

**Minutes
Town of Kent Planning Board Meeting
May 11, 2017**

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

In attendance were the following Planning Board members:

Michael McDermott, Chairman
Charles Sisto

Dennis Lowes, Vice Chairman
Philip Tolmach

Others in Attendance:

Bruce Barber, Environmental Consultant
Julie Mangarillo, Engineering Consultant

Bill Walters, Kent Building Inspector
Neil Wilson, Planner

Absent:

George Brunner

Gary Lam

• **Approve Planning Board Minutes from April 13, 2017 Meeting**

Mr. McDermott asked for a motion to approve the minutes from the April 13, 2017 meeting on the table for discussion. Mr. Tolmach made the motion to approve the April minutes on the table and it was seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

• **Morini, China Circle Court, Kent, NY; TM: 42.8-1-2**

Mr. John Watson, President of Insite Engineering, represented the applicant and requested a time extension for an Erosion Control Permit. Mr. Robert Morini owned this property located in the Sedgewick Club for 30 years, received approvals from the Board of Health as well as the Planning Board. He intended to build on the property, however, recently a neighbor expressed an interest in the property and is in the process of purchasing the property from Mr. Morini. Mr. Morini requested a time extension for the Erosion Control Permit, which will be transferred to the new owners at a later date.

Mr. Wilson's Comments (Resolution Attached)

Mr. Wilson circulated a Draft Resolution of the Time Extension for this property prior to the meeting. The applicant has completed all of the conditions of approval on this project and the plans were signed in July of 2016. The Resolution extends the expiration date of the Erosion Control Permit from July 1, 2017 to July 1, 2018 which gives the applicant two 6 month extensions.

Mr. McDermott asked for a motion to approve the Resolution provided by Mr. Wilson. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

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

Mr. Andrew Suozzi, the owner of this property, passed away in September and the estate contacted the Planning Board previously and asked that Letters of Credit be released and review fees returned to the family. In April the Planning Board forwarded a recommendation to the Town Board to ask Wells Fargo Bank to release two Letters of Credit (Wells Fargo Letter of Credit IS0014205, Dated August 14, 2012 in the amount of \$28,995.68 & Wells Fargo Letter of Credit IS0014207, Dated August 14, 2012 in the amount of \$30,900.00) to the estate of Mr. Suozzi. The review funds were not returned at that time because there were some outstanding invoices, which have since been submitted to the Planning Board and have been processed. Mr. McDermott asked for a motion to forward a request to the Town Board to refund the remaining balance of \$180.87 to the estate. The motion was made by Mr. Tolmach and seconded by Mr. Sisto. The roll call votes were as follows:

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

The motion carried.

- **Goldfine/Rynn, Daffodil Lake, Kent, NY; TM: 11.21-1-21**

Mr. Rynn attended the meeting and explained that the application is for an Erosion Control Permit for a single family residence.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that this project was approved and put on the administrative track in December of 2015, but the bond amount was not approved nor forwarded to the Town Board at that time. Now Ms. Mangarillo asked that the Planning Board make a motion to forward the bond of \$17,401.00 to the Town Board and approve a Resolution for the Erosion Control Permit. Mr. McDermott asked for a motion to forward the Erosion Control Bond to the Town Board and adopt the Erosion Control Permit Resolution. Mr. Tolmach made the motion and it was seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

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

Mr. Michael Todd, President of Rainbow Pools, represented the owners of this property.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the applicant and owners of the adjoining property are in agreement with the plans to repair and mitigate their property. The planting bond amount of \$2,536.00 should be sufficient to cover the erosion control process to ensure the property is stabilized and extends to 3 years to ensure the mitigation plants survive.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that an estimate of \$2,300.00 for an Erosion Control Bond should be accepted in addition to the planting bond and that the rest of the project be moved to the administrative track. Ms. Mangarill said that the limits of disturbance should be shown on the plans as well as the revision date. Ms. Mangarillo also recommended waiving additional information from Chapter 66.

Mr. Wilson's Comments (Resolution attached)

Mr. Wilson said that Mr. Barber made a recommendation regarding Page 2 (the third Where-as paragraph). There is a separate planting bond and Mr. Barber suggested that, rather than asking for two separate bonds, one performance bond in the amount of \$2,536.00 be forwarded to the Town Board with a proviso that at the completion of the work (two years) the performance bond be transferred to a planting guarantee bond for an additional year.

Mr. McDermott asked for a motion to adopt the amended Resolution as noted above. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

• More Than Masonry, Route 52, Kent, NY; TM: 44.9-2-20, 44.5-28 & 29

Mr. Robert Roselli and Ms. Nina Lopes, the applicant, attended the meeting.

Mr. Roselli displayed the proposed site plan for this property. There are two existing buildings and an outstructure which will be removed. A pre-fabricated steel storage building, 80' x 80' and 66,400 square feet and a small office building with two half bathrooms will be built. The Board of Health and DEP have approved the plans to repair the existing septic systems. Mr. Roselli stated that he is working with the NYCDEP regarding stormwater issues. A driveway permit from the NYSDOT is also required and Mr. Roselli has contacted them, but they won't be able to issue one until SEQRA has contacted them. Zoning variances are not necessary. A landscape buffer will be installed along Route 52 and there will be permeable pavers installed and grading will be minimal. Conveyance of the stormwater will be processed through perforated piping under gravel in order to forward it through the back of the property. There is some disturbance in the Town of Kent wetlands and the applicant will keep it at a minimum. Less than 1/3 of the site will be disturbed. Much of the fill on the property, which was brought in when there was a spill many years ago, will be removed. This site, when finished, should be an improvement of what is there now.

Mr. Wilson's Comments (memo attached)

Mr. Wilson generated a memorandum with comments regarding the site plan with a checklist. The SEQRA process needs to begin and a long-form EAF needs to be submitted in order to do so. At the next meeting Mr. Wilson should be able to prepare his Resolution if the EAF is submitted. Information on traffic generation was also requested, pertaining to site lines, safe stopping distances, types of vehicle trips in and out of the property, and number of trips, and the times of deliveries. Mr. Wilson asked that the building elevations be provided and suggested the Planning Board look at the architectural plans for the office building, which will be 24' x 36' and elevations because of the proximity to Route 52. Mr. Wilson also suggested that the landscaping be done in front of the fencing.

Mr. Tolmach asked about previous spills on the property. Mr. Wilson said that he understood that they occurred a long time ago.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the two major hurdles were approvals of the septic system and stormwater approval and the applicant feels that they are getting the approvals. Finalization of wetland boundaries have been determined by Mr. Paul Janek and Mr. Barber needs to meet with him again to discuss delineations. Regarding the wetlands, there is a NYC watercourse at the rear of the property and the applicant is dealing with DEP pertaining to a stormwater management plan. The DEC noted that there may be some rare plantings or animals on or near the site, which Mr. Barber thought were unlikely. However, the applicant will need to contact the NYS Natural Heritage to resolve this matter. Flood plain floodway should be added to the plans. The spill closure numbers should also be provided. Any BOH documents should be submitted to the Planning Board. All buildings to be demolished should be shown on the plans. Mr. Barber suggested that, rather than discharging the stormwater in the rear of the property into the stream, it should be discharged more closely to the interior of the site. The amount of wetland and buffer disturbance should be delineated in square feet. The lighting plan and landscaping details need to be looked at.

Julie Mangarillo's Comments (memo attached)

The application submitted in October needs to be updated. Changes to the SWPPP needs to be provided, an additional survey needs to be submitted pertaining to the driveway. Permeable paver details needs to be provided. They are prone to clogging and she was concerned about this and suggested adding a concrete apron in front of the bins. Handicapped parking details need to be added.

**Town of Kent Planning Board Minutes
May 11, 2017**

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

Nothing New

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

Still working with the DEP

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

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



April 17, 2017

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

RE: Morini Residence
Erosion Control Permit
China Circle Court
Kent, NY 10512
Tax Map No. 42.8-1-2

Dear Chairman McDermott and Members of the Board:

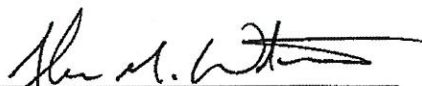
At this time, we are requesting to be placed on the next available Planning Board agenda for a one (1) year extension of Erosion Control Permit Approval. The Erosion Control Permit was granted on November 13, 2014 with extensions granted to date. The applicant provided the required performance bond and inspection fee amounts June 24, 2016 which were approved and accepted by the Town Board. The MS4 and NYSDEC Notice of Intent were submitted to the NYSDEC and the applicant currently has coverage under the General Permit GP-0-15-002.

The applicant is looking to begin development this fall and is respectfully requesting a one (1) year extension of approval for the Erosion Control Permit to expire November 13, 2018.

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

Very truly yours,

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

By: 
John M. Watson, PE
Senior Principal Engineer
JMW/ll

Enclosures:
cc: Robert Morini

Insite File No. 03215.200

KENT PLANNING BOARD AGENDA

Workshop: May 04, 2017 (Thursday, 7:30 PM) Cancelled MAY 2017
Meeting: May 11, 2017 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from April 13, 2017
- Morini Time Extension for
China Circle Court, Kent, NY Erosion Control Permit Review
TM: 42.8-1-2
- Rte 311 Plaza Request to Return Review Fees Review
Rte 311, Kent, NY
TM: 22.-2-17
- Goldfine/Rynn Erosion Control Bond Review
Daffodil Lake, Kent, NY
TM: 11.12-1-21
- Von Rosenvinge Property Erosion Control Plan Review
451 Pudding St., Kent, NY for In-Ground Swimming Pool
TM: 31.17-1-7
- More Than Masonry Site Plan Review
Route 52, Kent, NY
TM: 44.9-2-20, 44.5-28 & 29
- Permit Applications Review (Applicants attendance not required/Workshop Discussion):
- Bottlegate Change of Use Status Report
NYS Route 52 & Horsepound Road
TM: 22.-1-13
- Patterson Crossing Amended Site Plan Status Report
Route 311, Kent, NY; Bond Pending
TM: 22.-2-48
- Boccia Property Erosion Control Plan/ Status Report
Beach Court, Kent, NY Wetland Permit
TM: 21.-1-16
- O'Mara Property Erosion Control Plan Status Report
Peekskill Hollow Road, Kent, NY
TM: 42.07-1-7
- O'Mara Property Erosion Control Plan Status Report
Lhasa Court, Kent, NY
TM: 31.09-1-6
- O'Mara Property Erosion Control Plan Status Report
Mt. Nimham, Kent, NY
TM: 10.20-1-1
- Wagner Millwork Timber Harvest Erosion Control Plan Status Report
Long Mountain Road, Kent, NY
TM: 8.-1-2
- Cypress Creek/Solar Energy Farm Site Plan/ Status Report
Mooney Hill/Kent, NY Erosion Control Plan
(Armstrong Property)
TM: 12.-3-9
- Holmes Presbyterian Site Plan/ Status Report
60 Denton Lake Road, Holmes, NY Erosion Control Plan
TM: 2.-1-47-1

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

Matter of Morini

Whereas, on November 13, 2014 the Town of Kent Planning Board granted Steep Slope and Erosion Control Permit approval for a project known as Morini Residence located at China Circle Court, tax parcel number 42.8-1-2 to allow the construction of a new single family dwelling; and

Whereas, the applicant/owner completed the conditions of said Erosion Control Permit approval, including posting of a performance security with the Town, and received the signature of the Planning Board Chairman on the final approved plans; and

Whereas, the applicant/owner has, for various reasons, been unable to proceed with the project since the time of Chairman's signature on July 1, 2016; and

Whereas, the applicant/owner has requested an extension of time to allow him to complete the project; and

Whereas, section §66-6(K)(4) of the Town Code provides that "All Steep Slope and Erosion Control permits issued shall expire on the earlier of the completion of the work specified or one year from the date the permit is issued, but also provides that the Planning Board, in its discretion, may grant up to two six month extensions to this period;

Now Therefore Be It Resolved, that the Planning Board grants two six (6) month time extensions for a total of one (1) year forward from July 1, 2017, said extension to expire July 1, 2018; and

Be It Further Resolved, that this resolution is an extension of time only to allow completion of the project in accordance with the Board's resolution of November 13, 2014 and the executed plan set, said conditions remaining unchanged and in force and effect

Motion: Phil Tolmach_____

Second: Dennis Lowes_____

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

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on May 11, 2017.



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: July 15, 2016
TO: Finance Department
CC:
FROM: Vera Patterson
RE: Morini Bond Agreement – TM: 42.8-1-2

This matter was heard at the July 14, 2016 Planning Board meeting. Attached is Resolution 7 2016 recommending that this matter be forwarded to the Kent Town Board for their next meeting and, if they agree and everything is in order, the Town Board should pass a Resolution recommending that the bond be accepted. The checks are not deposited until the Resolution from the Town Clerk's office is passed. I do not hold checks in my office, so when it was given to me I gave it to your office to hold until the Town Board votes on it.

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 # 7
Year 2016

Date: July 15, 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. LoGuidice - Insite Engineering
J. Ramos - w/Att.
Finance Department - w/Att.
RE: Request to Accept Erosion Control Bond for:
Robert & Patrice Morini
China Circle Court
Kent, NY 10512
TM: 42.8-1-2

Resolved: On July 14, 2016, a request from Insite Engineering representing the above mentioned property owner, was heard by the Kent Planning Board to accept an Erosion Control Bond submitted to the Town of Kent Planning Board on June 15, 2016 in the amount of \$5,871.24 (PCS bank check 37795) as well as an inspection fee in the amount of \$1,000.00 (PCS bank check 37794) for a project which has been before the Planning Board since 2014. The Planning Board passed this Resolution to ask that Kent Town Board accept this bond.

Mr. McDermott asked for a motion to forward a request to the Kent Town Board to accept this bond and inspection fee for the above mentioned erosion control plan. 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>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on July 14, 2016.

Dated: July 15, 2016

Vera Patterson
Planning Board Secretary



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan – Review
July 2016 Agenda

Date: July 12, 2016

Project: Morini Property
TM # 42.8-1-2

The following materials were reviewed:

- Cover letter prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated June 24, 2016
- Notice of Intent (NOI) for GP-0-15-002, signed 6/24/2016
- MS4 SWPPP Acceptance Form
- Erosion Control Bond agreement, signed June 15, 2016
- Drawings "Morini Property," prepared by Insite Engineering, revised 3/6/2014, including:
 - o EC-1 Erosion & Sediment Control Plan
 - o D-1 Details & Notes

The project proposes construction of a new single-family house, septic system, well and driveway. In order to access the parcel, the minimally improved private road will require additional improvements. The parcel is located in the R-80 zoning district.

The following comments are provided for consideration by the Planning Board:

1. Comments from the March 12, 2014 comment memo have been addressed.
2. The bond estimate of \$5871.24 prepared by Insite Engineering, revised 1/23/2014 was approved by the Planning Board at the 2/28/2014 meeting and forwarded for acceptance by the Town Board. We recommend this bond amount be re-affirmed.
3. Refer to the Notice of Intent:
 - a. Provide responses to #5 and 7 (page 3) and #24 (select preparer on page 6).
4. The signed MS4 SWPPP Acceptance Form will be provided after the Town Board has accepted the erosion control bond and the Planning Board Chairman has signed the plans.
5. Please note that while the project was approved under stormwater general permit GP-0-10-001, the general permit has since been replaced by GP-0-15-002, effective January 29, 2015. The design does not have to be revised, however "...non-design provisions of GP-0-15-002" must be followed (GP-0-15-002 Part II.D.1). For example, soil stabilization "...must be initiated by the end of the next business day..." (GP-0-15-002 Part I.B.1.b).

Memorandum
Morini ECP
TM # 42.8-1-2
July 12, 2016
Page 2 of 2



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board Secretary via email
Bruce Barber via email
John Watson, P.E., Insite Engineering, via email

Bill Walters via email
Neil Wilson via email
11-261-999-124

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: June 28, 2016
TO: Finance Department
CC:
FROM: Vera Patterson
RE: Morini Bond Agreement – TM: 42.8-1-2

Please find attached the following items:

PCSB Bank Check 37794 -	Inspection Review Fee	-	\$1,000.00
PCSB Bank Check 37795 -	Erosion Control Permit	-	\$5,871.24

Bond Agreement, dated June 15, 2016

Letter from Julie Mangarillo supporting bond amount

Minutes from March 2014 accepting the bond amount

Resolution for the Steep Slope and Erosion Control Permit Approval

This matter will be put on the July Planning Board agenda and, if they agree, the Planning Board will send a memo to the Town Board asking for them to accept the bond agreement. If everything is in order, the Town Board should pass a Resolution recommending that the bond be accepted. The checks are not deposited until the Resolution from the Town Clerk's office is passed.



June 24, 2016

Received
mo/date/year

JUN 24 2016

Planning Department
Town of Kent

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

RE: Morini Residence
Erosion Control Permit
China Circle Court
Kent, NY 10512
Tax Map No. 42.8-1-2

Dear Chairman McDermott and Members of the Board:

Enclosed please find the following:

- NYSDEC NOI (GP-0-15-002) dated June 15, 2016.
- MS4 SWPPP Acceptance Form
- Performance Bond for Erosion and Sediment Control (5 Copies), dated June 15, 2016.
- Performance Bond Check in the amount of \$5, 871.24 (Check No. 37795).
- Inspection Fee Check in the amount of \$1,000.00 (Check No. 37794).

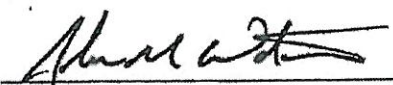
The enclosed materials are being submitted to satisfy the outstanding items listed within the Steep Slope and Erosion Control Permit Approval Resolution that was approved November 13, 2014 and renewed in November 2015. Mr. Morini will be applying for his Building Permit with the Town of Kent Building Department shortly with the intent to begin work the fall of this year.

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

JMW/jll

Enclosures

cc: Julie Mangarillo, PE
Robert Morini

Insite File No. 03215.200

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

062416kpb.doc

RECEIPT DATE June 24, 2016 No. 373698

RECEIVED FROM Robert Morini / Inmate \$ 1,000.⁰⁰

One Thousand and ⁰⁰/₁₀₀ DOLLARS

FOR RENT
 FOR E/C Inspection / Receipt Fee - Tmi 42.8-1-2

ACCOUNT		<input type="radio"/> CASH	<u>37794</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>R. Morini</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	BY _____
		<input type="radio"/> CREDIT CARD	

RECEIPT DATE June 24, 2016 No. 373699

RECEIVED FROM Robert Morini / Inmate \$ 5,871.²⁴

Five Thousand Eight Hundred Seventy one ^{and 24}/₁₀₀ DOLLARS

FOR RENT
 FOR Erosion Control Bond

ACCOUNT		<input type="radio"/> CASH	<u>37795</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>R. Morini</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	BY _____
		<input type="radio"/> CREDIT CARD	



37794

PAY TO THE ORDER OF TOWN OF KENT

DATE 06/15/16

50-7088/2219

1,000.00

ONE THOUSAND and 00/100USDollars

TELLER'S CHECK

REMITTER: ROBERT MORINI

Inspectional Receiver - T.M. 42.8-1-2

⑆037794⑆ ⑆221970980⑆ 805 6880250⑆

Bank of America



37795

PAY TO THE ORDER OF TOWN OF KENT

DATE 06/15/16

50-7088/2219

5,871.24

FIVE THOUSAND EIGHT HUNDRED SEVENTY ONE and 24/100USDollars

TELLER'S CHECK

REMITTER: ROBERT MORINI

Inspection Control Bond - T.M. 42.8-1-2

⑆037795⑆ ⑆221970980⑆ 805 6880250⑆

Bank of America

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

**Robert Morini
China Circle West
Kent, NY 10512
Tax Map: 42.8-1-2**

Bond given by Robert Morini, whose property is located on China Circle West, Kent, NY 10512/Tax Map: 42.8-1-2 ("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 June 15, 2016

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$5,871.24, along with an initial inspection fee deposit of \$1,000.00 for the payment whereof to the Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor is seeking a Steep Slope and Erosion Control Permit from the Obligee for the construction of a single family residence, which includes a driveway and septic system. This project also includes the improvement to China Circle Court by importing fill to lessen the existing 17% slopes to 15% and paving said China Circle Court. This entails a disturbance on steep slopes, as that term is defined in Town of Kent Town Code (the "Code") Chapter 66, on certain real property located in the Town of Kent, in connection with which an erosion and sediment control plan (the "Erosion and Sediment Control Plan") shall be required in accordance with the Code in effect as of the date of this Bond; and

WHEREAS, in conjunction with such Steep Slope and Erosion Control Permit application, the Obligor has submitted to the Obligee, plans and specifications for the project known as the "Morini Property" ("Project Plans") and the Erosion and Sediment Control Plan, prepared by Insite Engineering, 3 Garrett Place, Carmel, NY 10512; and such Project Plans and Erosion and Sediment Control Plan have been reviewed and approved by the Obligee; and

WHEREAS, as condition to the issuance and approval of a Steep Slope and Erosion Control Permit, the Code requires the owner or applicant, prior to construction, to provide the Obligee with a cash escrow an irrevocable letter of credit or a certified check drawn upon a national or state bank or other cash equivalent, which guarantees satisfactory completion of the Erosion and Sediment Control Plan, which security shall remain in full force and effect until the Obligor is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work permitted by the Steep Slope and Erosion and Control Permit has been completed in accordance with such Permit and all plans and specifications forming the basis of such approved Permit.

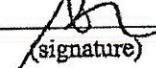
This performance bond may not be assigned or transferred without the prior written approval of the Town Board of the Town of Kent.

- The said bank checks shall be delivered to the Town of Kent and be deposited in an escrow account pending the completion of the project for which the erosion control measures are necessary;
- No funds may be withdrawn from the said escrow account until a resolution has been duly made by the Town Board of The Town of Kent, authorizing such surrender or cashing.

- Upon full completion of the work allowed pursuant to the conditions and specifications heretofore imposed by the **Planning Board of The Town of Kent**, the said escrow monies shall be returned to **ROBERT MORINI**;
- In the event the erosion control work allowed shall not have been duly completed by **ROBERT MORINI** as per the conditions and specifications of the **Planning Board of The Town of Kent**, the **Town Board** shall have the right to withdraw the aforesaid escrow monies and complete the required work for **ROBERT MORINI** with full use of said sums as the Town requires;
- When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **ROBERT MORINI** or by the **Town of Kent**, the aforesaid escrow monies or the balance of funds remaining after the work has been completed shall be returned or refunded to **ROBERT MORINI** within two years..
- This bond may not be assigned or transferred without the prior written approval of the **Planning Board of The Town of Kent**.
- The applicant hereby expressly authorizes the **Town of Kent**, its agents, employees, engineer or planner to enter upon the **Owner's/Applicant's** property for the purpose of inspecting the erosion control system installed and the site work being performed in accordance with the approved plans, provided that the **Town of Kent** provides at least 24 hours notice to **ROBERT MORINI**.

Dated: 6/16, 2016

ROBERT MORINI

By: 
(signature)

By: _____
(signature)

ROBERT MORINI

(print/type signatory's name)

Robert Morini

Owner/Obligee

(print/type signatory's title)

STATE OF New York)

) ss.:

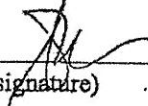
COUNTY OF Putnam)

Notary Public, State of New York
19
Alicia Hansen

On the 15th day of June, 2016, before me, the undersigned, a notary public in and for said state, personally appeared Robert Morini, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

Robert Morini



(signature)

Owner

(print/type signatory's title)

STATE OF New York)

) ss.:

COUNTY OF Putnam)

Attest
Notary Public, State of New York

19

Alicia Hansen



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

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

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

Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan -- Review
March 2014 Agenda

Date: March 12, 2014

Project: Morini Property
TM # 42.8-1-2

The following materials were reviewed:

- o Cover letter prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated 3/7/2014
- o Rural Road Specifications Table, prepared by Insite Engineering, revised 3/6/2014
- o Notice of Intent (NOI), signed 3/7/2014
- o Drawings "Morini Property," prepared by Insite Engineering, revised 3/6/2014, including:
 - o EC-1 Erosion & Sediment Control Plan
 - o D-1 Details & Notes

The project proposes construction of a new single-family house, septic system, well and driveway. In order to access the parcel, the minimally improved private road will require additional improvements. The parcel is located in the R-80 zoning district.

New or supplementary comments are shown in bold.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for consideration by the Planning Board from a memo dated 1/9/2014:

11. Improvements are required to the private road on Sedgewood Club property in order to access the parcel. Presumably there is already a cross-access easement or similar agreement in place. Provide a copy of the agreement or other proof that the improvements to the private road will be permitted by Sedgewood Club.
 - a. **The 1/23/2014 and 3/7/2014 cover letters indicate approval from Sedgewood Club for the proposed improvements to the private road will be forwarded to the Town upon receipt.**
14. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
 - a. **This requirement is acknowledged in the 1/23/2014 and 3/7/2014 cover letters.**

Memorandum
Morini ECP
TM # 42.B-1-2
March 12, 2014
Page 2 of 2

New Comments:

1. At the 2/28/2014 Planning Board meeting, a number of waivers were granted for the Rural Road standard for the private road. There were additional waivers discussed during the Planning Board meeting that were overlooked when the motion was made to grant the waivers.

We recommend granting the waivers from Chapter 57 Table 2 "Summary of Road Specifications: Rural Roads" as outlined in the attached table prepared by Insite Engineering, revised 3/6/2014.

2. The bond estimate of \$5871.24 prepared by Insite Engineering, revised 1/23/2014 was approved by the Planning Board at the 2/28/2014 meeting and forwarded for acceptance by the Town Board.
3. The remaining project review was referred to the Planning Board consultants to be handled administratively at the 2/28/2014 Planning Board meeting.
4. The signed MS4 SWPPP Acceptance Form will be provided after receipt of Sedgewood Club approval, assuming no additional changes are required to the design.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board Secretary via email
Bruce Barber via email
John Watson, P.E., Insite Engineering, via email

Bill Walters via email
Neil Wilson via email
11-261-999-124



RECEIVED

MAR 12 2014

MORINI RESIDENCE
Rural Road Specifications Table
 Town of Kent, NY
 January 23, 2014
 Revised March 6, 2014

ROHDE, SOYKA & ALLEN, P.C.
 CONSULTING ENGINEERS, P.C.

Specifications	Requirement	Proposed	Waiver Requested
Min. Right-of-Way Width (ft)	30	40	N
Max. Right-of-Way Width (ft)	45	40	N
Min. Clearing Width (ft)	30	30	N
Min. Grading Width (ft)	30	21 +	Y
Min. Pavement Width (ft)	20	12	Y
Max. Pavement Width (ft)	24	12	N
Min. Shoulder Width (ft)	4	2	Y (Improving to Single Family Residence Driveway Standards)
Min. Grade	1.0%	1.7%	N
Max. Grade	10%	16%	Y
Min. Curb Radii (ft)	20	N/A	N (No curb proposed)
Min. Tangent Length Between Reverse Curves (ft)	100	0	Y (Follow existing horizontal alignment)
Min. Sight Distance (ft)	200	Greater than 200	N
Min. Sight Distances at Intersections	Across Corner, 75 ft back from corner, as explained in §57-10N	Greater than 200	N
Angle at Intersection of Road Center Lines	90°	28°	Y (Keep existing angle of intersection)

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

Min. Length of Vertical Curves (ft)	100, but not less than 20 for each 1% of algebraic difference in grade	<100	Y (Follow existing vertical curves)
Foundation Course Thickness (Inches)	12	8	Y (Improving to Single Family Residence Driveway Standards)
Pavement Thickness, Asphaltic Concrete (Inches)	3 1/2	3 (In accordance with §57 Figure 2)	Y (Improving to Single Family Residence Driveway Standards)
Monuments	Required	None	Y (Improving to Single Family Residence Driveway Standards)
Road Signs	Required	None	Y (Improving to Single Family Residence Driveway Standards)

NOTES:

1. Waivers requested above require specification modification and review from the Planning Board due to existing conditions that are unusual and specific to this project.
2. Please note that the Rural Road Specifications Table 2 (§57-9) is not consistent with the Rural Road Detail shown on §57 Figure 2. The preceding table was prepared using the specifications from §57-9 Table 2.

BARGAIN AND SALE DEED

dated January 27, 2005

from

ANTOINETTE NIGRO

Grantor

to

ROBERT P MORINI AND PATRICE B. MORINI

Grantees

China Paper Circle Court
Town of Kent, County of Putnam
Tax Map #42.8-1-2

RECORD AND RETURN TO:

John A. Porco, Esq
Daniels and Porco, LLP
102 Gleneida Avenue
Carmel, New York 10512

CP 5040

BARGAIN AND SALE DEED 42.8-1-2
WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the 27th day of January, two thousand and five,

BETWEEN

ANTOINETTE NIGRO, c/o John A Porco, 102 Gleneida Avenue, Carmel, New York 10512

party of the first part, and

ROBERT P. MORINI AND PATRICE B. MORINI, husband and wife, residing at 3390
Route 301, Carmel, New York 10512

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars (\$10 00), lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, the premises described in Schedule A annexed hereto

BEING the same premises as to Parcel I conveyed to Antoinette Nigro by Deed dated November 3, 1986 and recorded in the Putnam County Clerk's Office on November 25, 1986 in Liber 923 at page 143 from John W Less, Laurel L Moran, f/k/a Laurel Less Hullverson fka Laurel Less Frances-Kiss, Thomas C Hullverson aka Thomas Charles Hullverson and Marie T Ziegler, Executors of the Estate of Miriam W. Less.

BEING the same premises as to Parcel II conveyed to Antoinette Nigro by Deed dated October 19, 1988 and recorded in the Putnam County Clerk's Office on October 20, 1988 in Liber 1033 at page 103 from Lawrence Piazza.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever

LIBER 1695 PAGE 120

SCHEDULE A - CLP-5040

Parcel I:

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Kent, County of Putnam, State of New York, and being a portion of the lands which were conveyed to the Carmel Country Club, Inc., by Benjamin Kittredge and Elizabeth M Kittredge, his wife, by deed dated August 15, 1927 and recorded the same day in the Putnam County Clerk's Office in Book 141 of deeds, page 140 etc., described as follows.

BEGINNING at a point in China Lake Base Line, Section I which base line is distant 100 feet, more or less, from the high water mark of the South Shore of China Lake and which point is the westerly line of a reserve of lands of Carmel Country Club, Inc. and running thence along said China Lake Base Line, Section I, North 60° 25' 45" West 170 99 feet, North 29° 29' 00" West 85 25 feet and North 74° 12' 00" West 154 22 feet to a stake in the easterly line of another reserve of land of Carmel Country Club, Inc ,

Thence leaving said base line and running along the easterly line of said reserve, South 36° 19' 01" West 311 94 feet to the northerly side of a proposed 40 foot roadway, thence along the northerly side of said roadway, South 66° 59' 47" East 27 93 feet, North 66° 58' 50" East 92.58 feet, South 46° 57' 02" East 108.78 feet, South 37° 51' 01" East 179 53 feet, North 79° 27' 50" East 128 52 feet to a point in the westerly line of the first mentioned reserve, thence leaving said roadway and running along the westerly line of the said first mentioned reserve, North 23° 57' 51" East 238 55 feet to the place of beginning

Parcel II

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Kent, County of Putnam, State of New York bounded and described as follows:

Beginning at a point in China Lake Base Line, Section One, at the northeast corner of a parcel of land conveyed by John W Less, et al, to Antoinette Nigro, by deed dated November 3, 1986, recorded November 25, 1986 in Liber 923 cp 143;

Thence along China Lake Base Line, Section One, and said lands of Antoinette Nigro, North 60° 25' 45" West 170.99 feet, North 29° 29' 00" West 85.25 feet and North 74° 12' 00" West 154 22 feet to the easterly line of a reserve of land of Carmel Country Club, Inc ;

Thence North 36° 19' 01" East 108 7 feet ± to the shore of China Lake,

Thence following the mean shore line of China Lake in a generally southeasterly direction 377 feet ± to the prolongation of the easterly line of the herein referenced lands of Antoinette Nigro,

Thence South 23° 57' 51" West 108 00 feet ± to the northeasterly corner of said lands of Antoinette Nigro and the point and place of beginning

Policy insures that Parcels I and II are contiguous



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan – Review
July 2016 Agenda

Date: July 12, 2016

Project: Morini Property
TM # 42.8-1-2

The following materials were reviewed:

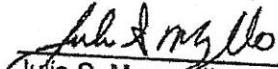
- Cover letter prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated June 24, 2016
- Notice of Intent (NOI) for GP-0-15-002, signed 6/24/2016
- MS4 SWPPP Acceptance Form
- Erosion Control Bond agreement, signed June 15, 2016
- Drawings "Morini Property," prepared by Insite Engineering, revised 3/6/2014, including:
 - EC-1 Erosion & Sediment Control Plan
 - D-1 Details & Notes

The project proposes construction of a new single-family house, septic system, well and driveway. In order to access the parcel, the minimally improved private road will require additional improvements. The parcel is located in the R-80 zoning district.

The following comments are provided for consideration by the Planning Board:

1. Comments from the March 12, 2014 comment memo have been addressed.
2. The bond estimate of \$5871.24 prepared by Insite Engineering, revised 1/23/2014 was approved by the Planning Board at the 2/28/2014 meeting and forwarded for acceptance by the Town Board. We recommend this bond amount be re-affirmed.
3. Refer to the Notice of Intent:
 - a. Provide responses to #5 and 7 (page 3) and #24 (select preparer on page 6).
4. The signed MS4 SWPPP Acceptance Form will be provided after the Town Board has accepted the erosion control bond and the Planning Board Chairman has signed the plans.
5. Please note that while the project was approved under stormwater general permit GP-0-10-001, the general permit has since been replaced by GP-0-15-002, effective January 29, 2015. The design does not have to be revised, however "...non-design provisions of GP-0-15-002" must be followed (GP-0-15-002 Part II.D.1). For example, soil stabilization "...must be initiated by the end of the next business day..." (GP-0-15-002 Part I.B.1.b).

Memorandum
Morini ECP
TM # 42.8-1-2
July 12, 2016
Page 2 of 2


Julie S. Mangafillo, P.E., CPESC

cc: Planning Board Secretary via email
Bruce Barber via email
John Watson, P.E., Insite Engineering, via email

Bill Walters via email
Neil Wilson via email
11-261-999-124

TOWN BOARD MEETING/WORKSHOP MAY 16, 2017

Estate of Suozzi Resolution #204

Resolution #204 – Release of Escrow Funds – Estate of Suozzi – TM#22.-2-17

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, in connection with the development of the property located at Route 311, Carmel, New York and otherwise identified as Tax Map # 22.-2-17, \$180.87 posted by the owner of the property, the Estate of Andrew Suozzi, (the "Owner") remains in an escrow fund; and

WHEREAS, the Owner has requested a refund of the \$180.87 held in esrow because the property has been sold; and

WHEREAS, the Planning Board, at their meeting held on May 11, 2017, approved Resolution #8 of Year 2017 recommending the refund of the remaining \$180.87; and the Town Board wishes to follow the recommendation 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 authorizes the release of the \$180.87 from escrow to the Owner.

The motion carried unanimously.

RESOLUTION #8
2017

Date: May 11, 2017
From: The Kent Planning Board
To: The Kent Town Board
Maureen Fleming, Supervisor- w/Att. Bill Huestis, Deputy Supervisor
Scott Chin Jaimie McGlasson
Paul Denbaum
CC: W. Walters, Building Inspector – w/Att. J. Ramos – w/Att.
L. Cappelli, Town Clerk – w/Att. Finance Dept. – w/Att.
jspillane@hoganandrossi.com w att.
Re: Request to Return Review Fees to:
Route 311 Plaza/Estate of Andrew Suozzi
Route 311
Kent, NY 10512
TM: 22.-2-17

Resolved: The owner of this property is deceased and the attorney for his estate, Mr. Tucciarone, has contacted the Planning Board office and advised us that the property has been sold recently. Documents were sent to Wells Fargo on Monday, May 8, 2017 authorizing them to release the Letters of Credit to the Suozzi estate. The Planning and Town Boards passed Resolutions in April recommending that this be done. After invoices are processed this month there will be a balance of \$180.87 remaining in the review fund for this project which should be returned to the estate of Mr. Suozzi. .

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

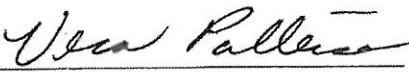
Michael McDermott, Chairman	-	<u>Aye</u>
Mr. Dennis Lowes, Vice Chairman	-	<u>Aye</u>
Mr. George Brunner	-	<u>Absent</u>
Mr. Gary Lam	-	<u>Absent</u>
Mr. Charles Sisto	-	<u>Aye</u>
Mr. Phillip Tolmach	-	<u>Aye</u>

The motion carried.

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

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on May 11, 2017.

Dated: May 11, 2017


Vera Patterson
Planning Board Secretary

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: May 11, 2017
TO: Finance Department
CC: Peter Suozzi
FROM: Vera Patterson
RE: RTE 311 Plaza – TM: 22.-2-17
 Site Plan

Please process the attached invoices.

Date	INVOICE #	VOUCHER NAME/TM #	AMOUNT	COMMENTS
04/01/17	Billing Period: 03/01/17 – 03/31/17	Cornerstone Appraisal	\$ 125.00	03/02/17 – Planning Bd. Workshop 0.50 Hrs. @\$125/Hr. (\$ 62.50) 03/09/17 – Review, memo Planning Board Meeting 0.50 Hrs. @\$125/Hr. (\$ 62.50) Invoice Total: \$ 125.00
05/01/17	Billing Period: 04/01/17 – 04/30/17	Cornerstone Appraisal	\$ 125.00	04/08/17 – Review, Planning Board Meeting 1.00 Hrs. @\$125/Hr. (\$ 125.00) Invoice Total: \$ 125.00
03/31/17	Billing Period: 02/25/17 - 03/31/17	Rohde, Soyka & Andrews Invoice: 29657-346	\$ 118.08	03/02/17 - Licensed Engineer Planning Bd. Workshop 0.40 Hrs. @\$135/Hr. (\$ 54.00) 03/09/17 - Licensed Engineer Planning Board Meeting 0.40 Hrs. @\$135/Hr. (\$ 54.00) Mileage: 18 mi. @ 56 cents/mi - \$10.08 Invoice Total: \$ 118.08
05/11/17	Billing Period: 03/01/16 - 04/30/17	LRC Planning Services Invoice 4-2017-9	\$ 237.50	03/02/17 - Planning Bd. Workshop. 0.30 Hrs. @\$125/Hr. (\$ 37.50) 03/09/17 - Prepared Draft Resolution 0.60 Hrs. @\$125/Hr. (\$ 75.00) 04/06/17 - Planning Bd. Workshop 0.20 Hrs. @\$125/Hr. (\$ 25.00) 04/12/17 - Prepared Resolution to Release Letters of Credit 0.60 Hrs. @\$125/Hr. (\$ 75.00) 04/13/17 - Planning Bd. meeting 0.20 Hrs. @\$125/Hr. (\$ 25.00) Invoice : \$ 237.50

JOHN P. TUCCIARONE
ATTORNEY AT LAW

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

March 27, 2017

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

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

Re: ROUTE 311 PLAZA LLC (Suozzi)

Dear Ms. Patterson:

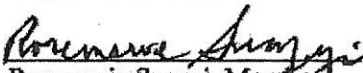
I represent the Suozzi family and the LLC named above.

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


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

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

Request consented to:


Rosemarie Suozzi, Member

Thank you.


John P. Tucciarone

JPT:kpr
CC. R. Suozzi, Member

Route 311 Plaza - TM#22-2-17 (Site Design Consultants)

Date		Deposits	Fees	Balance
04/22/10	Rec.#3669 - Ck#2181, 4/21/10	3,770.00		3,770.00
05/10/10	Rec.#3673 - Ck#3373, 5/7/10	2,500.00		6,270.00
06/22/10	Ck#15172 Rohde 5/1-21/10 V#1		(708.75)	5,561.25
07/30/10	Ck#15232 Cornerstone 5/1-31/10 V#1		(375.00)	5,186.25
08/30/10	Ck#15264 Cornerstone 6/1-30/10 V#2		(375.00)	4,811.25
10/25/10	Ck#15343 LRC 7/1-31/10 V#1		(437.50)	4,373.75
12/14/10	Ck#15408 Transf.to Gen.Fund per Russ Appl. Fee	(500.00)		3,873.75
12/14/10	Ck#15408 Transf.to Gen.Fund per Russ Appl. Fee	(2,270.00)		1,603.75
12/21/10	Ck#15425 LRC 11/1-30/10 V#2		(406.25)	1,197.50
12/29/10	Rec.#3794 - Ck#3560, 12/28/10	3,500.00		4,697.50
12/31/10	Ck#15441 ToGen.Fund Site Plan Appl. Fee	(1,000.00)		3,697.50
01/20/11	Ck#15467 Cornerstone 11/1-11/20/10 V#3		(1,125.00)	2,572.50
01/20/11	Ck#15469 Rohde 10/30-11/26/10 V#2		(1,610.00)	962.50
01/31/11	Ck#15486 VanDeWater Nov.2010 V#1		(195.00)	767.50
03/30/11	Ck#15567 Cornerstone 2/1-28/11 V#4		(375.00)	392.50
03/30/11	Ck#15568 LRC 2/1-28/11 V#3		(62.50)	330.00
4/1/2011	Rec.#3834 - Ck#3627, 3/23/11	8,702.12		9,032.12
04/11/11	Ck#15585 Cornerstone 1/1-31/11 V#5		(562.50)	8,469.62
04/11/11	Ck#15586 LRC 1/1-31/11 V#4		(312.50)	8,157.12
04/11/11	Ck#15587 Rohde 1/1-28/11 V#3		(3,350.34)	4,806.78
04/11/11	Ck#15587 Rohde 1/29-2/25/11 V#4		(3,702.12)	1,104.66
04/11/11	Ck#15588 ThePutnamCountyCourier		(19.63)	1,085.03
04/11/11	Ck#15589 VanDeWater Jan 2011 V#2		(247.50)	837.53
05/20/11	Ck#15641 LRC 3/1-4/14/11 V#5		(625.00)	212.53
05/20/11	Ck#15642VanDeWater Mar.2011 V#3		(82.50)	130.03
05/24/11	Rec.#3847 - Ck#3661, 5/13/11	1,500.00		1,630.03
08/16/11	Rec.#3865 - Ck#3690, 6/20/11	3,000.00		4,630.03
08/30/11	Ck# 15778 Rohde 2/26-3/25/11 V#5		(33.75)	4,596.28
08/30/11	Ck#15780 VanDeWater April 2011 V#4		(272.25)	4,324.03
08/30/11	Ck#15779 Rohde 5/28-7/1/11 V#6		(1,080.00)	3,244.03
08/30/11	Ck#15779 Rohde 3/26-4/29/11 V#7		(1,737.20)	1,506.83
09/16/11	Ck#15799 Rohde 7/2-7/29/11 V#8		(472.50)	1,034.33
6/30/2012	Ck# Rohde 05/25-06/29/12		(28.75)	1,005.58
9/11/2012	Ck# Van De Water August 2012		(66.00)	939.58
7/31/2012	Rohde July 2012		(267.00)	672.58
8/23/2012	Van Dewater July 2012		(1,592.25)	(919.67)
9/6/2012	Ck# 7/1-8/31/12 LRC July and August 2012		(125.00)	(1,044.67)
12/7/2012	van Dewater Nov 2012		(82.50)	(1,127.17)
6/22/2015	check 181	1,127.17		0.00
6/22/2015	check 182	1,000.00		1,000.00
8/10/2015	Rohde 28981 June 2015		(100.00)	900.00
8/18/2015	Check 190	100.00		1,000.00
10/2/2015	Rohde 29173 Aug 2015		(301.05)	698.95
10/2/2015	LRC 2-2015-13		(225.00)	473.95
10/22/2015	cornerston August 2015 (Split 435.58 and 189.42)		(625.00)	(151.05)
2/17/2017	Check # 3712	1,000.00		848.95
3/3/2017	Cornerstone Jan 17		(62.50)	786.45
5/11/17	Cornerstone - Mar 17		(125.00)	661.45
5/11/17	RSA 29657-348		(118.08)	543.37
5/11/2017	LRC - 4-2017-9		(237.50)	305.87
5/11/2017	Cornerstone - Apr 17		(125.00)	180.87

permit and prior to the issuance of a certificate of occupancy at the Building Inspector's discretion. – **4/16/2017 response letter indicates centerline profile will be provided.**

4. Based on our records, the Health Department permits for well and septic expired in 2015. Provide current permits.
 - a. **Copy of Health Department approval for wastewater has been provided. Provide permit for water well.**

New Comments:

1. Provide missing information in Notice of Intent on pages 9-12.
2. Since the project was originally approved, and construction started under previous SPDES general permit for stormwater, the design does not necessarily have to conform to the current permit and standards. The project is also subject to NYCDEP Individual Residential Stormwater Permit from 2006. The project engineer should provide that explanation in the box for #39 on page 12 of the NOI.
3. Has the NYCDEP Individual Residential Stormwater Permit been updated/renewed? If so, provide a copy.
4. We recommend the bond estimate of \$17,401.00 dated November 12, 2015, prepared by John Karell, P.E. be accepted for the bond amount and recommended for approval by the Town Board.
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.
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
Bruce Barber via email
Neil Wilson via email
File: 15-261-999-100

S:\261-Kent\999-Erosion Control\TM 11.12-1-21 Arcamone - Goldfine\05-08-2017 Memo to PB_Goldfine TM 11.12-1-21.doc

TOWN BOARD MEETING/WORKSHOP MAY 16, 2017

Goldfine/Rynn Resolution #205

Resolution #205 – Accept Erosion Control Bond & Escrow Fund TM # 11.12-1-21

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, the Planning Board, at their meeting held on May 11, 2017, approved Resolution #11 of Year 2017 recommending that the Town Board accept an Erosion Control Bond in the amount of \$17,401 and an Escrow Fund for an initial inspection fee in the amount of \$1,000.00 from the owner of land located at Daffodil Lane, Kent, New York 10512, identified as Tax Map No. 11.12-21 (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 \$17,401 and the establishment of an Escrow Fund for an initial inspection fee in the amount of \$1,000.00.

The motion carried unanimously.

RESOLUTION #11
2017

Date: April 28, 2017

From: The Kent Planning Board

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

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

Re: Request to Accept an Erosion Control Performance Bond from:
Eric Goldfine Properties/Michael Rynn
Daffodil Lane
Kent, NY 10512
TM: 11.12-1-21

Resolved: On May 11, 2017 the Town of Kent Planning Board recommended that an Erosion Control Bond in the amount of \$17,401.00 and an inspection fee of \$1,000.00 be approved and accepted by the Kent Town Board. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The votes were as follows:

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

The motion carried.

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

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

Dated: May 11, 2017



Vera Patterson
Planning Board Secretary

JOHN KARELL, JR., P.E.
121 CUSHMAN ROAD
PATTERSON, NEW YORK, 12563
845-878-7894 FAX 845 878 4939
jack4911@yahoo.com

BOND ESTIMATE: ERIC GOLDFINE, Daffodill Lane

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
Silt Fence	372	LF	1.75	651.00
Seed and Mulch	7500	SY	1.50	11,250.00
Construction Entrance	1	EA	500.00	500.00
Diversion swale	300	LF	5.00	1500.00
Bio Filter Basin	175	LF	20.00	3,500.00
TOTAL				\$17,401.00

November 12, 2015

ERIC I. GOLDFINE, SERPT
P.O. BOX 262
MAHOPAC FALLS, NY 10542

50-1139-219

DATE 4/20/17

PAY TO THE ORDER OF

Town of Kent

\$ 1,000.00

One thousand and 00/100

DOLLARS



E. Goldfine

FOR

⑆003670⑆ ⑆021911398⑆ 055⑆31249⑆7⑆

3671

ERIC I. GOLDFINE, SERPT
P.O. BOX 262
MAHOPAC FALLS, NY 10542

50-1139-219

DATE 4/20/17

PAY TO THE ORDER OF

TOWN OF KENT

\$ 17,401.00

Seventeen thousand four hundred and one

DOLLARS



(to be returned to town)

FOR

Bond - Erosion Control Bond

E. Goldfine

⑆003670⑆ ⑆021911398⑆ 055⑆31249⑆7⑆

RECEIPT DATE April 23, 2017 No. 152505

RECEIVED FROM Eric Goldfine / M. Ryan \$ 1,000.00

One thousand and 00/100 DOLLARS

FOR RENT

FOR Inspection / Escrow Fees - T.M. 11-12-1-21

ACCOUNT		<input type="radio"/> CASH	<u>3670</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>Mike Ryan</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

RECEIPT DATE April 23, 2017 No. 152506

RECEIVED FROM Eric Goldfine / M. Ryan \$ 17,401.00

Seventeen thousand four hundred and one DOLLARS

FOR RENT

FOR _____

ACCOUNT		<input type="radio"/> CASH	<u>3671</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>Mike Ryan</u>
		<input type="radio"/> MONEY ORDER	

March 17, 2016

Mr. Michael Rynn
7 Lakeside Road
Brewster, NY 10509

Re: Property on Daffodil Lane
Kent, NY 10512
TM: 11.-12-1-21

Dear Mr. Rynn:

Please find enclosed an Erosion Control Bond for the property noted above, which will need to be filled out, notarized and returned to our office. We will need five originals, one will be returned to you along with the resolution from the Kent Town Board when it is approved and one will be sent to Mr. Goldfine for his files. The other three will be kept here at Town Hall. Please advise who will be posting the bond, you or Mr. Goldfine.

Please send one check in the amount of \$17,401.00 for the Bond and another check in the amount of \$1,000.00 for the initial inspection fee. These checks should be made out to the Town of Kent and mailed to:

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

If you have any questions or we can be of further assistance, please feel free to contact me.

Sincerely,

Vera Patterson
Kent Planning Board Secretary

vlp/enclosures

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Eric Goldfine Property
Daffodil Lane
Kent, NY 10512
Tax Map: 11.-12-1-21

Bond given by **ERIC GOLDFINE**, whose property is located on Daffodil Lane/Tax Map: 11.-12-1-21, Kent Lakes, New York, 10512 (“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 _____, 2016.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$17,401.00, along with an initial inspection fee deposit of \$1,000.00 for the payment whereof to the Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor is seeking a Steep Slope and Erosion Control Permit from the Obligee for construction of a one family residence entailing a disturbance on steep slopes, as that term is defined in Town of Kent Town Code (the “Code”) Chapter 66, on certain real property located in the Town of Kent, in connection with which an erosion and sediment control plan (the “Erosion and Sediment Control Plan”) shall be required in accordance with the Code in effect as of the date of this Bond; and

WHEREAS, in conjunction with such Steep Slope and Erosion Control Permit application, the Obligor has submitted to the Obligee, plans and specifications for the project known as the “Goldfine Residence” (“Project Plans”) and the Erosion and Sediment Control Plan, prepared by Michael Rynn, 7 Lakeside Road, Brewster, NY 10509 and such Project Plans and Erosion and Sediment Control Plan have been reviewed and approved by the Obligee; and

WHEREAS, as condition to the issuance and approval of a Steep Slope and Erosion Control Permit, the Code requires the owner or applicant, prior to construction, to provide the Obligee with a cash escrow an irrevocable letter of credit or a certified check drawn upon a national or state bank or other cash equivalent, which guarantees satisfactory completion of the Erosion and Sediment Control Plan, which security shall remain in full force and effect until the Obligor is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work permitted by the Steep Slope and Erosion and Control Permit has been completed in accordance with such Permit and all plans and specifications forming the basis of such approved Permit, and to pay an inspection fee in an amount as set from time to time by the Town of Kent Planning Board; and

WHEREAS, the Planning Board of the Town of Kent has granted the Steep Slope and Erosion Control Permit subject to the posting of two checks, on in the amount of \$17,401.00 as a performance guarantee and a second in the amount of \$1,000.00 as the final inspection fee, made out to the Town of Kent and delivered to:

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

NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor shall well and truly construct the aforesaid Project Plans in accordance with the Steep Slope and Erosion Control Permit approved by the Obligee and in accordance with the Erosion and Sediment Control Plan, and if said improvements are deemed complete and accepted by the Obligee, and Obligor 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.

The Obligor shall at all times provide the Obligee with such security of surety as the Obligee shall deem sufficient. In furtherance of this covenant, the Obligor has obtained and hereby delivers to the Obligee the following security for faithful performance of this obligation:

Cash deposit in the form of an Official Bank Check drawn upon _____ and delivered to the Town of Kent Planning Board Clerk on _____, 2016.

In the event the work according to the Erosion and Sediment Control Plan shall not have been fully completed as required by conditions and specifications of the Steep Slope and Erosion Control Permit, the Obligee shall have the right to withdraw the aforesaid cash deposit and complete the work with full use of said sums as the Obligee requires.

The Obligor agrees to execute and/or endorse and deliver to the Obligee and/or the aforesaid Bank any documents required for the Obligee to call upon said cash deposit.

When the work according to the Erosion and Sediment Control Plan shall have been fully completed, either by the Obligor or Obligee, and the Obligor is released from its liability by the Obligee, the aforesaid cash deposit or the balance of the funds remaining after the work has been completed by the Obligee, if any, shall be returned or refunded to the Obligor.

The Obligee and its agents, employees, engineers and/or planners are hereby expressly authorized to enter upon the Owner's property for the purpose of inspecting the erosion and sediment control system and the site work being performed in accordance with the approved Project Plans, Erosion and Sediment Control Plan and Steep Slope and Erosion Control Permit and to complete the work in the event the Obligee fails to do so.

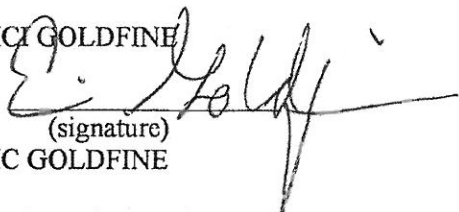
This performance bond may not be assigned or transferred without the prior written approval of the Town Board of the Town of Kent.

1. The said bank checks shall be delivered to the **Town of Kent** and be deposited in an escrow account pending the completion of the project for which the erosion control measures are necessary;
2. No funds may be withdrawn from the said escrow account until a resolution has been duly made by the **Town Board of The Town of Kent**, authorizing such surrender or cashing.
3. Upon full completion of the work allowed pursuant to the conditions and specifications heretofore imposed by the **Planning Board of The Town of Kent**, the said escrow monies shall be returned to **Eric Goldfine**;
4. In the event the erosion control work allowed shall not have been duly completed by **Eric Goldfine** as per the conditions and specifications of the **Planning Board of The Town of Kent**, the **Town Board** shall have the right to withdraw the aforesaid escrow monies and complete the required work for **Eric Goldfine** with full use of said sums as the Town requires;
5. When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **Eric Goldfine** or by the **Town of Kent**, the aforesaid escrow monies or the balance of funds remaining after the work has been completed shall be returned or refunded to **Eric Goldfine**.
6. This bond may not be assigned or transferred without the prior written approval of the **Planning Board of The Town of Kent**.

7. The applicant hereby expressly authorizes the **Town of Kent**, its agents, employees, engineer or planner to enter upon the Owner's/Applicant's property for the purpose of inspecting the erosion control system installed and the site work being performed in accordance with the approved plans, provided that the **Town of Kent** provides at least 24 hours notice to **Eric Goldfine**.

Dated: 4/20, 2016 2017

ERIC GOLDFINE

By: 
(signature)

ERIC GOLDFINE

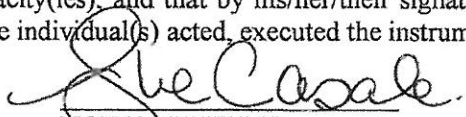
(print/type signatory's name)
Eric Goldfine

Owner/Obligee

(print/type signatory's title)

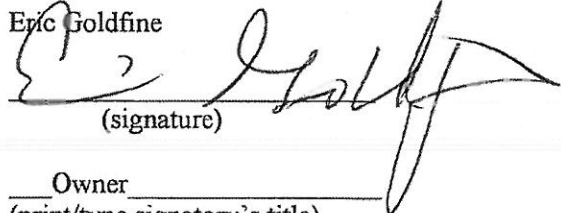
STATE OF New York)
COUNTY OF Putnam) ss.:

On the 20 day of April, ²⁰¹⁷2016, before me, the undersigned, a notary public in and for said state, personally appeared Eric Goldfine, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

SUE CASALE
Notary Public State of New York
Qualified in Westchester County
Reg. No. 01CA6234199
My Commission expires Jan. 18, 2019

Eric Goldfine


(signature)

Owner

(print/type signatory's title)

STATE OF NY)
COUNTY OF Putnam) ss.:

JOHN KARELL, JR., P.E.
121 CUSHMAN ROAD
PATTERSON, NEW YORK, 12563
845-878-7894 FAX 845 878 4939
jack4911@yahoo.com

April 16, 2017

RESPONSE TO COMMENTS, JULIE MANGARILLO, P.E., DATED APRIL 13, 2017
GOLDFINE/RYNN SINGLE FAMILY HOUSE, TM # 11.12-1-21

1. NOI

- Dates revised.
- WQv correct
- Final NOI and acceptance form attached.

2. Rohde, P.E. comments December 9, 2016

- Catch basins provided on both sides of driveway
- The deed will be modified prior to issuance of a CO and/or NOT providing for the maintenance of the stormwater practices.
- A centerline profile will be provided to the Town prior to paving the driveway.
- Updated Health Department approval is attached, expiring in November 2017.


John Karell, Jr., P.E.

NOTICE OF INTENT

New York State Department of Environmental Conservation



Division of Water

625 Broadway, 4th Floor

NYR

Albany, New York 12233-3505

(for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002
All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

- IMPORTANT -

RETURN THIS FORM TO THE ADDRESS ABOVE

OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

E R I C G O L D F I N E , S E R P T

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

G O L D F I N E

Owner/Operator Contact Person First Name

E R I C

Owner/Operator Mailing Address

7 L a k e s i d e R o a d

City

B r e w s t e r

State Zip

N Y 1 0 5 0 9 -

Phone (Owner/Operator)

8 4 5 - 5 1 9 - 7 1 5 2

Fax (Owner/Operator)

- - -

Email (Owner/Operator)

c r g l l c @ c o m c a s t . n e t

FED TAX ID

- (not required for individuals)

Project Site Information

Project/Site Name

Eric Goldfine Single Family House

Street Address (NOT P.O. BOX)

Daffodill Lane

Side of Street

North South East West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Kent

State Zip

NY 10512 -

County

Putnam

DEC Region

3

Name of Nearest Cross Street

Church Street

Distance to Nearest Cross Street (Feet)

1000

Project In Relation to Cross Street

North South East West

Tax Map Numbers

Section-Block-Parcel

11.12-1-21

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you must go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i" (identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

6 0 8 9 7 8

Y Coordinates (Northing)

4 5 9 5 3 4 0

2. What is the nature of this construction project?

New Construction

Redevelopment with increase in impervious area

Redevelopment with no increase in impervious area

3. Select the predominant land use for both pre and post development conditions.
 SELECT ONLY ONE CHOICE FOR EACH

**Pre-Development
Existing Land Use**

- FOREST
- PASTURE/OPEN LAND
- CULTIVATED LAND
- SINGLE FAMILY HOME
- SINGLE FAMILY SUBDIVISION
- TOWN HOME RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- INSTITUTIONAL/SCHOOL
- INDUSTRIAL
- COMMERCIAL
- ROAD/HIGHWAY
- RECREATIONAL/SPORTS FIELD
- BIKE PATH/TRAIL
- LINEAR UTILITY
- PARKING LOT
- OTHER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Post-Development
Future Land Use**

- SINGLE FAMILY HOME
- SINGLE FAMILY SUBDIVISION
- TOWN HOME RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- INSTITUTIONAL/SCHOOL
- INDUSTRIAL
- COMMERCIAL
- MUNICIPAL
- ROAD/HIGHWAY
- RECREATIONAL/SPORTS FIELD
- BIKE PATH/TRAIL
- LINEAR UTILITY (water, sewer, gas, etc.)
- PARKING LOT
- CLEARING/GRADING ONLY
- DEMOLITION, NO REDEVELOPMENT
- WELL DRILLING ACTIVITY *(Oil, Gas, etc.)
- OTHER

Number of Lots

--	--	--

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

*Note: for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area
<input type="text" value="2"/> <input type="text" value="5"/>	<input type="text" value="1"/> <input type="text" value="7"/>	<input type="text" value="0"/> <input type="text" value="0"/>	<input type="text" value="0"/> <input type="text" value="3"/>

5. Do you plan to disturb more than 5 acres of soil at any one time? Yes No

6. Indicate the percentage of each Hydrologic Soil Group (HSG) at the site.

A	B	C	D
<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> %	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/> %	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> %	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> %

7. Is this a phased project? Yes No

8. Enter the planned start and end dates of the disturbance activities.

Start Date	End Date
<input type="text" value="0"/> <input type="text" value="6"/> / <input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="7"/>	- <input type="text" value="0"/> <input type="text" value="6"/> / <input type="text" value="0"/> <input type="text" value="1"/> / <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="1"/> <input type="text" value="8"/>

9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.

Name

u n n a m e d s t r e a m

9a. Type of waterbody identified in Question 9?

- Wetland / State Jurisdiction On Site (Answer 9b)
- Wetland / State Jurisdiction Off Site
- Wetland / Federal Jurisdiction On Site (Answer 9b)
- Wetland / Federal Jurisdiction Off Site
- Stream / Creek On Site
- Stream / Creek Off Site
- River On Site
- River Off Site
- Lake On Site
- Lake Off Site
- Other Type On Site
- Other Type Off Site

9b. How was the wetland identified?

- Regulatory Map
- Delineated by Consultant
- Delineated by Army Corps of Engineers
- Other (identify)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-15-002? Yes No

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-15-002? Yes No

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters? Yes No
If no, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey? Yes No
If Yes, what is the acreage to be disturbed?

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area? Yes No

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? Yes No Unknown

16. What is the name of the municipality/entity that owns the separate storm sewer system?

T o w n o f K e n t

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? Yes No Unknown

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? Yes No

19. Is this property owned by a state authority, state agency, federal government or local government? Yes No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) Yes No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? Yes No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? Yes No
If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? Yes No

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required
if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- Preservation of Undisturbed Areas
- Preservation of Buffers
- Reduction of Clearing and Grading
- Locating Development in Less Sensitive Areas
- Roadway Reduction
- Sidewalk Reduction
- Driveway Reduction
- Cul-de-sac Reduction
- Building Footprint Reduction
- Parking Reduction

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6 ("Soil Restoration") of the Design Manual (2010 version).

- All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- Compacted areas were considered as impervious cover when calculating the WQv Required, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

acre-feet

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

	Total Contributing Area (acres)		Total Contributing Impervious Area (acres)	
<u>RR Techniques (Area Reduction)</u>				
<input checked="" type="radio"/> Conservation of Natural Areas (RR-1) ...	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<input checked="" type="radio"/> Sheetflow to Riparian Buffers/Filters Strips (RR-2)	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Tree Planting/Tree Pit (RR-3)	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Disconnection of Rooftop Runoff (RR-4) ..	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<u>RR Techniques (Volume Reduction)</u>				
<input checked="" type="radio"/> Vegetated Swale (RR-5)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Rain Garden (RR-6)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Stormwater Planter (RR-7)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Rain Barrel/Cistern (RR-8)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Porous Pavement (RR-9)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Green Roof (RR-10)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<u>Standard SMPs with RRv Capacity</u>				
<input type="radio"/> Infiltration Trench (I-1)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Infiltration Basin (I-2)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Dry Well (I-3)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Underground Infiltration System (I-4)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input checked="" type="radio"/> Bioretention (F-5)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Dry Swale (O-1)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<u>Standard SMPs</u>				
<input type="radio"/> Micropool Extended Detention (P-1)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Wet Pond (P-2)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Wet Extended Detention (P-3)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Multiple Pond System (P-4)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Pocket Pond (P-5)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Surface Sand Filter (F-1)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Underground Sand Filter (F-2)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Perimeter Sand Filter (F-3)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Organic Filter (F-4)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Shallow Wetland (W-1)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Extended Detention Wetland (W-2)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Pond/Wetland System (W-3)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Pocket Wetland (W-4)	<input type="text"/>	<input type="text"/>		<input type="text"/>
<input type="radio"/> Wet Swale (O-2)	<input type="text"/>	<input type="text"/>		<input type="text"/>

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Print First Name

E r i c

MI

Print Last Name

G o l d f i n e

Owner/Operator Signature:

Michael Regan

Date

1 0 / 1 5 / 2 0 1 5

PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES

CONSTRUCTION PERMIT FOR SEWAGE TREATMENT SYSTEM

PERMIT # K-24-03
Located at DAFFODIL LANE Town or Village KENT (T)
Subdivision name DAFFODIL HILL Subd. Lot # 8 Tax Map H.12 Block 1 Lot 21
Date Subdivision Approved MAY 1988 Renewal _____ Revision 2 TRENCH PLAN
Owner/Applicant Name ERIC GODFINE Date of Previous Approval 11/26/13
Mailing Address 7 LAKESIDE ROAD, BREWSTER, NY Zip 10509
Amount of Fee Enclosed _____
Building Type WOOD FRAME Lot Area 2.55 AC No. of Bedrooms 4 Design Flow GPD 600

Bill Section Only _____ Depth _____ Volume _____
PCHD NOTIFICATION IS REQUIRED WHEN TILL IS COMPLETED.

Separate Sewerage System to consist of 1250 gallon septic tank and 500 LF of 2 FT TRENCH

Other Requirements: _____
To be constructed by AMAX Address _____
Water Supply: _____ Public Supply From _____ Address _____
or: Private Supply Drilled by BOYD Address CARMEL, NY

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the separate sewage treatment system described above will be constructed as shown on the approved amendment thereto and in accordance with the standards, rules and regulations of the Putnam County Department of Health, and that on completion thereof a "Certificate of Construction Compliance" satisfactory to the Public Health Director will be submitted to the Department, and a written guarantee will be furnished the owner, his successors, heirs or assigns by the builder, that said builder will place in good operating condition any part of said sewage treatment system during the period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the original system or any repairs thereto.

Signed: J. H. Kacust P.E. R.A. _____ Date 10/29/15
Address 121 Cushman Road, Patterson, NY, 12563 License # 53277

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the sewage treatment system has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Public Health Director. Any revision or alteration of the approved plan requires a new permit. Approved for discharge of domestic sanitary sewage only.

By: [Signature] P.E. Title: APHE Date: 11/13/15
White copy - HD File, Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Design Professional
Form CP-97



New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form
for
Construction Activities Seeking Authorization Under SPDES General Permit
*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information

1. Owner/Operator Name: ERIC GOLDFINE, SERPT
2. Contact Person: ERIC GOLDFINE
3. Street Address: 7 LAKE SIDE ROAD
4. City/State/Zip: BREWSTER NY 10509

II. Project Site Information

5. Project/Site Name: ERIC GOLDFINE SINGLE FAMILY HOUSE
6. Street Address: DAFFODILL LANE
7. City/State/Zip: KENT CLIFFS (CARMEL) NY, 10512

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:
12. MS4 SPDES Permit Identification Number: NYR20A _____
13. Contact Person:
14. Street Address:
15. City/State/Zip:
16. Telephone Number:

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information

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

Matter of Von Rosenvinge

Whereas, the Town of Kent Planning Board received an application from Alison Von Rosenvinge (hereinafter “Von Rosenvinge”) for Steep Slope and Erosion Control Permit approval to correct a violation regarding soil disturbance and tree removal associated with the installation of a swimming pool that was performed without necessary permits or permissions on property located at 451 Pudding Street, tax parcel number 31.17-1-7; and

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

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

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

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

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

Be It Further Resolved, the approvals granted herein are expressly conditioned on development of the project in accordance with the plans and details as depicted on a project plan map set entitled "*Map of Survey of Lot No 4*" prepared by Robert Oswald, L.S. dated December 22, 2016; and

Be It Further Resolved, the Board recommends a performance bond in the amount of \$2,536.00 be approved by the Town Board; and

Be It Further Resolved, that this Erosion Control Permit approval is expressly conditioned on the completion or adherence to the following:

- 1) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated May 11, 2017.*
- 2) *Address to the satisfaction of the Planning Board the comments of the Planning Board Environmental Consultant as set forth in a memorandum dated May 10, 2017.*
- 3) *Prior to Chairman's signature on the project plans the following additional approvals and permits shall be obtained and any conditions following, or otherwise stated in this resolution, shall be complied with:*
 - a) *Planning Board Engineer approval of the plans to implement the Steep Slope and Erosion Control Permit.*
 - b) *Approval of a surety by the Town Board as set forth in §66-7 of the Town Code, and posting with the Town by the applicant of the surety in the amount(s) approved by the Town Board.*

- 4) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions.*

- 5) *Pursuant to Chapter 48 of the Town of Kent Code construction activity within the Town of Kent shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM.*

- 6) *Upon completion of all mitigation requirements the applicant shall contact the Town of Kent Planning Department to schedule an on-site inspection with the Planning Board Engineer and the Planning Board Environmental Consultant. Upon verification of satisfactory implementation of the mitigation plan the Planning Board shall issue a Certificate of Completion.*

- 7) *The performance surety shall be returned at the end of the three year period after issuance of the Certificate of Completion when the Planning Board receives confirmation by one of its representatives that all planted material is viable.*

- 8) *Payment to the Town of Kent the Following fees:*
 - a) *Any unpaid or outstanding application fees*

 - b) *Any review fees accrued by the Planning Board during the review of the application.*

 - c) *An inspection fee inspection fee, in an amount to be established by the Planning Board, to cover the cost of construction and post-construction inspections by the Board's Professional Engineer, Wetland Consultant, and Planning Consultant.*

- 9) *It is the responsibility of the applicant/project sponsor to submit to the Planning Board proof that each of the conditions of this Approval have been completed and that the response to comments have been completed to the satisfaction of the Planning Board's Professional Engineer, the Planning Board's Environmental Consultant, and the Planning Board's Consulting Planner. The signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Consulting Planner verifying that each of the conditions of this Approval have been completed. The proposed final Sheets shall not be accepted by the Planning Board without submission of proof of completion.*
- 10) *This approval shall expire on the earlier of the completion of the work approved herein or one year from the date of approval of this Resolution unless the Planning Board, in its sole discretion grants a time extension as provided in §66-6(K)(4) of the Town Code, prior to the time of expiration and only upon the express written request of the applicant.*

Motion: Phil Tolmach

Second: Dennis Lowes

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

The motion carried.

Date: May 11, 2017

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

Vera Patterson
Vera Patterson, Clerk
Town of Kent Planning Board



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan

Date: May 11, 2017

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

The following materials were reviewed:

- "Map of survey for Lot No. 4 Douglas J. Williams & Anne Peppis," prepared by Robert V. Oswald Land Surveying, dated December 22, 2016
- Planting cost estimate prepared by Living Art Landscapes, dated 4/11/2017
- Erosion control matting estimate prepared by Living Art Landscapes, dated 5/8/2017

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

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

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

1. The project disturbs more than 5,000 SF of land and includes more than 100 cubic yards of fill. A Town of Kent Erosion & Sediment Control Permit is required in accordance with Town of Kent Town Code Chapter 66.

The project is outside the NYCDEP East of Hudson watershed and will disturb less than 1 acre of land. Therefore coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is not required.
4. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.

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

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

The following comments are provided for the Planning Board's consideration from a memo dated April 13, 2016:

1. If notes or details are added to the drawing by someone other than the original surveyor, indicate that on the drawing along with a revision date.
2. Indicate the total limits of disturbance, including areas within the chain link fence around the pool that were disturbed and need to be vegetated.
6. We recommend the remaining information requirements from Chapter 66 be waived.

New Comments:

1. We recommend the erosion control matting estimate of \$2,300.00 dated 5/8/2017, prepared by Living Art Landscapes be accepted for the bond amount and recommended for approval by the Town Board. In addition, there is a separate bond estimate for plantings. We defer to the Town's environmental consultant regarding review of the planting bond.

Please note: The estimate provided by Living Art Landscapes includes only one (1) item, the erosion control matting. Typically the erosion control bond estimate includes additional items, such as silt fence, seed & mulch and soil stockpile (depending on the project). The unit cost provided in the Living Art Landscapes estimate is higher than typically used for estimating Town of Kent erosion control bonds. The total amount (\$2,300) is sufficient to cover the additional items at the typical Town of Kent erosion control bond estimate unit prices.

2. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.


Julie S. Mangarillo, P.E., CPESC

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

Bruce Barber via email
Neil Wilson via email



Cornerstone Associates

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

May 10, 2013

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

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

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

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

Review Comments:

Applicant has not responded to the prior comment as per my previous 4/13/17 memo:

I find the addition of a native ground cover seed mix has not been included in the bond estimate. The estimated cost to purchase and install the seed mix is \$400.00. The remaining bond estimate of \$2,136.00 is found to be accurate. As a result, it is recommended the Planning Board accept a bond estimate of \$2,436.00.

Modification of the proposed bond by the applicant and acceptance by the Planning Board is required.

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

Sincerely,

Bruce Barber, Certified Ecologist
Town of Kent Environmental Consultant



LIVING ART LANDSCAPES

1807 ROUTE 52
FISHKILL, NY 12524
Phone: 845-896-8320
Fax: 845-896-8014

Email: MIKETODD@RAINBOWPOOLS.COM

Quote

Salesperson 1: MICHAEL SCHRIE

Created: 4/11/2017 12:15:20 PM
Completed: 4/11/2017 12:39:38 PM
Register: mikework

Customer Id: 360

Revenue Center: Landscaping Servi

Invoice **685**

VONROSENVINGE KENT

Home:
Cell:
Work:
Fax:

, NY

Qty	Part Number	Description	Price	Discount	Amount
1	PLANTINGS	PLANTINGS SEE ATTACHED PLANT LIST	636.00		636.00
1	LABOR	LABOR Reclamation Labor / 1-2 days machine time to regrade road to original topography and install listed plant material.	1,500.00		1,500.00
* Non-Taxable Items					

CORRECT AS SHOWN

Customer Signature _____

Sub Total \$2,136.00

Total \$2,136.00

State Tax \$0.00

City/County Tax \$0.00

Amount Due \$2,136.00

Amount Paid \$0.00

Balance \$2,136.00



LIVING ART LANDSCAPES

1807 ROUTE 52
FISHKILL, NY 12524
Phone: 845-896-8320
Fax: 845-896-8014

Email: MIKETODD@RAINBOWPOOLS.COM

Quote

Salesperson 1: MICHAEL SCHRIE

Revenue Center: Landscaping Servi

Created: 5/8/2017 1:16:47 PM
Completed: 5/8/2017 1:19:57 PM
Register: LA

Customer Id: 360

Invoice **697**



VONROSENINGE KENT

Home:
Cell:
Work:
Fax:

, NY

Qty	Part Number	Description	Price	Discount	Amount
1	MISC	MISC Jute Erosion Control Matting 4'W x 225'L - staked in place, located in areas where slopes are greater than 10% - landscape staples and matting included in price	800.00		800.00 *
1	LABOR	LABOR LABOR TO INSTALL EROSION CONTROL JUTE MATTING - labor is 1 day	1,500.00		1,500.00
* Non-Taxable Items					

Sub Total \$2,300.00

CORRECT AS SHOWN

Total \$2,300.00

State Tax \$0.00

City/County Tax \$0.00

Amount Due \$2,300.00

Amount Paid \$0.00

Balance \$2,300.00

Customer Signature _____

I have read the agreement of sale and agree to the above terms and conditions

Customer Signature _____

Print Name _____

Date _____

Customer Signature _____

Print Name _____

Date _____



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Site Plan
Erosion Control Plan

Date: May 11, 2017

Project: More Than Masonry, (MTM-NY)
Rt 52
TM # 44.05-2-28 & 29, 44.09-2-20

The following materials were reviewed:

- Transmittal letter prepared by D.J. Egarian & Associates, Inc. dated March 23, 2017
- Stormwater Pollution Prevention Plan, prepared by D.J. Egarian & Associates, Inc., dated March 21, 2017
- Drawings "Proposed Commercial Site Plan MTM-NY," prepared by D.J. Egarian & Associates, Inc., dated March 21, 2017
- Architectural drawings prepared by SDN Design Group, undated
- Application was provided in October 2016

The project proposes development of the site for sale of bulk aggregate material and masonry supplies as well as U-Haul truck rental. It is our understanding the parcel previously had a gas station and residences on the property. The project will require approval from Putnam County Health Department for repair/replacement of existing wastewater treatment and drinking water facilities. The project is also in NYCDEP Designated Main Street and will required DEP review and approval.

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

1. Provide an updated Town application that includes required information for erosion control permit and wetland permit.
2. Provide full Environmental Assessment Form (EAF).
3. 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.
4. Provide the information as required by Town Code Chapter 66-6.B.2. A full SWPPP review is not being conducted at this time. Our understanding is that the SWPPP design is being revised to address NYCDEP comments.
5. 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)."

6. Per Town Code §66-6.B.2.b, provide additional survey information on the other side of Route 52 and along the property lines to better show how this project fits in with the surroundings.
7. A NYSDOT permit will be required for the driveway. The driveway will have to conform to NYSDOT standards.
8. The project is located on a state road. Therefore referral to Putnam County Planning is required.
9. The project proposes extensive use of permeable pavers. Typically permeable pavers are used in lighter traffic situations. Provide additional information/details on how the permeable pavers will withstand heavy truck traffic from frequent deliveries.
10. Permeable pavers are prone to clogging from sand, silt and other debris. The majority of the bins have concrete floors, but the area just outside the bins are permeable pavers. We recommend a concrete apron at the entrance to the bins to prevent spilled materials during delivery or removal from clogging the permeable pavers.
11. Update the handicap parking detail (signage) to conform to NYS Building Code supplement of the ICC.
12. We defer to the Planning Board's environmental consultant regarding wetland issues.

As further information is provided, additional comments may be offered. We trust the comments are useful in your review. Please let us know if we can be of additional assistance.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-236

Bruce Barber via email
Neil Wilson via email



Cornerstone Associates

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

May 10, 2017

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: MTM NY Application
228-240 Route 52
Section 44.05 Block 1 Lot 28, 29
Section 44.09 Block 2 Lot 20

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

1. Plans entitled; "Plan for Proposed Commercial Site MTM NY" prepared by D.J. Egarian & Associates, Inc., dated 03/21/17, 8 sheets.
2. Report entitled; "Stormwater Pollution Prevention Plan-Proposed MTM-NY Site" prepared by D.J. Egarian & Associates dated March 12, 2017.

Summary of Application:

Application is to obtain site plan approval to construct two freestanding buildings for masonry wholesale inventory, construct a small commercial (in ground) truck scale and outdoor storage bins on a 6.78+/- acre parcel in a C zone. The applicant also proposes to construct a paved driveway and a parking area of predominately pervious material.

There are two vacant buildings and other outbuildings on the site. The two vacant buildings located immediately adjacent to Route 52 were reportedly used in the past as residences. The applicant proposes to remove these vacant buildings and, in roughly the same location, construct a main office building with bathroom. The septic system for the office building will be repaired as per above plans information.

The applicant proposes encroachment into the wetland buffer in order to construct storage buildings, parking, stormwater management and storage bins.

General Review Comments:

1. There is Town of Kent jurisdictional wetland and wetland buffer areas on the site. The wetlands were delineated by the applicant's consultant on June 21, 2016. A site inspection was conducted on December 16, 2016 by this office. The inspection resulted in some questions regarding the wetland boundary. In addition, review of published soil maps indicates three main soil classifications on

the site: Sun Loam, Udorthent smoothed and Urban Land-Woodbridge. Sun Loam is a hydric soil and is indicated in Chapter 39A-Freshwater Wetlands as a jurisdictional wetland indicator. It is recommended that a meeting at the site be scheduled with the applicant's consultant in order to review the delineation and reach consensus on the Town of Kent jurisdictional wetland boundary.

The applicant is required to provide the total areas of temporary and permanent disturbance to the wetland and wetland buffer areas and to develop a mitigation plan for review and approval by the Planning Board. An alternative to the current proposal to direct discharge of stormwater to the stream should be developed.

2. The applicant has indicated that a NYCDEP jurisdictional watercourse is located on the property and the site is located in a NYCDEP Designated Main Street Area (DMSA). Additional permitting requirements pursuant to NYCDEP review may be required.
3. NYSDEC resources indicate that rare plants/rare animals are potentially located on or near the site. Additional information is required.
4. Flood plain/flood way information has not been provided.
5. The applicant has indicated that there is history of a past environmental (oil) spill on the site. The applicant is requested to provide information and spill closure records.
6. A revised EAF which is reflective of the current plan should be submitted.
7. Provide PCDOH correspondence authorizing proposed septic repair, septic closure and approval requirements of the well water system (if any).

Specific Review Comments:

SWPPP:

B: Methodology: Indicate site is located in a NYCDEP DMSA and that the project will be in compliance with all stormwater management and jurisdictional watercourse NYCDEP regulations and any/all required permits shall be obtained.

C: Pre-Construction Condition: Test pit soil information (Figure 2) does not provide percolation test data. The test pits were not witnessed by the Town.

E: Pre-Development vs. Post-Development Drainage Analysis: addition information regarding the potential for compaction and clogging of the pervious surface gravel and piping as well as winter month (frozen ground) performance should be provided. The potential for pollutants from stored materials to accumulate over the years in the proposed gravel should be reviewed. Indicate how the pervious system will be inspected and maintained.

NOI: has not been completed and executed. Indicate septic area in which use will be discontinued.

Plans:

Sheet 2: Indicate all buildings to be demolished.

Sheet 3: Provide alternative to direct discharge of proposed 18" CMP to the stream.

Sheet 4: Indicate if the northern parking area may be relocated outside of the wetland buffer.

Sheet 5: There appears to be substantial light spillage beyond the western property border. Provide detail of proposed sign.

Sheet 6: Provide landscape key and planting detail. Include planting and maintenance requirements and indicate any trees which are diseased or dead will be replanted by the owner within 60 days of occurrence. Indicate total area of wetland/wetland buffer disturbance in square feet (temporary disturbance and permanent disturbance). Provide restoration plan for areas of temporary disturbance and mitigation plan for areas that will be permanently disturbed. Provide functional disruption of areas to be restored and mitigated.

Sincerely,

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

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

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 11, 2017
Re: More Than Masonry Site Plan
Route 52
Tax Parcel No. 44.9-2-20, 44.5-28 & 29

With reference to the above matter, we have reviewed the latest set of plans and materials received by the Planning Department on March 23, 2017 and offer the following for the Board's consideration:

Summary

1. The project is the development of a retail/wholesale facility specializing in the sale of bulk masonry, gravel, topsoil, and other outdoor landscaping products and building materials. The facility would include a ±1,600 square foot retail building, a ±600 square foot office building, truck scales, and approximately 32 partially enclosed bins for storage of bulk materials. The project would also involve the demolition of two dilapidated structures and a new driveway entrance on the state highway.
2. The site is approximately 6.8 acres in size and is located in the Commercial (C) District. The proposed facility and the use are allowed subject to site plan approval by the Planning Board. The southern-most lot is reputed to have been used as a gasoline station and/or for storage of petroleum. The northern lot appears to have been used for residential purposes many years ago.

Application

1. The applicant must complete the "Disclosure of Business Interest" form that is included in the application forms package.
2. The application materials we reviewed did not include an Environmental Assessment Form (EAF). Inasmuch as we will recommend that the Board conduct a coordinated review of this application the applicant will need to provide a Long Form EAF for circulation to involved agencies. We will provide comment on the Long Form EAF after it has been provided.

SEQRA

1. The project is an Unlisted Action. 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 areas of the site that may contain hazardous materials.
 - c. Increases in passenger vehicle and truck traffic on the adjacent state highway associated with project generated vehicle trips.
 - d. Impacts to soils and surface waters related to increased potential for erosion and sediment runoff from ground disturbance.
2. The amount of land disturbance also brings the project within the jurisdiction of the State Pollutant Discharge Elimination System (SPDES) program and a preliminary Storm Water Pollution Prevention Plan (SWPPP) has been provided. We defer to the Planning Board's Professional Engineer as to the adequacy of the preliminary SWPPP.
 3. The applicant should provide a preliminary Traffic Impact Study to analyze the potential impact of additional vehicle trips associated with project generated traffic. This would include the morning and afternoon daytime and Saturday noontime peak hours. The TIS should also examine sight lines and safe stopping distances for the proposed driveway at the state highway.

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 application includes a rendering of the proposed metal storage building and the office building. The exterior colors and materials have not been provided. This item is incomplete.

With respect to the retail building, it appears to be of simple metal construction with a mostly flat roof. In accordance with §77-23(A)(11) of the Town Code, *“Pitched roofs shall be used on buildings in lieu of flat roofs to the extent feasible. If pitched roofs are not feasible or practical in a given situation, then, at a minimum, a pitched roof architectural feature shall be required as a detail element, i.e., entryway or tower element to break the horizontal facade.”* The retail building would be located approximately 30 feet from the state highway right-of-way and its appearance to travelers on the heavily traveled corridor should be considered by the Board.

- 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 location of structures on some of the adjoining lots has been provided but topography on those lots is not. This item is incomplete.

- 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: 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: Pending verification as to compliance with Chapter 57 of the Town Code this item appears complete.

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

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

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

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

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

Comment: Information as to required signage has not been provided. This item is incomplete.

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

Comment: Although this item is technically complete, our review of the proposed landscape plan indicates that the applicant intends to use a single type of planting (i.e. Thuja Green Giant) along the boundary with the state highway and installed in a straight line. We recommend that the applicant provide a mix of deciduous and evergreen plantings of different species and heights, but also planted so as to be off-set to each other to provide visual interest.

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

Comment: A lighting plan has been provided but the location of such things as point of sale communication facilities is not. This item is incomplete.

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

Comment: The location and a detail for a chain-link style fence enclosure have been provided. However, §77-73(A)(4) of the Town code states, "*Each trash enclosure shall be constructed of masonry walls and with a steel gate painted to be compatible with the color of the masonry walls and building it is to serve.*" This item is incomplete.

- 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: Notes on the proposed site plan indicate 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: The project would be developed as a single phase. 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. See our comments below. 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: A proper signature block with the language as specified in the application forms has not been provided. See our comments below. 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. Add the following owner/applicant signature block:

TOWN OF KENT PLANNING BOARD OWNER / APPLICANT SIGNATURES	
The undersigned applicant(s) for the property and the undersigned owner(s) of the property shown herein certify that they are familiar with this map and its notes and its contents as stated hereon including all conditions of approval. The applicant and the owner understand their obligation to the Town to keep the premises as per plan approval until a new or revised plan for development or use of the site is approved by the Planning Board. The applicant and the owner understand their obligation to the Town not to occupy the premises before a Certificate of Occupancy is issued by the Town for the occupancy as approved hereon.	
Owner	_____
Date	_____
Applicant	_____
Date	_____

2. Add the site plan approval signature block as follows:

TOWN OF KENT PLANNING BOARD SITE PLAN APPROVAL	
The plan of development for the property as depicted hereon was approved by a majority of the members of the Town of Kent Planning Board at a meeting held on _____, and the conditions of Site Plan Approval have been satisfied or arrangements have been made to ensure the completion of any outstanding or incomplete conditions.	
Chairman	_____
Date	_____

1. We defer to Bruce Barber with respect to wetland, stream, and steep slope impact issues.
2. We defer to Julie Mangarillo with respect to site engineering, sewer, water supply, and storm water management impact issues.

Recommendation

1. The applicant should address the comments as noted above.

2. Upon receipt of a complete Long Form EAF we will recommend that the Planning Board commence the process for selection of a lead agency.
3. A copy of the application should be sent to the Putnam County Planning Department for review pursuant to GML 239-m.
4. A copy of the application should be sent to the Lake Carmel Fire District for review.
5. 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.