, plus \$50 per required parking space.
  - (4) Change of use permit application fee: \$500, plus \$75 per required parking space existing and/or proposed or \$100 per proposed dwelling unit. Note: The fee per parking space refers to the number of parking

spaces required for the use proposed (major site plans only) and is required whether the spaces currently exist or are being proposed. This fee is paid with the application fee.

[Added 8-3-2005 by L.L. No. 4-2005]

- C. Deposit for cost of review.  
[Added 8-3-1992 by L.L. No. 4-1992]

<b>Proposed Action</b>	<b>A Initial Deposit</b>	<b>B Depleted to:</b>	<b>C Further Deposit:</b>
Minor site plan	\$1,000.00	\$500.00	\$500.00
Other site plan	\$5,000.00	\$1,500.00	\$3,500.00
Special permit	\$5,000.00	\$1,000.00	\$3,500.00
Code amendment	\$10,000.00	\$2,000.00	\$8,000.00
Area site plan	\$10,000.00	\$2,000.00	\$8,000.00

[1] *Editor's Note: This ordinance originally adopted this section as § A112-84, but the section designation was changed to § A112-110 to conform to the numbering system of this chapter.*

**TOWN OF PATTERSON  
PLANNING AND ZONING FEES**

Purpose	Amount
<b>ZONING BOARD OF APPEALS APPLICATION FEES<sup>1</sup></b>	
Area variance:	
• first variance	\$175.00
• each additional area variance requested by the applicant that may be needed to accomplish the proposed action.	\$50.00
Use variance	\$350
Interpretations	\$150
Special Use Permits	
• Accessory Apartments	\$250.00
• Livery and Taxi Cab Service with a single vehicle	\$150.00
• For use accessory to principal residential use	\$500.00
• For all other special use permit applications	\$500. plus \$0.10 per square foot of building floor area over 5,000 sf, however the total application fee shall not exceed \$3,000.00
General Appearance Fee (at time of application)	\$100.00

<sup>1</sup> Pursuant to §87-6.B. Where an application has been submitted requesting approval of an activity that has already been commenced, or for a structure that has already been erected, the application fee shall be two times the regular application fee.



**TOWN OF PATTERSON  
PLANNING AND ZONING FEES**

Purpose	Amount
<b>PLANNING BOARD APPLICATION FEES</b>	
General Appearance fee (at time of application) <sup>2</sup>	..... \$100
<p><sup>2</sup>No general appearance fee for an initial discussion with the Planning Board of a conceptual plan. This should occur only on a one-time basis for each project that would eventually need to submit an Application to the Board. The conceptual review should not include a review of a detailed plan for development, and there will be no technical review by the Planner, ECI, Legal Counsel, or Engineers without a formal application and fee being submitted.</p>	
Site Plan Application Fee, Residential	..... \$100/ per lot or dwelling unit
Site Plan Application Fee, Non-Residential	
<ul style="list-style-type: none"> <li>● Minimum Application fee</li> <li>● Site Plan with a building floor area of less than 5,000 square feet</li> <li>● Site Plan with a building floor area between 5,000 square feet and 20,000 square feet</li> <li>● Site Plan with a building floor area over 20,000 square feet</li> </ul>	<p>..... \$500.00</p> <p>..... \$150.00 plus \$0.09 per square foot of building floor area</p> <p>..... \$600.00 plus \$0.05 per square foot of building floor area</p> <p>..... \$1,500.00 plus \$0.03 per square foot of however the total building floor area application fee shall not exceed \$15,000.00</p>

**TOWN OF PATTERSON  
PLANNING AND ZONING FEES**

Purpose	Amount
Subdivision review, Minor subdivisions:	
● Two (2) lots	..... \$500.00
● Three (3) lots	..... \$550.00
● Four (4) lots	..... \$600.00
Subdivision review, Major subdivisions:	
● Preliminary application fee	
■ Five (5) lots or less	..... \$600.00
■ More than five (5) lots:	
	..... \$600.00, plus one hundred dollars (\$100.) for every lot shown on the preliminary plat.
● Final application fee:	
	..... \$80.00 for every lot shown on the final subdivision plat.
Lot Line Adjustment	..... \$100.00
Fees in lieu of park land: four thousand - five hundred dollars.	..... (\$4,500.) per lot or dwelling unit shown on the final plat, excluding the existing lot
Inspection fees:	..... Five percent (5%) of the estimated cost of the public improvements as determined by the Town Engineer
Special meetings of the Town Board, Planning Board or Zoning Board of Appeals held at the request of an individual or Applicant.	..... \$700.00



**TOWN OF PATTERSON  
PLANNING AND ZONING FEES**

Purpose	Amount
Site inspections by Planning Board. The first site inspection conducted by the Planning Board shall be done at no additional cost. For every subsequent site inspection deemed necessary by the Planning Board, the applicant shall pay:	\$700.00
Driveway waivers	\$150.00
Sign application	\$75.00
Fill Permits	No Permit Required
10 Yards or less	\$25.00
11 yds. to 1,000 yds.	\$200.00
1,001 yds or more	
<b>LAND DEVELOPMENT PERMIT</b>	
Land Development Permit, Minor Application	\$150.00
Land Development Permit Major Application	\$400.00
<b>TOWN BOARD</b>	
Request for zoning change Application fee <sup>3</sup>	\$750.00
<sup>3</sup> If zoning charge is not approved and there is no change to the local zoning law, three hundred dollars (\$300.) will be refunded to the applicant	
Miscellaneous Laws	\$400.00
Request for Open Development Area (Town Law §280-a)	\$400



**TOWN OF PATTERSON  
CHAPTER 154  
WETLANDS/WATERCOURSE APPLICATION FEES**

Minor Application Fee.

Permit applications submitted by residential property owners for activities which in the discretion of the Environmental Conservation Inspector will not significantly alter or affect the functional values of a regulated wetland area. Such activities may include landscaping, ornamental pedestrian-only bridges and sheds. . . . . \$100.00

Major Application Fee.

- A. All other applications shall submit an application fee of \$300.00 plus;
  - 1. \$1.00 for every square yard of disturbance within the one hundred foot buffer of a wetland, stream channel or waterbody, and
  - 2. \$2.00 for every square yard of disturbance within a wetland, stream channel or waterbody, and
  - 3. \$3.00 for every square yard of permanent impervious surface within a wetland, stream channel, waterbody or one hundred foot buffer.
- B. The maximum fee for a wetland/watercourse major application shall be limited to \$8,500.00

Wetland inspections.

Where no application has been submitted, verification of wetland delineations completed by others, or at the request of a property owner, where field delineations are completed by the Environmental Conservation Inspector, which delineation shall be undertaken solely in his discretion, an inspection fee of \$50.00 per hour of time spent, with a minimum fee of \$50.00 shall be assessed.

**TOWN OF PATTERSON  
CHAPTER 87  
PROFESSIONAL PLAN REVIEW FEES**

- A. Applications for minor subdivisions and major subdivisions, preliminary plat (\$350.00) per lot.
- B. Applications for major subdivisions, final plat (\$350.00) per lot.
- C. Applications for Site Plan showing residential units (\$500.00) per unit not to exceed \$15,000.00
- D. Applications for Site Plan Non-residential
  - (1) \$0.75 per square foot of building coverage with a maximum deposit establishing or replenishment to the account of \$5,000.00.
  - (2) Upon the balance of that fund being equal to or less than ten percent of the original amount deposited, the developer shall deposit such additional funds with the Town Supervisor so as to equal the amount of the original deposit.
  - (3) Where no structure is shown the minimum deposit shall be (\$2,000.00)
- E. Applications for Special Use Permits (\$2,500.00)
- F. SEQRA (\$5,000.00) upon submission of a draft environmental impact statement.
- G. Applications for a Wetland or Watercourse Permit: Wetland or watercourse applications which are determined by the Planning Board to require an engineering review will be subject to the rules and regulations of Chapter 87, and will be required to post funds in an escrow account commensurate with the complexity of the review, and the amount of time the review is expected to take, as determined by the Town Engineer. Review of the Application shall be suspended until such funds are posted by the Town. The amount to be posted is as follows:
  - Level 1 Applications: \$1,000.00
  - Level 2 Applications: \$2,000.00
  - Level 3 Applications: \$3,000.00

## Chapter 105. Fees

### § 105-4. Fee schedule.

[Amended 12-13-1995 by L.L. No. 21-1995; 12-13-1995 by L.L. No. 22-1995; 8-21-1996 by L.L. No. 11-1996; 1-29-1997 by L.L. No. 4-1997; 3-19-1997 by L.L. No. 8-1997; 8-20-1997 by L.L. No. 23-1997; 2-18-1998 by L.L. No. 2-1998; 8-5-1998 by L.L. No. 11-1998; 1-27-1999 by L.L. No. 2-1999; 3-21-2001 by L.L. No. 5-2001; 3-22-2001 by L.L. No. 12-2001; 5-2-2001 by L.L. No. 8-2001; 8-6-2003 by L.L. No. 9-2003; 9-24-2003 by L.L. No. 10-2003; 11-5-2003 by L.L. No. 11-2003; 6-7-2006 by L.L. No. 15-2006; 7-12-2006 by L.L. No. 17-2006; 1-17-2007 by L.L. No. 1-2007; 2-7-2007 by L.L. No. 3-2007; 2-7-2007; 3-21-2007 by L.L. No. 5-2007; 12-12-2007 by L.L. No. 31-2007; 1-16-2008 by L.L. No. 1-2008; 2-6-2008 by L.L. No. 3-2008; 3-19-2008 by L.L. No. 5-2008; 4-23-2008 by L.L. No. 8-2008; 4-23-2008 by L.L. No. 10-2008; 2-18-2009 by L.L. No. 4-2009; 4-22-2009 by L.L. No. 7-2009; 1-6-2010 by L.L. No. 1-2010; 2-17-2010 by L.L. No. 3-2010; 5-5-2010 by L.L. No. 12-2010; 12-22-2010 by L.L. No. 1-2011; 4-6-2011 by L.L. No. 7-2011; 6-22-2011 by L.L. No. 12-2011; 2-15-2012 by L.L. No. 1-2012; 5-23-2012 by L.L. No. 7-2012; 6-6-2012 by L.L. No. 10-2012; 6-20-2012 by L.L. No. 12-2012; 7-11-2012 by L.L. No. 15-2012; 2-20-2013 by L.L. No. 5-2013; 12-3-2014 by L.L. No. 22-2014]

The fee schedule shall be as follows.

Special Note: Fees for applications for matters involving the Arlington Fire District, the Fairview Fire District, the New Hamburg Fire District, and any unit of local government including public school districts are hereby waived.

#### A. Chapter **57**, Animals.

(1) Dog licenses:

(a) Spayed: \$8.

(b) Unspayed: \$18.

(2) Dog enumeration fee: \$10.

(3) Seizures:

(a) First: up to \$75.

(b) Second: \$100.

(c) Third: \$125.

(4) Intake: up to \$107.

(5) Replacement tag: \$3.

(6) Board per night: \$18.

(7) Fees and costs incurred for municipal shelter services as provided in § 115 of the Agriculture and Markets Law and other services in relation to confined stray, sick, injured or unwanted dogs and other animals ordered confined pursuant to Part 2 of § 2.14 of the New York State Sanitary Code as contained in Chapter 1 of Title 10 (Health) NYCRR.

#### B. Chapter **60**, Assemblies, Mass Public.

(1) Fees for approved licenses shall be as follows:



<b>Capacity (Persons) Fee</b>	<b>Fee</b>
50 to 100	\$100
101 to 300	\$125
301 to 600	\$200
601 to 1,000	\$250

- (2) An additional fee of \$25 shall be charged for each 100 persons or fraction thereof in excess of 1,000 persons.
- (3) The maximum fee shall not exceed \$400.
- (4) Where there is more than one place, room or area of assembly in the same building and the applicant is the same for all the places, rooms and areas of assembly therein, the fee shall be determined on the basis of the sum of the combined occupancies.

C. Chapter 68, Building Construction.

- (1) Residential:

<b>Type</b>	<b>Fee</b>
New one- and two-family homes and additions (includes attached garages)	\$100, plus \$0.40 per square foot
Renewal of a permit for a new one- or two-family home and additions	\$100, plus \$0.20 per square foot
Interior renovations/alterations	\$75 plus \$0.25 per square foot
Renewal of a permit for interior renovations/alterations	\$75 plus \$0.12 per square foot
Residential detached accessory buildings (see § 68-10 for exceptions)	\$30, plus \$0.10 per square foot over 100 square feet
Renewal of a permit for residential detached accessory buildings	\$30, plus \$0.05 per square foot over 100 square feet
Decks/porches	
Open	\$50, plus \$0.20 per square foot
Covered/enclosed unheated	\$50, plus \$0.30 per square foot
Pools (does not include decks, patios, etc.)	
Aboveground	\$30
Inground	\$50
Mobile and manufactured one- and two-family homes	\$100, plus \$0.30 per square foot
Renewal of a permit for mobile and manufactured one- and two-family homes	\$100, plus \$0.15 per square foot
Electrical permits, general	\$50 residential \$75 commercial
Fire alarm	\$50, plus \$2 per device

- (2) Commercial:

<b>Type</b>	<b>Fee</b>
New commercial buildings and additions (includes multiple dwellings)	\$250, plus \$0.40 per square foot up to 50,000 square feet plus \$0.30 per square foot over 50,000 square feet
Permit renewal	\$250 plus \$0.10 per square foot
Renovations/alterations	\$200
Level 1 alterations	Plus \$0.20 per square foot
Level 2 alterations	Plus \$0.25 per square foot
Level 3 alterations	Plus \$0.30 per square foot

**Type Construction cost****Fee Surcharge**

Re-roofing not involving replacement or repair of Plus \$0.10 per square foot subroof

## (3) Demolition:

- (a) Residential: \$50.
- (b) Commercial: \$100.

## (4) Work started without a building permit fee:

## (a) Residential:

**Construction cost**

\$0 to \$9,999  
 \$10,000 to \$20,000  
 \$20,001 to \$30,000  
 \$30,001 and up

**Surcharge**

\$100  
 \$200  
 \$300  
 \$500

## (b) Commercial:

**Construction cost**

\$0 to \$9,999  
 \$10,000 to \$25,000  
 \$25,001 to \$50,000  
 \$50,001 and up

**Surcharge**

\$250  
 \$500  
 \$750  
 \$1,000 plus 2% of cost of construction

## (5) Temporary certificate of occupancy:

- (a) Residential: \$100 per each ninety-day period.
- (b) Commercial: \$250 per each thirty-day period.

## (6) Municipal violation search:

**Type****Fee**

One- and two-family dwellings

\$100

Multiple dwellings

\$100 plus \$15 per dwelling

Commercial

\$150 per building plus \$25 per tenant space

## (7) Certificate of occupancy, existing buildings, when requested pursuant to municipal violation search:

- (a) Residential: \$25.
- (b) Commercial: \$50.

## (8) Revision to building permit:

- (a) Residential: \$50.
- (b) Commercial: \$100 plus 1% of building permit fee.

## (9) Operating permits where required by Chapter 68: \$250.

## (10) Fees for required fire inspections:

**Type****Fee**

Residential:

\$25 per dwelling unit

Commercial:

\$125 per tenant space up to 10,000 square feet

\$250 per tenant space from 10,000 square feet to 50,000 square feet

\$500 per tenant space over 50,000 square feet

- (11) Rescission of a stop-work order:
  - (a) First: \$150.
  - (b) Second: \$200.
  - (c) Third: \$250.
  - (d) More than three: \$300 each.
  
- D. Chapter **76**, Circuses and Carnivals.
  - (1) License fee: \$300 per occasion (two consecutive days), except that flea markets shall be \$150 per day.
  - (2) Application fee: \$75.
  
- E. Chapter **97**, Erosion and Sediment Control.
  - (1) Permit application fee:
    - (a) For a new permit issued pursuant to § **97-7A(4), (5), (6), (7) or (8)**: \$100.
    - (b) For an amended permit not including an amendment to cure a violation: \$100.
    - (c) For an amended permit where work was not performed in accordance with a prior approved permit: \$200, plus \$250 per Planning Board meeting.
    - (d) For a permit where work was commenced without having first obtained a permit: \$400, plus \$250 per Planning Board meeting.
  - (2) Rescission of a stop-work order:
    - (a) First: \$150.
    - (b) Second: \$200.
    - (c) Third: \$250.
    - (d) More than three: \$300 each.
  
- F. Chapter **100**, Explosives.
  - (1) Blaster's license fee: \$50.
  
- G. Chapter **110**, Fire Prevention.
  - (1) Application fee for permit for placing specific objects or materials at a specific location in or on a fire zone or fire lane: \$40.
  - (2) Application fee for placement of specific objects or materials in or on a fire zone or fire lane without having first obtained a permit: \$80.
  - (3) Rescission of a stop-work order:
    - (a) First: \$150.
    - (b) Second: \$200.
    - (c) Third: \$250.
    - (d) More than three: \$300 each.
  
- H. Chapter **113**, Flood Damage Prevention.
  - (1) For a new floodplain development permit: \$100.



- (2) For an amended permit not including an amendment to cure a violation: \$100.
- (3) For an amended permit where work was not performed in accordance with a prior approved permit: \$200, plus \$250 per Planning Board meeting if required.
- (4) For a permit where work was commenced without having first obtained a permit: \$400, plus \$250 per Planning Board meeting if required.
- (5) Rescission of a stop-work order:
  - (a) First: \$150.
  - (b) Second: \$200.
  - (c) Third: \$250.
  - (d) More than three: \$300 each.

I. Chapter **116**, Aquatic Resource Protection.

- (1) For activity on a single-family, owner-occupied property:
  - (a) For a new permit: \$100.
  - (b) For an amended permit not including an amendment to cure a violation: \$100.
  - (c) For an amended permit where work was not performed in accordance with a prior approved permit: \$200, plus \$250 per Planning Board meeting.
  - (d) For a permit involving a regulated activity that was commenced without having first obtained a permit: \$300, plus \$250 per Planning Board meeting.
- (2) For activity on other than a single-family, owner-occupied property:
  - (a) For a new permit: \$300.
  - (b) For an amended permit not including an amendment to cure a violation: \$300.
  - (c) For an amended permit where work was not performed in accordance with a prior approved permit: \$400, plus \$250 per Planning Board meeting.
  - (d) For a permit involving a regulated activity commenced without having first obtained a permit: \$600, plus \$250 per Planning Board meeting.
- (3) Rescission of a stop-work order:
  - (a) First: \$150.
  - (b) Second: \$200.
  - (c) Third: \$250.
  - (d) More than three: \$300 each.

J. Chapter **121**, Games of Chance.

- (1) License fee: \$25.
- (2) License fee for games of chance lessors: \$50.

K. Chapter **135**, Lot Line Revisions.

- (1) Lot line revision application:
  - (a) Single-family residential property: \$100 plus \$250 per Planning Board meeting.

~~Use~~ For other than single-family residential property: \$300 plus \$250 per Planning Board meeting.

L. Chapter 146, Open Space Preservation.

(1) Fee pursuant to § 146-3.

<b>Use</b>	<b>Fee</b>
Detached dwellings, per parcel	\$300
Cluster, per parcel	\$100
Manufactured homes (aka mobile homes), per unit	\$200
All nonresidential buildings, including apartments	\$0.20 per square foot based on gross floor area of each building on a lot.
Senior citizen apartments	\$0.10 per square foot based on gross floor area of each building on a lot.

M. Chapter 148, Parks and Recreation.

[Amended 3-2-2016 by L.L. No. 7-2016]

(1) Use of recreation facilities.

(a) All individuals or organizations (comprised of individuals over the age of 18 years) wishing to utilize the recreation facilities of the Town of Poughkeepsie shall, at the time of an application for a permit, pay the following fees:

[1] Park permit fee: \$100 per day.

[2] Athletic facility fee: \$100 per day.

[3] Athletic field with lights: \$125 per evening.

[4] Pavilion rental: \$100 per day.

(b) The Town Board may waive these fees by granting a group a revocable license allowing special use of the park.

(2) Summer programs:

(a) Tennis lessons: \$120 per session.

(b) Tennis lessons (nonresident): \$125 per session.

(c) Day-camp program:

[1] Week 1: \$84 per week;

[2] Week 1 late registration: \$89 per week;

[3] Week 1 extended hours: \$24;

[4] Week 1 nonresident surcharge: \$24.

(d) Day-camp program:

[1] Weeks 2-6: \$105 per week;

[2] Weeks 2-6 late registration: \$109 per week;

[3] Weeks 2-6 extended hours: \$30;

[4] Weeks 2-6 nonresident surcharge: \$30.

(e) Swimming lessons: \$49 per session.

(3) Senior Center.

- (a) Senior Center rental per hour: \$35.
  - (b) Senior Center rental per day: \$100.
  - (c) Senior Center use by Town-based, youth-serving, nonprofit organization: fee may be waived by the Recreation Committee.
- (4) Department staffing at event or for set up or take down: \$20 per hour per staff member.
- N. Chapter **151**, Peddling and Soliciting.
- (1) Peddler's license fee: \$125 per calendar year.
  - (2) Replacement peddler's license: \$15.
- O. Chapter **154**, Plumbing.
- (1) Inspection fee: \$50.
  - (2) Plumber's examination fee: \$100 payable to examining company.  
[Amended 10-21-2015 by L.L. No. 20-2015]
  - (3) Plumber's license renewal: \$350.
  - (4) Shelving of plumbing license: \$75.
  - (5) Reinstatement of plumbing license: \$75.
  - (6) Class A plumbing permit fee for fixtures: a base, administrative, nonrefundable fee of \$30 plus \$10 per fixture.
  - (7) Class B plumbing permit fee: nonrefundable administrative permit fee of \$35 plus a fee per appurtenance of \$25.
  - (8) Reduced pressure zone (RPZ) device annual inspection:
    - (a) Commercial properties: \$100 per device.
    - (b) Residential (one- and two-family) properties: \$75 per device.
    - (c) Should the inspection be requested for a holiday or outside of normal business hours, Monday through Friday, then the property owner will also be responsible for overtime costs.
  - (9) Working without a permit:
    - (a) First offense: \$250 plus the plumbing permit fee schedule.
    - (b) Second offense: \$500 plus plumbing permit fee schedule.
  - (10) Rescission of a stop-work order:
    - (a) First: \$150.
    - (b) Second: \$200.
    - (c) Third: \$250.
    - (d) More than three: \$300 each.
  - (11) Plumbing photo I.D.: \$25.
  - (12) Violation of § **154-26E**: \$50.
- P. Chapter **159**, Property Maintenance.
- (1) Rescission of a stop-work order:



- (a) First: \$150.
- (b) Second: \$200.
- (c) Third: \$250.
- (d) More than three: \$300 each.

Q. Chapter **160**, Records.

- (1) Twenty-five cents per page for photocopies not exceeding nine inches by 14 inches; for all other, the actual cost of reproduction.

R. Chapter **174**, Streets and Sidewalks.

- (1) Excavation permit: \$50.
- (2) Residential driveways:
  - (a) Single dwelling (new construction): \$30.
  - (b) Two- to three-lot common driveway (new construction): \$300.
  - (c) Existing driveway (improvements/paving/repaving): \$30.
  - (d) Temporary construction access: \$30.
- (3) Commercial driveways:
  - (a) Minor commercial driveway (new construction): \$500.
  - (b) Major commercial driveway (new construction): \$800.
  - (c) Minor commercial driveway (improvement/repaving): \$200.
  - (d) Major commercial driveway (improvement/repaving): \$400.
  - (e) Temporary construction access (logging, mining, etc.): \$200.
- (4) Subdivision and local roads:
  - (a) Subdivision road (four or more lots, new construction): \$625.
  - (b) Local road (new construction): \$400.
- (5) Traffic control device:
  - (a) Regulatory sign (required for access permit): \$250.
  - (b) Information/guide sign (commercial): \$45.
  - (c) Information/guide sign (nonprofit): \$25.
  - (d) Temporary construction signs: \$100.
  - (e) Traffic signal: \$1,500.

S. Chapter **177**, Subdivision of Land.

- (1) Subdivision application:
  - (a) Preapplication/sketch discussion: \$250 per Planning Board meeting.
  - (b) Minor (two lots) subdivision: \$750 plus \$250 per Planning Board meeting.

- (c) Major (three lots or more) subdivision, preliminary approval: \$750, plus \$300 per new lot (i.e., no fee for the first lot). [Example for a ten-lot subdivision: \$750 plus \$300 times nine lots = \$3,450.] Plus \$250 per Planning Board meeting.
  - (d) Major (three lots or more) sub division, final approval: \$400, plus \$200 per new lot (i.e., no fee for the first lot). [Example for a ten-lot subdivision: \$400 plus \$200 times nine lots = \$2,200.] Plus \$250 per Planning Board meeting.
- (2) Amended subdivision applications:
- (a) For review of a previously approved plat but not including an amendment required to cure a violation: \$200 per lot in the subdivision, plus \$250 per Planning Board meeting.
  - (b) For review of a previously approved plat required to cure a violation where work was not performed in accordance with a prior approved plat: \$500 per lot in the subdivision, plus \$250 per Planning Board meeting.
- (3) Rescission of a stop-work order:
- (a) First: \$150.
  - (b) Second: \$200.
  - (c) Third: \$250.
  - (d) More than three: \$300 each.
- (4) Downstream drainage assessment fee: \$500 per lot.
- (5) Recreation fees in lieu of land: \$5,000 per each new residential lot intended for single family residential use, or \$1,250 per bedroom for any multifamily and two-family dwelling.<sup>[1]</sup>  
 [Amended 11-4-2015]  
 [1] *Editor's Note: Local Law No. 23-2015, adopted 11-4-2015, provided for the setting of this fee by resolution.*

T. Chapter **187**, Tree Preservation.

- (1) Application for tree removal permit: \$250, plus \$250 per Planning Board meeting if required.

U. Chapter **198**, Vehicles for Hire.

- (1) Each vehicle for hire permit purchased June 1 to November 30: \$100 per annum.
- (2) Each vehicle for hire permit purchased December 1 to May 31: \$50.
- (3) Each annual inspection: \$25.

V. Chapter **210**, Zoning.

- (1) Preapplication discussion: \$250 per Planning Board meeting.
- (2) Site plan application for a nonresidential project, or the nonresidential portion of a mixed-use project: \$500, plus \$250 per 1,000 square feet of gross building area, plus \$250 per Planning Board meeting.
- (3) Site plan application for a residential project, or the residential portion of a mixed-use project: \$500, plus \$200 per dwelling unit plus \$250 per Planning Board meeting.
- (4) Amended site plan applications:
  - (a) For review of a previously approved plan but not including an amendment required to cure a violation: \$250, plus \$150 per 1,000 square feet of gross building area for a nonresidential project, or the nonresidential portion of a mixed-use project; plus \$150 per dwelling unit for a residential project, or the residential portion of a mixed-use project; plus \$250 per Planning Board meeting.

- (b) For review of a previously approved plan required to cure a violation where work was not performed in accordance with a prior approved plan: \$500 plus \$150 per 1,000 square feet of gross building area for a nonresidential project, or the nonresidential portion of a mixed-use project; plus \$150 per dwelling unit for a residential project, or the residential portion of a mixed-use project; plus \$250 per Planning Board meeting.
- (c) For review of a plan where work was commenced without having first obtained site plan approval: \$750 plus \$250 per 1,000 square feet of gross building area for a nonresidential project, or the nonresidential portion of a mixed-use project; plus \$250 per dwelling unit for a residential project, or the residential portion of a mixed-use project; plus \$250 per Planning Board meeting.
- (5) Recreation fees in lieu of land: \$5,000 per each new single family residential dwelling, or \$1,250 per bedroom for any multi-family and two-family dwelling.<sup>[2]</sup>  
[Amended 11-4-2015]  
[2] *Editor's Note: Local Law No. 23-2015, adopted 11-4-2015, provided for the setting of this fee by resolution.*
- (6) Accessory apartment: \$250.
- (7) Home occupation subject to registration only: No fee.
- (8) Home occupation subject to special permit approval only: \$250.
- (9) All other special use permits for uses proposed for a residential premises: \$250.
- (10) All other special use permits for uses proposed for a nonresidential premises: \$500.
- (11) Architectural review not a part of site plan review: \$150 plus \$250 per Planning Board meeting.
- (12) Special meeting of the Planning Board: \$250 per meeting.
- (13) Special meeting of the Zoning Board of Appeals: \$250 per meeting.
- (14) Special meeting of the Town Board: \$250.
- (15) Business park application: \$500.
- (16) Zoning Map amendment application: \$2,000, plus \$250 per Town Board meeting.
- (17) Zoning code text amendment application: \$2,000, plus \$250 per Town Board meeting.
- (18) Overlay district application: \$2,000, plus \$250 per Town Board meeting.
- (19) Land contour permit application:
  - (a) Minor:
    - [1] New application: \$800.
    - [2] For review of a previously approved plan but not including an amendment required to cure a violation: \$500.
    - [3] For review of a previously approved plan required to cure a violation where work was not performed in accordance with a prior approved plan: \$500, plus \$50 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting (where required).
    - [4] For review of an application where work was commenced without a permit: \$500, plus \$100 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting (where required).
  - (b) Major:
    - [1] New application: \$800, plus \$75 per 1,000 square feet of land surface area plus \$250 per Planning Board meeting.



- [2] For review of a previously approved plan but not including an amendment required to cure a violation: \$500, plus \$100 per 1,000 square feet of land surface area plus \$250 per Planning Board meeting.
  - [3] For review of a previously approved plan required to cure a violation where work was not performed in accordance with a prior approved plan: \$600, plus \$150 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting.
  - [4] For review of an application where work was commenced without a permit: \$800, plus \$200 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting.
- (20) Area variance for a single-family residential premises: \$100.
  - (21) Area variance for other than a single-family residential premises: \$300.
  - (22) Use variance: \$800.
  - (23) Interpretation: \$800.
  - (24) Permits of use:
    - (a) Garage sale permits: \$10.
    - (b) Fence permits: \$10.
    - (c) Tent sale permit: \$100.
  - (25) Sign permits:
    - (a) Temporary signs: \$2 per square foot; \$50 minimum fee.
    - (b) Permanent freestanding sign, hanging sign: \$5 per square foot per side; \$75 minimum fee.
    - (c) Permanent wall (building-mounted) sign: \$5 per square foot; \$75 minimum fee.
  - (26) Sign erector's license: \$50.
  - (27) Zoning Code: \$0.25 per page.
  - (28) Zoning Map: \$50.
  - (29) Zoning compliance letter:
    - (a) Residential: \$100.
    - (b) Nonresidential: \$250.
  - (30) Rebuild letter:
    - (a) For single-family residential premises: \$100.
    - (b) For other than single-family residential premises: \$250.
  - (31) Determination of legal nonconformity:
    - (a) For Zoning Administrator determination: \$150.
    - (b) For application to Zoning Board of Appeals: \$500.
  - (32) Biannual inspection of accessory apartments:
    - (a) Residential: \$50.
    - (b) Commercial: \$100.
  - (33) Rescission of a stop-work order:

- |                                  |                    |                   |
|----------------------------------|--------------------|-------------------|
| (a) First: \$150.                | <b>Fee</b>         |                   |
| <b>Type</b>                      | <b>Residential</b> | <b>Commercial</b> |
| (b) Second: \$200.               |                    |                   |
| (c) Third: \$250.                |                    |                   |
| (d) More than three: \$300 each. |                    |                   |

W. Miscellaneous fees:

- (1) Oil license: \$75.
- (2) Gas license: \$75.
- (3) LPG gas license: \$75.
- (4) Heating permit for installation of:

<b>Type</b>	<b>Fee</b>	
	<b>Residential</b>	<b>Commercial</b>
Furnaces and boilers	\$50	\$75
Oil tanks	\$50	\$75
Water heaters	\$50	\$75
Gas pipe	\$50	\$75

- (5) Reinspection fee (building, fire or plumbing):
  - (a) Residential: \$50.
  - (b) Commercial: \$100.
- (6) Inspections requested outside normal business hours: \$250 per inspector.
- (7) Application for a sewer use agreement: \$300.
- (8) Application for a water service agreement: \$300.
- (9) Application for approval of a stormwater easement and maintenance agreement: \$500.
- (10) Application for approval of an offer of cession: \$500.
- (11) Application for approval of a stormwater pollution prevention plan not part of a site plan or subdivision approval: \$500.
- (12) Police Department fees:
  - (a) Evidentiary photograph, each photo: \$10.
  - (b) Fingerprints: \$10.
  - (c) Accident reports: \$5.
- (13) Marriages:
  - (a) Licenses: \$40.
  - (b) Transcripts: \$10.
  - (c) Ceremony: \$50.
- (14) Sale of Code book; supplementation.
  - (a) Code book: \$200.
  - (b) Supplementation: \$50 per year.

(15) **BTU Input**

**Fee**

- (a) Transcripts: \$10.
- (b) Original (extremely rare): \$10.

(16) Deaths:

- (a) Death certificate: \$10.
- (b) Transcripts: \$10.

(17) Genealogy:

- (a) Genealogy transcript search: \$22.

(18) Inspection of primary cable (minimum): \$165.

(19) Surcharge for starting work without a permit:

- (a) Residential: \$100.
- (b) Commercial: \$200.

(20) Reinspection fee:

- (a) Residential: \$50.
- (b) Commercial: \$100.

(21) Inspection of boilers (based upon BTU input):

<b>BTU Input</b>	<b>Fee</b>
33,000 (1 BHP) to 165,000 (5 BHP)	\$50
165,001 (5 BHP) to 330,000 (10 BHP)	\$90
330,001 (10 BHP) to 1,165,000 (52 BHP)	\$130
1,165,001 (52 BHP) to 3,300,000 (98 BHP)	\$170
Over 3,300,000 (98 BHP)	\$210

NOTE: For SI: 1 British Thermal Unit = 0.2931 W. 1 BHP = 33475 BTU per hour.

(22) Assessing Department:

- (a) Copies of parcel property card: \$1.
- (b) Copies of Tax Parcel Map: \$2.
- (c) Copies of Atlas Map, detailed: \$3.

(23) Highway work fees.[3]

[3] *Editor's Note: See fee schedule included at the end of this chapter.*

X. (Reserved)

Y. Taxis:

- (1) Driver: \$50.
- (2) License for cab: \$100.
- (3) Cab inspection: \$25.
- (4) Lost license for driver: \$25.





Received  
mo/date/year

OCT 13 2016

Planning Department  
Town of Kent

October 5, 2016

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

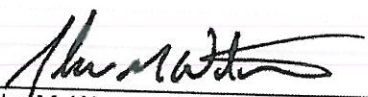
Dear Chairman McDermott and Members of the Board:

At this time, we are requesting to be placed on the November 10, 2016 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 and May 26, 2016. The approval is said to expire on November 22, 2016. 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  
JMWW/jll

Enclosures:  
cc: Richard Esposito  
Doug Esposito

Insite File No. 13120.100

## Planning Kent

---

**From:** Planning Kent  
**Sent:** Thursday, October 20, 2016 4:37 PM  
**To:** Bruce Barber; Building Inspector; 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: Putnam Nursing and Rehabilitation Center  
**Attachments:** 01 1612 T10.pdf; 05 ALTA SURVEY.PDF; 06 ALTA SURVEY.PDF; 07 1612 L10.pdf; 09 1612 L11.pdf; 11 1612 A11.pdf; 12 1612 A12.pdf

For Nov. meeting.

*Drawing in file*

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:** Planning Kent  
**Sent:** Thursday, October 20, 2016 9:19 AM  
**To:** Planning Kent  
**Subject:** FW: Putnam Nursing and Rehabilitation Center

Spoke to Dave Schloss 10/20/16 – he needs to send 7 f/s and 9 r/s sets before workshop.

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:** Planning Kent  
**Sent:** Friday, September 23, 2016 11:36 AM  
**To:** Planning Kent  
**Subject:** FW: Putnam Nursing and Rehabilitation Center

For October meeting – revised drawings to be sent.

---

**From:** Dave Schlosser [<mailto:DSchlosser@Schopfer.com>]  
**Sent:** Thursday, September 08, 2016 9:32 AM  
**To:** Planning Kent  
**Cc:** Lizer Jozefovic  
**Subject:** FW: Putnam Nursing and Rehabilitation Center

Thank you. see you on the 23<sup>rd</sup>.

---

**From:** Planning Kent [<mailto:planningkent@townofkentny.gov>]  
**Sent:** Thursday, September 08, 2016 9:26 AM  
**To:** Dave Schlosser <[DSchlosser@Schopfer.com](mailto:DSchlosser@Schopfer.com)>  
**Subject:** FW: Putnam Nursing and Rehabilitation Center

I was out yesterday, but did get your message and I did receive this note and have an appointment for you to come in to our Monthly Review meeting on Friday, 9/23/16 at 10:30 AM. See you then.

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:** Dave Schlosser [<mailto:DSchlosser@Schopfer.com>]  
**Sent:** Thursday, September 01, 2016 2:39 PM  
**To:** Planning Kent  
**Subject:** FW: Putnam Nursing and Rehabilitation Center

---

**From:** Dave Schlosser  
**Sent:** Wednesday, August 31, 2016 2:41 PM  
**To:** 'planning@townofkentny.gov' <[planning@townofkentny.gov](mailto:planning@townofkentny.gov)>  
**Subject:** Putnam Nursing and Rehabilitation Center

Vera thank you for speaking with me this morning.

The Putnam Nursing and Rehabilitation Center, 404 Ludingtonville Road, Holmes, NY is located on Tax Parcel 12.-3-40 and controls the adjoining parcel to the south (12.-3-41) for a total site area of 10.6 +/- acres. The Facility is currently working with the NYS Department of Health to fully renovate the existing 160 bed skilled nursing facility, improve the resident quality of life, and decrease the current vacancy rate.



To accomplish these goals as discussed with NYSDOH, it is proposed to expand the 54,615 SF, 3 story facility to 77,922 SF by relocating the existing employee parking lot to the south parcel and constructing a 1 story + partial basement addition in its place.

The added square footage will permit a reduction in the number of double bedded resident rooms, an increase in the available accessible private resident rooms, an increase in resident dining, activity, and therapy spaces, and create a new covered vehicle drop off and adjoining reception area. The existing use and total resident capacity of 160 will not change.

As discussed today, we would welcome the opportunity to introduce the Planning Board to the Project and the procedures and any issues in obtaining Town approval. As suggested, we would be willing to attend your September 23 work shop to review the concept.

I have attached a graphic introduction to the Project (existing and proposed site plans). A zoning summary is on the Title Sheet T1.0. If I'm reading your Ordinance correctly, It appears as if our most significant issue is complying with the special requirement to provide a 150' building/parking setback to lot line. This is a condition that doesn't comply today and would not be worsen by anything proposed.

Please let me know if we can be placed on the Agenda for the 9/23 Work Shop.

David A. Schlosser, AIA  
Schopfer Architects LLP  
1111 James Street  
Syracuse, New York 13203  
315-474-6501  
[dschlosser@schopfer.com](mailto:dschlosser@schopfer.com)  
[www.schopfer.com](http://www.schopfer.com)

## Planning Kent

---

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**Sent:** Thursday, October 20, 2016 4:36 PM  
**To:** Bruce Barber; Building Inspector; 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:** Deliland site plan for addition - Nov.  
**Attachments:** Deliland Site Plan\_Nov 2016.pdf; DELI LAND\_Drawings Nov 2016.pdf

*Drawing in file*

For Nov. meeting.

Vera Patterson  
Planning Board Secretary  
Town of Kent  
25 Sybil's Crossing  
Kent, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
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## Planning Kent

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**Subject:** More Than Masonry Submittal\_Nov 2016  
**Attachments:** More Than Masonry\_Submittal Nov 2016.pdf

This is for the 10/21/16 review meeting and November meeting.

*Drawing in file*

Vera Patterson  
Planning Board Secretary  
Town of Kent  
25 Sybil's Crossing  
Kent, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
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## Planning Kent

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**Subject:** O'Mara Lhasa Ct\_Nov submittal  
**Attachments:** O'Mara Lhasa Ct\_Submittal\_Nov 2016.pdf; DEST4181\_Omara Lhasa Ct Drawing 1\_Nov 2016.pdf; DEST4182\_Omara Lhasa Ct Drawing 2\_Nov 2016.pdf

*Drawings in file*

For Nov. Mtg.

Vera Patterson  
Planning Board Secretary  
Town of Kent  
25 Sybil's Crossing  
Kent, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
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## Planning Kent

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**Subject:** O'Mara Peekskill Hollow Rd Nov Material  
**Attachments:** 1463\_001\_O'Mara Peekskill Hollow\_Nov 2016 submittal.pdf; DEST4208\_O'Mara Peekskill Hollow\_Nov 2016 Drawing.pdf

*Drawings in file*

For Nov. Mtg.

Vera Patterson  
Planning Board Secretary  
Town of Kent  
25 Sybil's Crossing  
Kent, NY 10512  
[planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
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