

Approved: June 9, 2016

**Minutes
Town of Kent Planning Board Meeting
May 16, 2016**

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

In attendance were the following Planning Board members:

Michael McDermott, Chair
Janis Bolbrock
George Brunner
Gary Lam

Dennis Lowes, Vice Chair
Charles Sisto
Philip Tolmach

Others in Attendance:

Bruce Barber, Environmental Consultant
Bill Walters, Kent Building Inspector

Julie Mangarillo, Engineering Consultant
Neil Wilson, Planner

- Mr. McDermott opened the meeting by asking that anyone wishing to be heard at the Public Hearing for Putnam Stone come forward and put their names on the sign-up sheet. When the Hearing is opened Mr. McDermott will ask the people to come forward one at a time.
- **Approve Planning Board Minutes from April 14, 2016**

Mr. McDermott asked for a motion to review and approve the Planning Board minutes from the April meeting. The motion to review the minutes was made by Mr. Tolmach and seconded by Mr. Lam. The motion to approve the minutes was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motions carried.

• Putnam Stone, 301 Route 52, Kent, NY; TM: 44.6-1-7

Mr. McDermott asked for a motion to re-open the Public Hearing for an Erosion Control and Steep Slope plan for Putnam Stone. The motion was made by Mr. Lowes and seconded by Ms. Bolbrock. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. Wilson's Comments (memo attached)

The grinding and crushing operations being conducted on this property are only being done in order to remedy previous violations on the property. He was advised by the applicant that the construction debris and rocks have been removed or will be removed and that there will be no crushing done. Mr. Ronald Blass, the Planning Board Counsel had been asked for his opinion regarding this matter. Mr. Blass responded by saying that this is not permission to conduct processing of organic material on the site as part of the business use and was only a way of resolving the violations. Mr. Wilson advised the Planning Board that the Resolution he prepared (attached) confirmed the above information and was only for thirty (30) days duration which will commence when the Resolution is filed with the Town Clerk after it is adopted. Mr. McDermott asked Mr. Flood if he agreed with Mr. Wilson's Resolution and he said he did.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo recommended that the thirty (30) days commence after the Erosion Control Bond is posted, accepted by the Planning Board and forwarded to the Kent Town Board to approve it. Mr. Wilson said he agreed with Ms. Mangarillo's recommendation and that he would amend the first condition of the Resolution.

Mr. McDermott asked if anyone in the audience wished to be heard and no one wished to be heard. Mr. McDermott asked for a motion to close the Public Hearing. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to adopt the amended Resolution of the Erosion and Sediment Control/Steep Slopes for Putnam Stone/Kent Investors. The motion was made by Mr. Sisto and seconded by Mr. Tolmach. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to recommend to the Kent Town Board to accept the estimated bond amount of \$2,000.00. The motion was made by Ms. Bolbrock and seconded by Mr. Tolmach. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

Ms. Jaimie LoGuidice, of Insite Engineering, represented Mr. Esposito, the owner of the property. This was a request for a time extension of this project. Ms. LoGuidice said that Insite Engineering and the applicant had received the Draft Resolution prepared by Mr. Wilson.

Mr. Wilson said that the Planning Board had the ability to grant two ninety (90) day extensions and his Resolution recommended that the Planning Board do so. The expiration date for this permit is May 25, 2016 and the extension would expire on November 22, 2016. Mr. Wilson recommended that if the applicant was not prepared to move forward with his plans Insite Engineering request another extension at least 30 days from the expiration date in November and Ms. LoGuidice said that they would comply with his recommendation.

Mr. McDermott asked for a motion to adopt the Resolution for a time extension of final approval of a Sub-Division Plan, Lot-Line Adjustment, Steep Slope and Erosion Control and Wetlands/Freshwater Plans for Hilltop Estates. The motion was made by Ms. Bolbrock and seconded by Mr. Lam. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

• **Wagner Millwork, LLC Timber Harvest, Anavil Property, Long Mountain Rd., Kent, NY; TM: 8.-1-2**

Mr. Jordan Heller, of Wagner Milwork, LLC, represented the applicant and was requesting approval of an Erosion Control Plan.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo confirmed that revised drawings had been submitted which addressed most of her previous comments. She reaffirmed her recommendations that certain items be waived because they did not add any value to the plans. Open items were:

- A response from the DEC regarding the forest management plan and dates for cutting.
- A cost estimate for the Erosion Control Bond of \$700.00 - \$2,100.00 was provided by the applicant. Ms. Mangarillo recommended that it be \$1,400.00 and that it be referred to the Kent Town Board.

Ms. Mangarillo recommended that a Public Hearing be waived.

Mr. Wilson's Comments (memo attached)

Mr. Wilson said that usually an Erosion Control Plan did not require that the Planning Board declare their intent to become Lead Agency, but part of the property bordered Dutchess County and the Town of East Fishkill. Therefore, his Resolution (attached) recommended that the Planning declare their intent to become Lead Agency and notify other agencies of this and they would have thirty (30) days to respond. The agencies to be notified were:

- East Fishkill Planning and Town Boards
- Putnam County Planning Department
- Add other agencies as noted in memo

Mr. Wilson asked that the Planning Board adopt the Resolution and the applicant would work with the Planning Board Secretary in compiling the material to be circulated.

Mr. McDermott asked for a motion to adopt the Resolution as prepared by Mr. Wilson to declare the Kent Planning Board's intent to become Lead Agency of this project. The motion was made by Ms. Bolbrock and seconded by Mr. Tolmach. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to waive the Public Hearing for this project. The motion was made by Mr. Lowes and seconded by Mr. Sisto. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to recommend the Town Board accept the Erosion Control Bond of \$1,400.00. The motion was made by Mr. Brunner and seconded by Ms. Bolbrock. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. Barber's Comments (memo attached)

Mr. Barber asked Mr. Heller to sign the EAF and stated that, since question 13 was noted with a "yes" response, a narrative should be provided to the Planning Board Secretary. Mr. Barber recommended that the applicant memorialize, once again, the period during which the harvesting will occur in the EAF.

Mr. Heller asked if the Town held the bond and was advised that it would be holding it. He asked about the additional \$1,000.00 inspection fee. Ms. Mangarillo advised Mr. Heller that the review fees were submitted prior to construction when the application was filed and that, when necessary, it was replenished. The Inspection Fee was similar to the review fee, but covered inspections when the construction was completed to

ensure the property is stabilized and that any funds remaining in the escrow account would be refunded when all the inspections have been conducted. Since \$1,250.00 remains in the review fund for this project the \$1,000.00 inspection fee was waived for this project. Mr. Heller also asked how long the Erosion Control Permit was good for and was told that, after the plans are signed, the permit is good for one year and that if a time extension was necessary it would need to be requested at least thirty (30) days before the expiration date.

- **Center for Physical Therapy, 264 Route 52, Kent, NY; TM: 46.6-1-4**

Mr. Todd Snyder, one of the applicants, attended the meeting and asked about the status of the site plan application for this project. This matter was held over from the April meeting.

Mr. Wilson's Comments (memo attached)

Mr. Wilson said that the documents submitted in April were reviewed for this meeting and said he had discussed the material with Mr. Campilli the day before the May meeting. Items Mr. Wilson was looking for were:

- Zoning setbacks
- A zoning table
- Information pertaining to wall signage – a rendering would be helpful

Mr. Wilson advised Mr. Snyder that this application needed to be referred to the Putnam County Planning Department and would be handled by the Planning Board Secretary. The Putnam County Planning Department had thirty (30) days to respond. Because this was a “Change of Use” as well as a site plan he recommended that the Planning Board waive the Public Hearing.

Mr. Barber's Comments (memo attached)

Mr. Barber stated that the site is situated in a “NYSDEC Wetland Check Zone”, which means that the DEC needs to be contacted by the applicant to see if they will have a wetland biologist verify if there are any jurisdictional wetlands or buffer zones requiring a permit. If the DEC requires a permit the Town of Kent would not require one, however if the DEC does not require a permit, the Town of Kent Planning Board may still require a wetland permit. Mr. Barber asked the applicant if there would be any soil disturbance on the property and was told by Mr. Snyder that the only disturbance to be done pertained to the drainage issues on the property and that it had been done previously. Mr. Barber recommended that, when the applicant speaks to the NYSDEC, he request a written statement with their decision about the wetlands and submit it to the Planning Board prior to their approvals of the application.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that the handicapped parking space has to have the access aisle and a “No Parking” sign for the access aisle needs to be installed. She also asked that a limits of disturbance line and area calculations be noted on the plans showing all previous work done to verify if the limits of disturbance exceeded 5,000 square feet. She also requested documentation from the Health Department. The applicant had a proposed stormwater infiltration system and Ms. Mangarillo asked that the location of the system be noted on the plans.

Mr. McDermott asked for a motion to waive the Public Hearing for this project. The motion was made by Mr. Brunner and seconded by Mr. Lowes. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to refer this project to the Putnam County Planning Department. The motion was made by Mr. Lowes and seconded by Mr. Tolmach. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

- **Basharat Mann Property, Marshall Road, Kent, NY; TM: 11.-15-1-35**

Mr. William Basharat, the owner of the property, asked for a waiver of the tree plan since the lots were pre-approved and this was a re-subdivision application.

Mr. Wilson's Comments (memo attached)

Mr. Wilson said that this was a minor sub-division application which would go directly to a final sub-division conditional approval. He asked whether or not the Planning Board wished to conduct a coordinated review, but said that he did not see the need for one. Other agency approvals will be required, as well as Steep Slope/Erosion Control Plan and Sub-Division approvals. Regarding the tree waiver, Mr. Wilson recommended that the areas to be left undisturbed be documented on the plans. Mr. Barber said that he agreed with Mr. Wilson's recommendation and that he would be happy to inspect the property. Mr. Barber asked the applicant to provide fresh applications and material that correspond with the sub-division application since he originally had applied for a lot-line adjustment.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that the limits of disturbance are provided, but not the area calculations for the two lots. Additional information pertaining to Chapter 66 of the Town Code and the DEC General Permit for Stormwater Construction Activities were also requested. There also is a requirement in the Zoning Code for all new lots that suggests that a 10,000 square foot rectangle rather than triangles as shown on the plans submitted, which does not contain any environmentally sensitive lands (including wetlands and slopes 15% or steeper) be shown. Ms. Mangarillo said that one of the lots looked steep and was told by Mr. Basharat that he had addressed that. Ms. Mangarillo also suggested that the applicant ensure the driveways met the current driveway codes.

Mr. Basharat informed the Planning Board that he had received Board of Health Approvals, percolation tests had been done (which were witnessed by the BOH and DEC) and that no curtain drain or fill sections were required.

No action was taken and this project was held over until the June meeting

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

This was an application for approval of an Erosion Control Plan for an in-ground pool. Mr. Michael Todd, of Rainbow Pools, represented the applicant.

Ms. Mangarillo's Comments

Ms. Mangarillo said that additional material was requested which had not been submitted. Material was submitted after the deadline and the workshop for the May meeting, which was not reviewed to date and would be reviewed for the June meeting. Mr. Barber said that additional design information regarding the access road to the pool had been requested at the review meeting held the day after the workshop. The consultants would review the material dropped off after the May meeting was over.

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

- | | | |
|--|--|---------------|
| • Frangel Realty
P. O. Box 1200, 1875 Rte. 6, Carmel, NY
TM: 33.48-1-6 | Request for release of
Erosion Control Bond | Status Report |
|--|--|---------------|

Ms. Mangarillo advised the Planning Board that she had received the Notice of Termination from the Supervisor's office and that she would be handling it within the next week.

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

There was no action required on this matter.

- | | | |
|---|--------------------------------|---------------|
| • Licari_Limitone Property
14 Lorne Court, Kent, NY
TM: 22.-2-5 | Erosion Control/
SWPPP Plan | Status Report |
|---|--------------------------------|---------------|

Mr. Barber discussed an email sent by the contractor (Mr. Cassidy, the owner of Legacy Valve) for this project with some review by Mr. Cannavan, President of HydroEnvironmental Solutions, and that preliminary testing had been conducted. A report from a licensed hydrologist as well as signature referencing the three of the soil sample reports (to be attached) as well as a CVR resume of the hydrologist had been previously requested and the Planning Board is waiting for these items.

- | | | |
|--|-----------------|---------------|
| • Bene Property
Tibet Drive, Kent, NY
TM: 30.20-1-16 | Erosion Control | Status Report |
|--|-----------------|---------------|

Nothing new has been submitted.

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

Nothing new has been submitted.

- Goldfine/Rynn Project
Daffodil Lane, Kent, NY
TM: 11.12-1-21

Erosion Control Plan/
Bond Pending

Status Report

Nothing new has been submitted.

- Towners Road Mart (Sclafani Property)
2 Towners Road, Carmel, NY
TM: 33.64-1-6

Amended Site Plan/
Change of Use

Status Report

Nothing new has been submitted.

- Lema/Rte 52 Corp
Route 52, Kent, NY
TM: 33.18-1-6, 7, 8, 9

Site Plan/
Wetland Permit

Status Report

Nothing new has been submitted.

- Biben Property
146 South Knapp Court, Kent Lakes, NY
TM: 10.-1-1

Erosion Control/
Wetland permit

Status Report

New material will be submitted reflecting minor changes for the June meeting.

Mr. McDermott asked for a motion to adjourn the meeting at 9:00 PM. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was 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>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

Workshop: May 05, 2016 (Thursday, 7:30 PM)

MAY 2016

Meeting: May 12, 2016 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from April 2016
- Putnam Stone
301 Route 52, Kent, NY
TM: 44.6-1-7
Erosion Control/
Continuation of Public Hearing
Review
- Center for Physical Therapy
264 Route 52, Kent, NY
TM: 46.6-1-4
Site Plan
Review
- Wagner Millwork LLC/Timber Harvest
Anavil Property, Long Mountain Rd, Kent, NY
TM: 8.-1-2
Erosion Control Plan
Review
- Basharat/Mann Property
Marshall Road, Kent, NY
TM: 11.-15-1-35
Sub Division Application
Review
- Hilltop Estates Subdivision
Peckslip Road & NYS Rte. 52, Kent, NY
TM: 12.-1-42
Extension of Conditional Final/
Bond Pending
Review
- Permit Applications Review (Applicants attendance not required/Workshop Discussion):
- Frangel Realty
P. O. Box 1200, 1875 Rte. 6, Carmel, NY
TM: 33.48-1-6
Request for release of
Erosion Control Bond
Status Report
- Patterson Crossing
Route 311, Kent, NY
TM: 22.-2-48
Amended Site Plan
Status Report
Bond Pending
- Licari_Limitone Property
14 Lorne Court, Kent, NY
TM: 22.-2-5
Erosion Control/SWPPP Plan
Status Report
- Bene Property
Tibet Drive, Kent, NY
TM: 30.20-1-16
Erosion Control
Status Report
- Timber Harvest Project/NYSDEP
Barrett Circle Paper Court, Kent, NY
TM: 43.-2-1-7 & 81
Status Report
- Goldfine/Rynn Project
Daffodil Lane, Kent, NY
TM: 11.12-1-21
Erosion Control Plan/
Bond Pending
Status Report
- Towners Road Mart (Sclafani Property)
2 Towners Road, Carmel, NY
TM: 33.64-1-6
Amended Site Plan/Change of Use
Status Report
- Lema/Rte 52 Corp
Route 52, Kent, NY
TM: 33.18-1-6, 7, 8, 9
Site Plan /Wetland Permit
Status Report
- Biben Property
146 South Knapp Court, Kent Lakes, NY
TM: 10.-1-1
Erosion Control/
Wetland permit
Status Report



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan

Date: May 11, 2016

Project: Putnam Stone/Kent Investors
TM # 44.6-1-7

The property has recently been purchased by new owners. The project proposes grinding/processing of existing organic/vegetative stockpiles and rock crushing/processing of existing rock and commingled stockpiles. The property has violations from the building department for the aforementioned stockpiles. The processing of the stockpiles is being proposed to remedy the open violation.

The stockpiles contain more than 100 cubic yards of fill. Per Town of Kent Town Code Chapter 66, §66-5.A(4) a Town of Kent Erosion Control Permit is required.

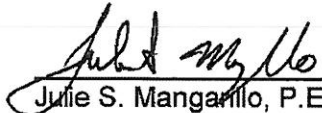
The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated March 7, 2016:

1. As the proposed work is to remedy an open violation and based on the information included in the drawing provided, we recommend the following requirements for information be waived as required by Town Code Chapter 66-6.B.2:
 - a. §66-6.B.2. with the exception of:
 - i. §66-6.B.2.g [7] Provide a maintenance schedule for erosion control measures.
3. Provide a note on the drawing stating "Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
4. Refer to the Drawings:
 - a. Include additional notation to indicate the hand written notes are by the property owner. This is to make clear that the drawing has not been revised by the original surveyor.
 - b. Provide a note on the drawing stating any sediment tracked onto paved surfaces will be cleared.

5. Refer to the Application:
 - a. Provide an "Affidavit to be completed by owner" or "Affidavit to be completed by agent of owner" to prove that the applicant is the owner of the property, not just the contractor.
6. A bond estimate of \$2000.00 was prepared by this office. We recommend this bond estimate be accepted for the bond amount and recommended for approval by the Town Board.
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. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.
9. We defer to the Planning Board's environmental consultant regarding wetland issues.

New Comments:

1. It is our understanding that rock crushing has been removed from the application and only the organics grinding remains.
2. Show the proposed location of the grinding equipment on the drawing.
3. We concur that restrictions on hourly operation of grinding and maximum duration of grinding be incorporated into the approval resolution.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-168-02

Bruce Barber via email
Neil Wilson via email

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

Matter of Kent Construction Corp. (d/b/a Putnam Stone)

Whereas, the Town of Kent Planning Board has received an application from Kent Construction Corp. d/b/a Putnam Stone for Steep Slope and Erosion Control Permit approval to allow the grinding and removal of organic debris materials that were improperly stockpiled on the Putnam Stone site located at 301 Route 52, tax parcel 46.6-1-7; and

Whereas, the proposed activity is being undertaken in order to comply with an Order to Remedy issued by the Town Building Inspector; and

Whereas, the site is located in the Commercial District; and

Whereas, the Planning Board has determined that the proposed project is a Type II Action under 6 NYCRR 617.5(c)(19) and (29); and

Whereas, the Planning Board convened a public hearing on the application on April 14, 2016 and closed said public hearing on May 12, 2016; and

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

1. The proposed activity is being undertaken in order to comply with an Order to Remedy issued by the Town Building Inspector; and
2. The proposed grinding and removal of organic debris materials would be short-term in nature in order to cure a violation and is not an activity that is authorized as a permitted use in the Commercial District; and
3. The proposed activity would not result in creep, sudden slope failure or additional erosion; and
4. The proposed activity would preserve and protect existing watercourses, floodplains and wetlands; and
5. The proposed activity would not adversely affect existing or proposed water supplies or sewage disposal systems; and

6. The proposed activity would stabilize any earth cut and fill slopes by vegetative or structural means; and

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

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

- 1) *The Permit granted herein shall expire thirty (30) days from the date of acceptance of the security bond by the Town Board.*
- 2) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated March 7, 2016 and May 12, 2016.*
- 3) *Address to the satisfaction of the Planning Board the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated March 10, 2016.*
- 4) *Prior to the obtaining Chairman's signature on the project plans the following additional approvals and permits shall be obtained and any conditions following, or otherwise stated in this resolution, shall be complied with:*
 - a) *Planning Board Engineer approval of the plans to implement the Steep Slope and Erosion Control Permit.*
 - b) *Any required approvals from the NYC Department of Environmental Protection.*
 - c) *Any required approvals from the New York State Department of Environmental Conservation.*
 - d) *Any required U.S. Army Corps of Engineers (ACOE) permit(s).*
- 5) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions.*
- 6) *Pursuant to Chapter 48 of the Town of Kent Code construction activity within the Town of Kent shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM.*

7) *Payment to the Town of Kent the following fees:*

- a) *Any unpaid or outstanding application fees.*
- b) *Any review fees accrued by the Planning Board during the review of the application.*
- c) *Posting of a performance security in an amount established by the Planning Board based on the recommendation of the Planning Board's consulting Professional Engineer.*
- d) *An inspection fee, in an amount to be established by the Planning Board, to cover the cost of construction and post-construction inspections by the Board's Professional Engineer, Wetland Consultant, and Planning Consultant.*

Motion: Phil Tolmach _____

Second: Dennis Lowes _____

Michael McDermott, Chairman Aye _____

Dennis Lowes, Vice Chairman Aye _____

Janis Bolbrock Aye _____

George Brunner Aye _____

Gary Lam Aye _____

Charles Sisto Aye _____

Philip Tolmach Aye _____

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on May 12, 2016.

Vera Patterson
Vera Patterson, Clerk
Town of Kent Planning Board

*Town of Kent Planning Board
Matter of Hilltop Estates Subdivision
Resolution of Time Extension Pertaining to Final Subdivision Approval
Revised Lot Line Approval
Steep Slope and Erosion Control Permit Approval
Freshwater Wetland Permit Approval
May 12, 2016*

**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; and forward from November 29 to February 26, 2016; and

Whereas, the Board has been advised that the applicant continues to make substantial 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 May 25, 2016 to November 22, 2016; and

*Town of Kent Planning Board
Matter of Hilltop Estates Subdivision
Resolution of Time Extension Pertaining to Final Subdivision Approval
Revised Lot Line Approval
Steep Slope and Erosion Control Permit Approval
Freshwater Wetland Permit Approval
May 12, 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: Janis Bolbrock

Second: Gary Lam

Michael McDermott, Chairman Aye

Dennis Lowes, Vice Chairman Aye

Janis Bolbrock Aye

George Brunner Aye

Charles Sisto Aye

Phil Tolmach Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on May 12, 2016.



Vera Patterson, Clerk
Town of Kent Planning Board

**Town of Kent Planning Board
Declaration of Intent to Be Lead Agency**

Whereas, the Town of Kent Planning Board has received an application for Erosion and Sediment Control Permit approval from Wagner Millwork, LLC regarding the construction and improvement of haul roads to allow selective timber harvesting on a ±250 acre site located on Long Mountain Road identified as tax parcel number 8.-1-2 (Putnam County) and tax parcel number 6454-00-520805 (Dutchess County); and

Whereas, the Planning Board has reviewed the application for Erosion and Sediment Control Permit approval, Part 1 Long Form Environmental Assessment Form (EAF), and other information provided by the applicant for the proposed Wagner Millwork Timber Harvest; and

Whereas, the Planning Board has determined the proposed project is an Unlisted Action and that a coordinated review of the action will be undertaken.

Therefore Be It Resolved, the Planning Board hereby declares its intent to be the Lead Agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617.

Be It Further Resolved, the Planning Board hereby directs that the identified involved and interested agencies as noted on the Attachment "A" hereto, be notified of the Board's intent to be the Lead Agency, and that a copy of the Part 1 EAF, the application form, and the proposed site plan be delivered to said agencies seeking their consent to the Planning Board acting as the Lead Agency.

Motion: Janis Bolbrock

Second: Phil Tolmach

Michael McDermott, Chairman Aye

Dennis Lowes, Vice Chairman Aye

Janis Bolbrock Aye

George Brunner Aye

Gary Lam Aye

Charles Sisto Aye

Philip Tolmach Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on May 12, 2016.

By: 
Vera Patterson, Planning Board Clerk

Attachment "A"
Identified Involved & Interested Agencies

NYS Department of Environmental Conservation
Region 3 Office
Division of Regulatory Affairs
21 South Putt Corners Road
New Paltz, New York 125661-1696

NYC Department of Environmental Protection
SEQRA Coordination Section
465 Columbus Avenue
Valhalla, New York 10595

Putnam County Division of Planning & Development
841 Fair Street
Carmel, New York 10512

Town Board
Town of East Fishkill
Town Hall
330 Route 376
Hopewell Junction, NY 12533

Planning Board
Town of East Fishkill
Town Hall
330 Route 376
Hopewell Junction, NY 12533

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

Yolanda D. Cappelli
Town Clerk

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



RESOLUTION

Accept Erosion Control Bond & Escrow Fund TM# 8.-1-2

On a motion by Councilman Denbaum
Seconded by Supervisor Fleming

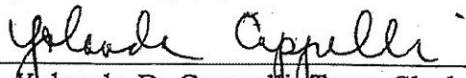
WHEREAS, the Planning Board, at their meeting held on August 5, 2016, approved Resolution #10 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of \$1,400 and an Escrow Fund for an initial inspection fee in the amount of \$1,000 from the owners of a parcel of land located at Long Mountain Road, Kent, New York 10512, identified as Tax Map No. 8.-1-2 (the "Lot"), with regard to timber harvesting on the Lot; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$1,400 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000 for the harvesting on the Lot.
Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a resolution adopted by the town board of the Town of Kent at a meeting of said board on September 13, 2016.

September 15, 2016



Yolanda D. Cappelli, Town Clerk

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

Tel: (845) 225-7802

planningkent@townofkentny.gov

Fax: (845) 306-5283



RESOLUTION # 10
Year 2016

Date: August 5, 2016
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Scott Chin
Paul Denbaum
Bill Huestis
Jaimie McGlasson
CC: W. Walters, Building Inspector - w/Att
L. Cappelli, Town Clerk - w/Att
J. Ramos - w/Att.
Finance Department - w/Att.
Re: Request to Accept Erosion Control Bond
Wagner Millwork LLC (for a Timber Harvest project)
On property owned by Mr. Anavil, Long Mountain Road, Kent, NY TM: 8-1-2

Resolved: On May 16, 2016 the Kent Planning Board reviewed material submitted by Mr. Jordan Heller of Wagner Millwork LLC, who represented the owner mentioned above. Mr. Heller requested that the Kent Planning Board accept an Erosion Control Bond in the amount of \$1,400.00 and an initial inspection fee of \$1,000.00. This project involves timber harvesting on the property noted above.

Mr. McDermott asked for a motion to forward a request to the Kent Town Board to take the above action. The motion was made by Mr. Brunner and seconded by Ms. Bolbrock. The roll call vote was as follows:

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

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on May 16, 2016.

Dated: August 5, 2016

Vera Patterson
Planning Board Secretary

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

Matter of Wagner Millwork, LLC

Whereas, the Town of Kent Planning Board has received an application from Wagner Millwork LLC, regarding the construction and improvement of haul roads to allow selective timber harvesting on a \pm 250 acre site located on Long Mountain Road identified as tax parcel number 8.-1-2 (Putnam County) and tax parcel number 6454-00-520805 (Dutchess County); and

Whereas, on June 9, 2016 the Planning Board waived a public hearing on the application; and

Whereas, the Planning Board has determined that the proposed project is an Unlisted Action and conducted a coordinated review during which the Board was designated the lead agency pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617; and

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

1. The proposed activity is in accordance with the legislative findings listed in §66-2 of the Town Code; and
2. The proposed activity is in accordance with the principles and recommendations of the Town of Kent Master Plan; and
3. The proposed activity will not result in creep, sudden slope failure or additional erosion; and
4. The proposed activity will preserve and protect existing watercourses, floodplains and wetlands; and
5. The proposed activity will not adversely affect existing or proposed water supplies or sewage disposal systems; and
6. The proposed activity will stabilize all earth cut and fill slopes by vegetative or structural means; and

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

Be It Further Resolved, the approvals granted herein are expressly conditioned on development of the project in accordance with the plans and details as set forth on the project plans prepared by Wagner Millwork, LLC undated but received by the Planning Department on May 2, 2016, consisting of two drawings entitled "Haul Road and Landing Grade" subject to revision to respond to the comments of the Planning Board's Professional Engineer as required herein; and

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

- 1) *Address the comments of the Planning Board Professional Engineer as set forth in a memorandum dated July 13, 2016.*
- 2) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions.*
- 3) *Pursuant to Chapter 48 of the Town of Kent Code construction activity within the Town of Kent shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM*
- 4) *At the completion of construction the applicant shall provide a certification prepared and sealed by a New York State Licensed Professional Engineer to the Town Building Inspector and the Planning Board that all site work has been carried out and completed in substantial compliance with the approved Site Plan for the project, and shall also provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed development prepared and sealed by a New York State Licensed Land Surveyor.*
- 5) *Payment to the Town of Kent the following fees:*
 - a) *Any unpaid or outstanding application fees.*
 - b) *Any review fees accrued by the Planning Board during the review of the application.*
 - c) *An inspection fee, in an amount to be established by the Planning Board, to cover the cost of construction and post-construction inspections by the Board's Professional Engineer, Wetland Consultant, and Planning Consultant*
 - d) *Provide an erosion control bond in an amount as determined by the Planning Board's Professional Engineer.*

- 6) *It is the responsibility of the applicant/project sponsor to submit to the Planning Board proof that each of the conditions of this Approval has been completed and that the response to comments has been completed to the satisfaction of the Planning Board's Professional Engineer. The signature of the Planning Board Chairman, if required, shall be withheld pending receipt of a written memorandum from the Planning Board's Professional Engineer verifying that each of the conditions of this Approval has been completed. The proposed final drawings shall not be accepted by the Planning Board without submission of proof of completion.*
- 7) *This approval shall expire 12 months from the date of approval unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.*

Motion: Mr. Brunner

Second: Ms. Bolbrock

Michael McDermott, Chairman Aye

Dennis Lowes, Vice Chairman Aye

Janis Bolbrock Aye

George Brunner Aye

Gary Lam Aye

Charles Sisto Aye

Phil Tolmach Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on May 16, 2016.



Vera Patterson
Vera Patterson, Clerk
Town of Kent Planning Board

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

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

Memorandum

DATE: August 5, 2016

TO: Finance Department

CC:

FROM: Vera Patterson

RE: Recommendation to the Kent Town Board to accept an Erosion Control Bond
For Property owned by Mr. Aroonsri Anavil, Long Mountain Road, Kent, NY; TM: 8.-1-2
Bond posted by Wagner Millwork, 4060 Gaskill Rd., Owego, NY 13827

Please find attached the following items pertaining to the project noted above:

Chemung Canal Trust Company Check #78046 - \$ 1,400.00 for Erosion Control Permit
Chemung Canal Trust Company Check #78044 - \$ 1,000.00 for Initial Inspection Fee
Performance Bond Agreement for Erosion & Sediment Control dated 8/2/16
Adopted Planning Board Resolution for Erosion & Sediment Control Plan
Memo from Julie Mangarillo, dated May 12, 2016, pertaining to bond agreement
Memo from Bruce Barber dated May 11, 2016

The Planning Board is also submitting this material to the Kent Town Board recommending that the Town Board accept this bond.
Please hold these checks until the Town Board passes their Resolution accepting the bond.

Thanks very much.



Wagner Millwork, LLC.
 Main Log Account
 4060 Gaskill Road
 Owego, NY 13827
 Phone: (607) 687-5362

Chemung Canal Trust Company
OWEGO OFFICE
 201 MAIN STREET
 OWEGO, NEW YORK 13827
 50-111/213

78046

8/4/2016

PAY TO THE ORDER OF Town of Kent

\$ **1,400.00

One Thousand Four Hundred and 00/100 ***** DOLLARS

Town of Kent
 25 Sybils Crossing
 Kent, NY 10512

[Signature]
 AUTHORIZED SIGNATURE

MEMO *ek*
 Performance Bond-Anavil - TM: 8-1-2

⑈078046⑈ ⑆021301115⑆ 293133703⑈

Wagner Millwork, LLC.

Town of Kent

Performance Bond-Anavil

8/4/2016

78046

1,400.00

RECEIPT		DATE <u>August 8, 2016</u>	No. <u>952510</u>
RECEIVED FROM <u>J. Heller / Wagner Millwork</u>		<u>\$1,400.⁰⁰ FX</u>	
<u>One Thousand Four Hundred and ⁰⁰/FX</u>		DOLLARS	
FOR RENT <input type="radio"/>		<u>Erosion Control Bond - TM: 8-1-2</u>	
FOR <input checked="" type="radio"/>		<u>78046</u>	
ACCOUNT		FROM <u>V. Patterson</u>	TO <u>J. Heller / Wagner Millwork</u>
PAYMENT		BY _____	
BAL. DUE			

1,400.00

Security features. Details on back.



Wagner Millwork, LLC.

Main Log Account
4060 Gaskill Road
Owego, NY 13827
Phone (607) 687-5362

Chemung Canal Trust Company

OWEGO OFFICE
203 MAIN STREET
OWEGO, NEW YORK 13827
50-111/213

78044

8/4/2016

PAY TO THE ORDER OF Town of Kent

\$ **1,000.00

One Thousand and 00/100*****

DOLLARS

Town of Kent
25 Sybils Crossing
Kent, NY 10512

AUTHORIZED SIGNATURE

MEMO

Escrow-Anavil - TM: 8.-1-2

⑈078044⑈ ⑆021301115⑆ 293133703⑈

Wagner Millwork, LLC.

Town of Kent

Escrow-Anavil

8/4/2016

78044

1,000.00

RECEIPT		DATE <u>August 8, 2016</u>	No. <u>952509</u>
RECEIVED FROM <u>J. Heller, Wagner Millwork</u>		\$1,000. ⁰⁰	
<u>One Thousand and 00/100</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>Critical Inspection - EIC Bond TM: 8.-1-2</u>			
ACCOUNT		<input type="radio"/> CASH	<u>78044</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>J. Heller / Wagner Millwork</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	BY _____
		<input type="radio"/> CREDIT CARD	

1,000.00

Security features. Details on back

PERFORMANCE BOND FOR EROSION AND SEDIMENTATION CONTROL

Bond given by Wagner Millwork LLC, a domestic limited liability company, with its principal place of business located at 4060 Gaskill Road, Owego NY 13827, and by Aroonsri Anavil with respect to paragraphs “4”, “5”, and “6” infra, having an address of 2 Lark Street, Pearl River, New York 10965 (“Obligor”) to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil’s Crossing, Kent Lakes, New York, 10512 (“Obligee”), dated August, 2016.

KNOW ALL MEN BY THESE PRESENTS that the Obligor Wagner Millwork LLC is held and firmly bound unto the Obligee in the initial sum of \$1,400.00 for the payment whereof to Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor Wagner Millwork LLC has obtained one or more approvals from the Obligee for a land development activity, as that term is defined in Town of Kent Town Code Chapter 66 (the “Code”), on certain real property located in the Town of Kent, in connection with which sedimentation and erosion controls (the “Controls”) are required; and

WHEREAS, on July 14, 2016, the Kent Planning Board adopted resolutions of conditional approval of timber harvest activity at Long Mountain Road in the Town of Kent, County of Putnam and State of New York, covering tax parcels 8.-1-2; and

WHEREAS, in conjunction with such approvals, the Obligor Wagner Millwork LLC submitted plans and specifications (“Project Plans”) for the timber harvest activity, and in furtherance of the approvals of the Planning Board, as follows:

- A. Drawing “Anavil Timber Harvest, Long Mountain Road, Town of Kent, County, Tax Map I.D. 8.-1-2. Haul Road and Landing Grade” prepared by Wagner Millwork, LLC undated. The drawing was received by the Town of Kent Planning Department on May 2, 2016.

- B. Forest Management Plan, prepared by Wagner Millwork LLC, undated. It was received by the Town of Kent Planning Department on April 22, 2016.

1. NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor Wagner Millwork LLC shall well and truly construct or install the aforesaid erosion

and sedimentation control, and maintain the same during the period of timber harvest, in accordance with the timber harvest plans approved by the Town of Kent, and if said improvements are deemed complete by the Town of Kent, and if Obligor Wagner Millwork LLC is released from liability by the Obligee, then this obligation shall be null and void; otherwise, the obligation shall remain in full force and effect.

2. The Obligor Wagner Millwork LLC shall at all times provide the Obligee with such security as the Obligee shall deem sufficient. In furtherance of this covenant, the Obligor Wagner Millwork LLC has obtained and hereby delivers to the Town of Kent the following security for faithful performance of this obligation: Cash deposit in the sum of \$1,400.00.

3. The Obligor Wagner Millwork LLC agrees to execute and/or endorse and deliver to the Town any documents required for the Town to call upon the security.

4. The Obligee and its agents, employees, engineers and/or planners are hereby expressly authorized to enter upon the property for the purpose of inspecting the erosion and sedimentation controls and the timber harvest being performed in accordance with the approved plans and to complete the work in the event the Obligor fails to do so, or to restore the project site. This right of the Obligee shall run with the land.

5. In the event that any Obligor interferes with the Obligee's exercise of its rights under this instrument, the Obligee shall be entitled to recover any of Obligor the Obligee's attorneys' fees, other consultant costs, and expenses resulting from or arising out of Obligor's interference. This right of the Obligee shall run with the land. This obligation shall be joint and several.

6. The obligations of any Obligor in this performance bond may not be assigned or assumed by a third party without the prior written approval of the Town Board of the Town of Kent.

7. Obligor Aroonsri Anavil is a co-owner of fee title to the Property. She signs this bond with authority to bind the co-owner Alongkat Anavil. This Obligor shall defend, indemnify and hold harmless the Obligee from any damages arising out of lack of authority due to non-signature by co-owner Alongkat Anavil, including but not limited to attorneys' fees incurred by the Town of Kent.

This undertaking shall be recorded with the Clerk of Putnam County.

Dated: 8/2/, 2016

WAGNER MILLWORK LLC

By: [Signature]

By: [Signature]
Aroonsri Anavil

with respect to paragraphs "4", "5", and "6" only

STATE OF NEW YORK)
) ss.:
COUNTY OF TIOGA)

On the 4th day of August, 2016, before me, the undersigned, a notary public in and for said state, personally appeared JORDAN HELLER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
NOTARY PUBLIC
CHRISTINE M HORTON
NOTARY PUBLIC-STATE OF NEW YORK
No. 01H06188576
Qualified In Tioga County
My Commission Expires 06-09-2020

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

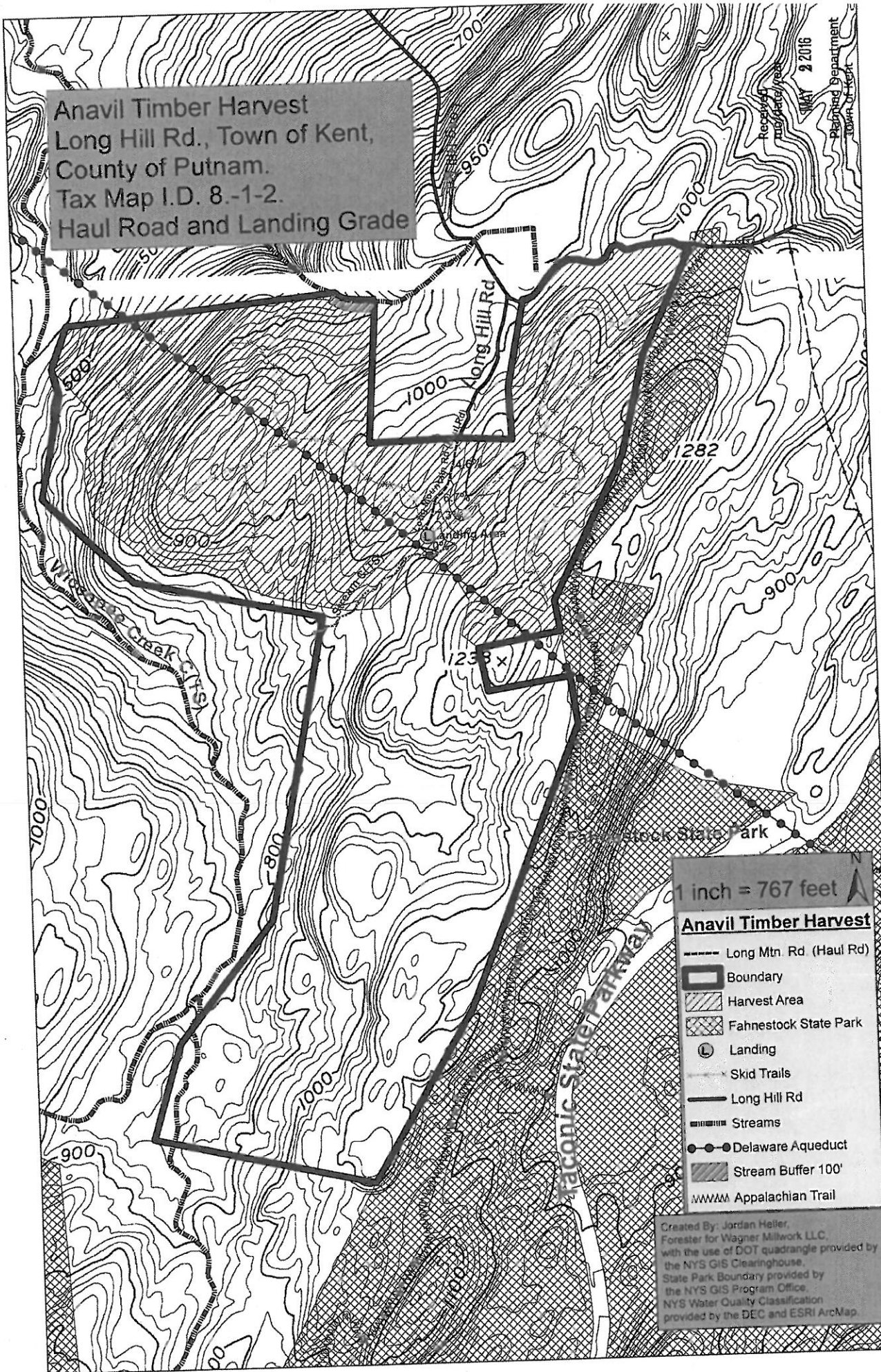
On the 2nd day of August, 2016, before me, the undersigned, a notary public in and for said state, personally appeared AROONSRI ANAVIL, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
NOTARY PUBLIC
ANDREW J ARKING
Notary Public - State of New York
NO. 01AR6283802
Qualified in New York County
My Commission Expires Jun 17, 2017

RECORD AND RETURN TO
Ronald C. Blass, Jr.
Van DeWater & Van DeWater, LLP
P O Box 112
Poughkeepsie, New York 12602

Anavil Timber Harvest
 Long Hill Rd., Town of Kent,
 County of Putnam.
 Tax Map I.D. 8.-1-2.
 Haul Road and Landing Grade

Received
 2/20/2016
 MAY 2 2016
 Planning Department
 TOWN OF KENT



1 inch = 767 feet

Anavil Timber Harvest

- Long Mtn. Rd (Haul Rd)
- Boundary
- ▨ Harvest Area
- ▩ Fahnestock State Park
- Landing
- ⋯ Skid Trails
- Long Hill Rd
- ▬ Streams
- Delaware Aqueduct
- ▨ Stream Buffer 100'
- ⋯ Appalachian Trail

Created By: Jordan Heller,
 Forester for Wagner Millwork LLC,
 with the use of DOT quadrangle provided by
 the NYS GIS Clearinghouse,
 State Park Boundary provided by
 the NYS GIS Program Office,
 NYS Water Quality Classification
 provided by the DEC and ESRI ArcMap



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan
May 2016 Planning Board Meeting

Date: May 11, 2016

Project: Anavil/Wagner Millwork Timber
Harvest TM # 8.-1-2

The following materials were reviewed:

- Marked-up version of April 13, 2016 review memo
- Forest Management Plan, prepared by Wagner Millwork LLC, revised, including:
 - Letter from NYSDEC Natural Heritage Program dated 10/19/2015
 - Letter from NYSDEC Division of Environmental Permits Region 3, dated 11/16/2015.
- Short Environmental Assessment Form (EAF), dated 4/20/2016
- Revised drawings, undated

The project proposes selective timber harvest of 250 acres of a 536 acre parcel.

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 April 13, 2016:

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

2. We recommend the requirements for providing the following information from Town Code Chapter 66-6.B.2 be waived due to the size and nature of the proposed project:
 - a. §66-6.B.2.b – Provide "existing topography of the proposed area of disturbance at a contour interval of not more than two feet." Existing topography is shown at a contour interval of 20 feet taken from a USGS map. This is sufficient for this project.
 - b. §66-6.B.2.d – "Except for applications involving one single-family dwelling, existing topography of the entire watershed tributary to the proposed area of disturbance, presented at a scale of not more than 500 feet per inch. An inset map at a scale of not more than 2,000 feet per inch may be used to show the entire watershed, if needed."
 - c. §66-6.B.2.e – Provide "a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be

delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map.”

- d. §66-6.B.2.f – Provide “the depth to bedrock and depth to water table shall be identified in all areas of disturbance” (Except for applications involving one single-family dwelling).

6. Refer to the Forest Management Plan:

- d. Refer to the letter from NYSDEC Division of Environmental Permits Region 3, dated 11/16/2015, under ‘State-Listed Species.’ “In order to avoid impacts... and the need for a take permit, all tree removal of trees over 4 inches DBH... should be done during... October 31 through March 31. Plans modified with this time frame must be submitted to the DEC before this project can proceed.”

The Forest Management Plan on page 2 indicates tree “harvesting will be limited to the time period of October 31st-March 31st.” Have modified plans been submitted to NYSDEC with this limited time period? Provide follow-up documentation from NYSDEC indicating the project can proceed with the modified time period.

- i. **The response letter indicates “waiting to hear back from DEC.” This will need to be provided prior to final approval.**

7. Refer to the Combined Application Form:

- b. The “Disclosure of Business Interest” form is used if someone working on the project also works for the Town of Kent or vice versa. If the property owner, Aroonsri Anavil, does not work for the Town of Kent, then ‘not applicable’ should be indicated on this form. If the property owner does work for the Town of Kent, then the position held is to be included on the form.

- i. **Provide corrected form.**

New Comments:

1. We defer to the Planning Board’s planning consultant regarding SEQRA lead agency.
2. The applicant indicates an estimated cost for erosion and sediment control measures between \$700.00 and \$2,100.00. We recommend a bond amount of \$1400.00 be accepted for the bond amount and recommended for approval by the Town Board.
3. Per §66-6.F, we recommend the public hearing be waived as this is for a silvicultural activity regulated by NYSDEC.
4. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.
5. 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.

Memorandum
Anavil/Wagner Millwork Timber Harvest ECP
TM # 8.-1-2
May 11, 2016
Page 3 of 3

6. If not already done so, prior to Planning Board Chairman's signature of plans, all Planning Board costs and fees including the erosion control bond, initial inspection fee deposit and professional review fees incurred during the review and approval of the application must be paid.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-234

Bruce Barber via email
Neil Wilson via email



May 12, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Wagner Millwork Timber Harvest Project (Property Owner: Anavil)**
Long Mountain Road
Section 8. Block 1 Lot 2

Dear Chairman McDermott and Members of the Planning Board:

Please be advised that I have conducted a review of the following pertinent documents relative to the above referenced project:

- Short-Form EAF (Part I) dated 4/20/16 (unexecuted).
- Plan entitled; "Anavil Timber Harvest" prepared by Jordan Heller received 05/02/16 by the Town of Kent Planning Department, 2 sheets.

Application Summary:

The applicant proposes a selective timber harvest (indicated as thinning) on 250 acres (northern area) of the above referenced parcel which is 536 acres in size.

Comments:

The majority of the comments in the April 14, 2016 memo prepared by this office have been addressed. Remaining comments:

1. The EAF should be signed.
2. EAF Question 15, Page 2: Answered "Yes". Provide information regarding specific NYSDEC impact avoidance to T/E species in summary.

This office defers to the Planning Board Engineer regarding review of the steep slope and erosion control permit application.

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

Sincerely,

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



Cornerstone Associates

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

May 12, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Center for Physical Therapy**
254 NYS Route 52

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

Plans entitled; "Center for Physical Therapy" prepared by James Sanok, RLA dated 04/22/16 (rev.), 2 sheets: L-200, L-300.
Short-form EAF (Part I) executed by James Sanok, RLA dated 04/22/16.

Comments:

1. The applicant has indicated in a note on the above referenced plan sheet that the entire site is located within a NYSDEC wetland check zone. It is advised that the applicant contact the NYSDEC to determine any delineation and permitting requirements.
2. Based on this information, a determination will be made if a town wetland permit is required for the proposed action.
3. Question 13 of the EAF may not be answered "No" until responses to Questions #1 and #2 are provided by the applicant.

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

Sincerely,

Bruce Barber, PWS, 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: May 2016 Agenda
Site Plan

Date: May 11, 2016

Project: Center for Physical Therapy
TM # 46.6-1-6

The following material was reviewed:

- Short Environmental Assessment Form (EAF), dated 4/22/2016
- Drawing Set 'Center for Physical Therapy,' prepared by Sanok Design Group, including:
 - L-T 'Title Sheet,' revised 3/14/2016
 - L-200 'Layout Materials Drawings Plan,' revised 4/22/2016
 - L-300 'Grading and Drainage Plan,' revised 4/22/2016
- Boundary and topographic survey of property prepared for Campilli Snyder Family Farm LLC, prepared by Baxter Land Surveying, P.C., dated January 25, 2015

This project is applying for amended site plan approval.

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

The following is offered for consideration by the Planning Board from a review memo dated January 9, 2014:

2. Combined Site Plan Application
 - b. A(14) – Provide a copy of the deed.
3. Refer to the drawings:
 - b. Provide signage in accordance with Building Code of New York State 1106.5 "Each accessible parking space shall be provided with signage displaying the international symbol of accessibility. Each access aisle shall be provided with signage reading "NO PARKING ANYTIME".
 - i. **A handicapped parking space is identified, but the required access aisle and "No Parking" sign were not found.**
 - c. Provide a limits of disturbance line and area calculation for all work done on the property as part of this project, including drainage work already completed.
4. This property was not previously used as a physical therapy office. Provide documentation from the Health Department that the existing well and sewage treatment system are adequate for the change of use.

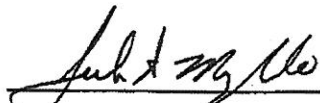
Memorandum
Center for Physical Therapy
TM # 46.6-1-6
May 11, 2015
Page 2 of 2

5. The proposed project is within the NYCDEP East of Hudson watershed. If more than 5,000 SF of land is disturbed, 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-0-15-001.
6. We defer to Bruce Barber for any potential wetland or stream impacts. If a Town of Kent Wetland Permit is required, then a Town of Kent Erosion Control Permit is also required per §66-5.A(3).

New Comments:

1. For the proposed stormwater infiltration system, provide a designated overflow.

As further information is provided, additional comments may be offered.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
14-261-211

Neil Wilson via email
Bruce Barber 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: May 12, 2016
Re: Center for Physical Therapy Site Plan
Change of Use

With reference to the above matter, we have reviewed the latest set of plans and materials submitted April 25, 2016 and offer the following for the Board's consideration:

Summary

1. The proposal is a change of use to allow the establishment of a Physical Therapy office in a former public library building.
2. The project includes minor (i.e. painting) changes to the exterior of the existing building and to the site for drainage and parking.

SEQRA

1. The proposal is an Unlisted Action under SEQRA. The applicant has provided a Short Form EAF as requested. An uncoordinated review is recommended.
2. The applicant has addressed our previous questions regarding business hours, number of employees, number of patients, timing of patient arrival and departure, water usage, deliveries, and vehicle trips. We have no further questions.

Site Plan

1. The following items were noted in our memos of January 9, 2014, and February 11, 2016 and have not been addressed:
 - a. Zoning setbacks for the front, side and rear yards should be depicted on the site plan to show the relation of existing to the property lines and to establish a baseline for future changes.
 - b. A zoning table showing required and actual setbacks and area information for the Commercial District should be provided.
2. In a recent telephone conversation with the applicant, Chris Campilli, the following was discussed:
 - a. Mr. Campilli indicated that they would not install a freestanding sign but instead would install wall signage. I told him that the Board approves all signage that he should be prepared to provide a rendering depicting the size and color of the proposed wall sign.

- b. Mr. Campilli indicated that the only change to the exterior would be to paint the outside. I suggested to him that he should be prepared to discuss with the Board the color scheme he has in mind.
3. To assist the Planning Board and the applicant as to the completeness of this 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: The site plan has been updated to reflect the boundary and topographic information on the 2015 survey. 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: See prior comment regarding the site plan. 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: Not provided. This item is incomplete.

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

Comment: See prior comment regarding the site plan. 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: The required information has not been provided. Pending a Board decision to waive this information this item is incomplete.

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

Comment: Separate occupancies are not proposed. This item is complete.

- 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 information has been provided. This item is complete.

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

Comment: No new roads, driveways, or parking areas are proposed. This item is complete.

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

Comment: This item appears to be complete.

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

Comment: No new roads, driveways, or parking areas are proposed. This item is complete.

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: This item appears to be complete.

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

Comment: See prior comment regarding the site plan. This item is complete.

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

Comment: We defer to the Planning Board engineer as to whether this item is complete.

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

Comment: See prior discussion of signage. Pending Board review of the proposed wall signage this item is incomplete.

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

Comment: This item is complete.

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

Comment: This item is complete.

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

Comment: This item is complete.

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

Comment: This item is complete.

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

Comment: We defer to the Planning Board Engineer as to whether 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: This item is complete.

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: We defer to the Planning Board Engineer as to whether this item is complete.

v. Phasing of development, if any.

Comment: This item is not applicable to this project.

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

Comment: This item is complete.

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

Comment: This item is complete.

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: Pending additional Planning Board comments this item is complete.

4. We defer to Bruce Barber with respect to wetland, stream, and steep slope impact issues.
5. 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 any requested information waivers.
2. The Board may choose to convene a public hearing at the June 9, 2016 meeting or may waive the public hearing entirely.
3. The application must be referred to the County Planning Department for review under GML 239-m.
4. We may have additional comments in response to future submittals.



Cornerstone Associates

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

May 12, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Bashart/Mann Application
Marshall Drive and Jeffery Court
Section 11.15 Block 1 Lot 38

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

- Plan entitled; "Subdivision Plan-Jason Mann" prepared by John Karell, Jr., PE dated 01/05/16, 2 sheets: 1 of 2, 2 of 2.
- Town of Kent Planning Board Combined Application dated 12/04/15.

Summary:

The applicant is proposing to subdivide an existing 3.7665+/- acre parcel into two residential lots in an R-80 Zoning District.

Review Comments:

A site inspection will be conducted by this office to confirm that there is no disturbance to Town of Kent jurisdictional wetland or wetland buffers due to the proposed action.

Applicant has not provided a tree survey or steep slope/rock outcrop information.

An updated Combined Application and updated EAF which are reflective of the current action should be submitted.

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

Sincerely,

Bruce Barber
Town of Kent Environmental Consultant



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Minor Subdivision
May 2016
Planning Board Meeting

Date: May 11, 2016

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

The following materials were reviewed:

- Combined Application Form for preliminary subdivision
- Short Environmental Assessment Form (EAF) dated 12/4/2015
- Drawings prepared by John Karell, Jr, P.E., dated January 5, 2016, including:
 - Sheet 1 of 2, Subdivision Plan
 - Sheet 2 of 2, Subdivision Plan

The project is for a minor subdivision of a lot into two (2) lots. The lot is located in R-80 zoning district on the south side Jeffery Court and Marshall Drive.

New and supplementary information is shown in **bold**.

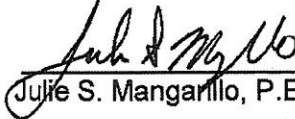
The following additional information will be required in order to comply with current regulations from a memo dated January 14, 2016:

1. Development of an Erosion and Sediment Control Plan, complete with details and notes per Chapter 66 of the Town Code
 - a. **Include a calculation of the proposed area of disturbance along with other required information outlined in Chapter 66.**
2. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002.
 - a. **Provide information required by GP-0-15-002.**
3. Development of a new design for the septic systems and wells for approval by the Putnam County Department of Health.

Memorandum
Basharat/Mann 2 Lot Subdivision
Jeffery Ct; TM 11.15-1-35
May 11, 2016
Page 2 of 2

New Comments:

1. For each lot, provide the 10,000 SF rectangle that does not contain "environmentally sensitive lands" in accordance with §77-73.
2. Provide driveway information in accordance with §57-26(3) and (4). The driveway profile for Lot B is not in conformance with §57-26(3) for the first 30 feet to be down and away from the road, with a minimum slope of 1.5%. Provide driveway cross-section detail.
3. As further information is provided, additional comments may be offered.


Julie S. Mangarillo, P.E., CPESC

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

Neil Wilson via email
Bruce Barber via email

S:\261-Kent\229-Basharat TM 11.15-1-35\2016-05-11 Basharat-Mann Subdivision TM11.15-1-35.doc



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Minor Subdivision
May 2016
Planning Board Meeting

Date: May 11, 2016

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

The following materials were reviewed:

- Combined Application Form for preliminary subdivision
- Short Environmental Assessment Form (EAF) dated 12/4/2015
- Drawings prepared by John Karell, Jr, P.E., dated January 5, 2016, including:
 - Sheet 1 of 2, Subdivision Plan
 - Sheet 2 of 2, Subdivision Plan

The project is for a minor subdivision of a lot into two (2) lots. The lot is located in R-80 zoning district on the south side Jeffery Court and Marshall Drive.

New and supplementary information is shown in **bold**.


The following additional information will be required in order to comply with current regulations from a memo dated January 14, 2016:

1. Development of an Erosion and Sediment Control Plan, complete with details and notes per Chapter 66 of the Town Code
 - a. **Include a calculation of the proposed area of disturbance along with other required information outlined in Chapter 66.**
2. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002.
 - a. **Provide information required by GP-0-15-002.**
3. Development of a new design for the septic systems and wells for approval by the Putnam County Department of Health.

Memorandum
Basharat/Mann 2 Lot Subdivision
Jeffery Ct; TM 11.15-1-35
May 11, 2016
Page 2 of 2

New Comments:

1. For each lot, provide the 10,000 SF rectangle that does not contain "environmentally sensitive lands" in accordance with §77-73.
2. Provide driveway information in accordance with §57-26(3) and (4). The driveway profile for Lot B is not in conformance with §57-26(3) for the first 30 feet to be down and away from the road, with a minimum slope of 1.5%. Provide driveway cross-section detail.
3. As further information is provided, additional comments may be offered.


Julie S. Mangarillo, P.E., CPESC

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

Neil Wilson via email
Bruce Barber via email

S:\261-Kent\229-Basharat TM 11.15-1-35\2016-05-11 Basharat-Mann Subdivision TM11.15-1-35.doc

W. Besharat -

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
JASON MANN				
Name of Action or Project: BESHARAT/MANN SUBDIVISION				
Project Location (describe, and attach a location map): COENER OF MARSHAL RD. AND JEFFERY DR. T.M.# 11.15-1-38				
Brief Description of Proposed Action: RESUBDIVIDE 2 BUILDING LOTS AND COMPLY WITH CURRENT ZONING CODE. PROPERTY WAS ORIGINALLY SUBDIVIDED AS PER MAP NUMBER 864 AND FILLED IN PUTNAM COUNTY CLERKS OFFICE ON 10/9/1958.				
Name of Applicant or Sponsor: WILLIAM BESHARAT		Telephone: 914-330-4999 E-Mail: RAYEXDESIGN@GMAIL.COM		
Address: 266 SHEAR HILL ROAD				
City/PO: MAHOPAC		State: NY	Zip Code: 10541	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		3.7669 acres		
b. Total acreage to be physically disturbed?		3.7669 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.7669 acres		
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>WILLIAM BESHARAT</u> Date: <u>12/04/2015</u></p> <p>Signature: <u><i>William Besharat</i></u></p>		

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: May 12, 2016
Re: Basharat Mann Subdivision
Minor Subdivision Approval, Steep Slope & Erosion Control Permit

With reference to the above matter, we have reviewed application submitted by the applicant's consulting Professional Engineer via letter dated November 21, 2013 and offer the following for the Board's consideration.

SEQRA

1. The proposed action is an Unlisted Action. The application is for re-approval of two lots of a subdivision created in the 1959 that were subsequently merged into a single lot by Putnam County during an in rem foreclosure proceeding in the early 1970's.
2. We have no further comments on the proposed layout and defer to Bruce Barber with respect to any potentially significant environmental issues related to development of two single family dwellings on the lots.

Subdivision Plat

1. The proposed lots appear to meet the area and bulk requirements for the R-80 District.
2. We have no further comments on the proposed layout.
3. We defer to Julie Mangarillo and Bruce Barber regarding engineering and wetland issues.

Recommendation

1. We recommend that the Planning Board discuss whether to conduct a coordinated review of this application.
2. The Board should review and consider any information waivers requested by the applicant.
3. Pending receipt of additional information as requested by Julie Mangarillo and Bruce Barber we recommend that the Board defer setting a public hearing.
4. No further action is recommended or required.



Cornerstone Associates

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

May 12, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Center for Physical Therapy**
254 NYS Route 52

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

Plans entitled; "Center for Physical Therapy" prepared by James Sanok, RLA dated 04/22/16 (rev.), 2 sheets: L-200, L-300.
Short-form EAF (Part I) executed by James Sanok, RLA dated 04/22/16.

Comments:

1. The applicant has indicated in a note on the above referenced plan sheet that the entire site is located within a NYSDEC wetland check zone. It is advised that the applicant contact the NYSDEC to determine any delineation and permitting requirements.
2. Based on this information, a determination will be made if a town wetland permit is required for the proposed action.
3. Question 13 of the EAF may not be answered "No" until responses to Questions #1 and #2 are provided by the applicant.

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

Sincerely,

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

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