

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

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

October 12, 2018

**Re: Resolution of SEQRA Classification; Lead Agency Intent; Circulation; and Referrals
For Route 52 Development Special Permit; Site Plan; and Erosion Control Plan**

To All Interested Properties:

The Kent Planning Board met with the applicant (Route 52 Development Corporation) and PW Scott Engineering & Architecture, PC; 3871 Danbury Road, Brewster, NY 10509 on Thursday, October 11, 2018 to discuss all applicable laws, rules and regulations and declared its intent to act as the dedicated Lead Agency to coordinate the environmental review for a project on Route 52, Kent, NY; Tax Map 12.-1-52. This property is in the IOC (Industrial Office-Commercial) zoning district and is on a 137.435 acre parcel. The proposed action involves development to build two hotels, a conference center, an indoor recreation facility, a truck /reststop with retail and restaurants and a motor vehicle repair and service station on 54 acres. Attached is the Adopted Resolution, dated October 11, 2018, which describes the project in more detail.

I make this affirmation of intent as the duly appointed Chairman of the Town of Kent Planning Board.

Respectfully,



Phillip Tolmach, Chairman
Town of Kent Planning Board
26 Sybil's Crossing
Kent Lakes, NY 10512

Involved/Interested Agencies:

NY State Dept. of Environmental Conservation
NY State Dept. of Transportation
NY City Dept. of Environmental Protection
Putnam County Dept. of Planning, Development & Public Transportation
Putnam County Dept. of Health
Town of Kent Zoning Board of Appeals
Town of Kent Building Dept.
Town of East Fishkill Town Clerk
Town of Pawling Town Clerk

ADOPTED October 11, 2018

**Town of Kent Planning Board
Resolution of SEQRA Classification; Lead Agency Intent;
Circulation; and Referrals for
Route 52 Development Special Permit; Site Plan; and Erosion Control Plan**

Whereas, the Town of Kent Planning Board has received an application from Laurel Realty LLC, known as the Route 52 Development, for approval of a site plan and erosion control permit and other approvals and permits for development of a 137.435-acre parcel (tax parcel No. 12.-1-52) in the IOC (Industrial-Office-Commercial) zoning district; and

Whereas, the proposed action involves site development of a 137.435-acre parcel to create an approximately 54-acre excavated, graded area for mixed use commercial development. The existing site is vacant, wooded and steeply sloped with 10 wetland areas of various sizes. Proposed site development is located on the western half of the site. Proposed uses include 2 hotels; a conference center; an indoor recreation facility; a truck/rest stop building with retail and restaurants; and a motor vehicle repair and service station with fueling, tire shop and possibly other truck service and repair. Special use permit approval will also be required for a motor vehicle repair shop and service station, as well as a variance for building height. All four (4) proposed driveways would provide access from Route 52 just east of Interstate 84 (I-84) exit 17. The site also has frontage on Interstate 84 (I-84).; and

Whereas, the project is depicted on a set of site plans, prepared by PW Scott Engineering & Architecture, dated January 10, 2018, last revised July 20, 2018 (5 plan sheets identified as: ID; EX; SY1; SY2; and SY11); a Statement of Use (project narrative), dated July 18, 2018; and a Full Environmental Assessment Form (Full EAF), signed July 26, 2018 and other plans, reports and materials; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board is required to determine the classification of the proposed action; and

Whereas, pursuant to 6 NYCRR § 617.4, subsections (b)(6)(i), (iii), and (iv), due to: - the potential physical alteration of more than 10 acres of land; - the creation of parking for 1,000 or more vehicles; and - the creation of a facility with more than 100,000 square feet of gross floor area in a town with a population of less than 150,000 persons, the proposed action is considered to a Type I action under SEQRA; and

Whereas, the submitted materials are considered to be adequate only for the initiation of review under SEQRA, however, the materials are not considered to be a complete application at this time for the purposes of setting any public hearings; or making any required referrals; and

Now Therefore Be It Resolved, that the Planning Board hereby classifies the proposed project as a Type I Action under SEQRA as per 6 NYCRR part 617, subsections 617.4 (b)(6)(i), (iii), and (iv); and

Be It Further Resolved, that the Planning Board hereby declares its intent to serve as Lead Agency in a coordinated review of the Project and directs its secretary to circulate notice of its intent to all other involved and interested agencies; and

Be It Further Resolved, that the Planning Board hereby directs its secretary to circulate the following materials to be provided by the Applicant or their representatives as prepared, copied, and assembled in packets in addressed envelopes ready for mailing, which shall include the following items:

- A copy of the adopted Lead Agency Resolution;
- Statement of use (revised 7/18/18);
- Full EAF Part 1 (signed 7/26/18);

*Town of Kent Planning Board
Resolution of SEQRA Classification; Lead Agency Intent;
Circulation; and Referrals for
Route 52 Development Special Permit; Site Plan; and Erosion Control Plan
October 11, 2018*

Plans entitled Route 52 Development, prepared by PW Scott Engineering & Architecture, sheets (revised 7/20/18), set of 5, including:

- ID Index Plan;
- EX Existing Conditions;
- SY1 Parking Site Plan;
- SY2 Treatment & Drainage Plan; and
- SY11 View Sections.

Motion: Simon Carey

Second: Giancarlo Gattucci

Phil Tolmach, Chairman Aye

Simon Carey Aye

Giancarlo Gattucci Aye

Dennis Lowes Aye

Charles Sisto Aye

Stephen Wilhelm Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on October 11, 2018.



Vera Patterson, Clerk
Town of Kent Planning Board

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Involved and Interested Agencies

New York State Department of Environmental Conservation

New York State Department of Transportation

New York City Department of Environmental Protection

Putnam County Department of Planning, Development and Public Transportation

Putnam County Department of Health

Town of Kent Zoning Board of Appeals

Town of Kent Building Department

? Town of East Fishkill Town Clerk

? Town of Pawling Town Clerk

... Other agencies ...

Attachment "A"
Identified Involved & Interested Agencies
Kent Planning Board's Intent to Become Lead Agency
Route 52 Development; TM: 12.-1-52

October 11, 2018

NYS Department of Environmental Conservation
Region 3 Office
Division of Regulatory Affairs
21 Sout Putt Corners Road
New Paltz, NY 12561-1696

Region 8 NYS Department of Transportation
Traffic Engineering & Safety Division -- SEQRA Unit
4 Burnett Boulevard
Poughkeepsie, NY 12603

NYS Department of Environmental Protection
SEQRA Coordination Section
465 Columbus Avenue
Valhalla, NY 10595

Putnam County Health Department
1 Geneva Road
Brewster, NY 10509

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

Kent Building Department
25 Sybil's Crossing
Kent, NY 10512

Kent Zoning Board of Appeals
25 Sybil's Crossing
Kent, NY 10512

East Fishkill Town Clerk
330 Route 376
Hopewell Junction, NY 12533

Pawling Town Clerk
160 Charles Colman Boulevard
Pawling, NY 12564

KENT PROJECT
Route 52
Kent, NY 14477

Statement of Use

DATE: November 20, 2017
Revised July 18, 2018

PROJECT: Site Plan and Commercial Planning

PROPERTY DESCRIPTION

The subject property is located on the east side of Route 52 in the Town of Kent. The site is bordered on the northwest side by Industrial Office Commercial Zone (IOC) lots with Interstate 84 to the northeast. It is bordered on the south by Bowen Road, a Residential - R80 Zone and a Commercial Zone. Directly across Route 52 is an IOC zone. Across from the adjacent IOC lot to the south is a portion of R-40 (Single Family Residential District). The subject lot is identified as Tax Map #12.1.52 and consists of 137.435 acres. The existing site is vacant. Special considerations are required for development due to existing bedrock across the site. There are several named wetlands in the southern portion of the site and two to the north. These have been located on the Existing Site Plan (EX).

PERMITTED USE

Per Zoning Chapter of the Town of Kent

The subject property is located in the Industrial/Office/Commercial Zone (IOC). The IOC Zone includes a mix of permitted uses as follows:

Permitted Uses in the Zone: The following permitted use lists have been redacted to denote only uses which are specified to client expressed priorities:

Permitted Uses: (Section 77-24.A)

Commercial Recreational Facility
Hotel, Motel, Inn
Industrial Park
Nurseries, Greenhouses
Office Park
Outdoor recreation (Golf Driving)
Restaurant (No drive through)
Retail (No drive through)
Service Business (No drive through)
Warehouse Storage
Motor Vehicle Sales, Rental Service

Special Permitted Uses: (Section 77-24.B)

Motor vehicle repair shop, motor vehicle service station, with or without convenience store, with or without car wash and commercial garage. (This project proposes gas pumps.)

PROPOSED ACTION

The project is proposed as a mixed use commercial project to include the following:

- Radisson Red Hotel (150 rooms)
- La Quinta Hotel (104 rooms)
- Indoor Water Park
- Convention Center
- A Truck Stop with the following amenities:
 - Country Store
 - Food Court
 - Rest Area (consisting of restrooms and a lounge area)
 - Future Expansion Area (for use if one of the uses needs additional square footage)
 - Tire Shop
 - Truck Fueling Area
 - Outdoor Seating Area
 - Truck Parking
- Sewage Treatment Building
- Water Treatment Building

A zoning chart with square footages is attached.

Per the Town Code, the project will include permitted uses (Section 77-24A.7,8,16,32,33,34 [tire repair]) and special permit uses (Section 77-24C.5a-i [tire repair, gasoline sales]).

This site has been selected for its access to the I-684/84 corridor to provide truck tire service and restaurant services for long distant trucking and to provide a destination facility for recreation, i.e. the Indoor Water Park, which can be utilized on a year round basis. To provide accommodations for this complex and the surrounding area, two hotels, with different price points and amenities are located along the border of the site with the US Route 84 corridor, affording interstate visibility of the complex.

The septic is proposed for the middle portion of the site, serviced with a large dispersal system. A sewage treatment building will collect the waste water and piping will connect to the fields. Several wells will be utilized on the site and the water directed to a water treatment building.

DESIGN INTENT

The site was developed using a site design matrix (see attached) which provided guidelines for design programming and limitations based on testing and visibility.

ZONING COMPLIANCE (Proposed Site Plan)

The development of the site for site visibility of the project from the US Route 84 corridor requires a pad to be created adjacent to the highway right of way. The owner wishes to obtain the necessary permits to excavate a large pad for the development of the two hotels, a water park and a conference center. The truck stop portion of the project will be set back into the site with planted berms so it is less visible from the street, but still provides easy access off the highway and Route 52.

See Addendum A: Zoning Compliance for Section 77-24.

VARIANCES REQUIRED

Review of the site plan with proposed hotel chains has indicated that the franchise model requirements exceed the three story limit within the IOC zone. The site plan has depicted

franchise compliant footprints with potential for horizontal expansion should a variance for additional stories be denied. The potential hotel (#1 – Radisson Red) would require a 5 story building , 65’ height. This would require a variance of 25’ for building height and additional stories. The potential hotel (#2 – La Quinta), with a prototype for 4 stories and approximately 52’ height, would require a variance of 12’ for building height and additional story. The mitigation to the added height is the placement of the buildings in an area of the site that is excavated to a lower elevation than currently exists in order to create the pad for the whole project and therefore reduces visibility from the surrounding roads and neighboring sites.

COVERAGE

The development of the site is generated based upon a total developmental (buildings & parking) coverage limit of 75%. The lot is of such a size that this issue is negligible. The building coverage is 0.04% and the impervious coverage is 14.85%.

PARKING

Parking Requirements

	Rooms, SF or Seats	Requirement	Required	Provided
Radisson Red	150 rooms	1.25/room	187.5	253
La Quinta	104 rooms	1.25/room	130.0	136
Water Park	50,000 sf	TBD	192	173
Convention Center	50,000 sf	TBD	300	403*
Country Store	7,500 sf	Store: 1/200 sf Gross	38	42
Food Court	5,000 sf	Food Court: ¼ Seats or 1/100 sf Gross	25	32
Future Expansion	12,500 sf	1/200 sf Gross	63	31**
Rest Area	5,000 sf	TBD	-	6
Fueling Area/Tire Shop	5,000 sf	TBD	-	6
			-	

*Reference: 77 – 38 N (2). Refer to Dwg SY1 for table of parking spaces (general, employee, and handicapped) for each use. A shared parking analysis is provided for this site to evaluate total parking needs.

** 31 spaces extra allocated for future expansion

Proposed Parking

	Radisson Red	LaQuinta	Water Park	Conference Center	Country Store + Future	Food Court	Rest Area	Fueling Area
General Spaces	222	117	141	353	38+ 32	25	-	-
Employee Spaces	20	12	24	23	2	5	4	5
Handicapped	12	7	8	20	2	2	1	1
Total	254	136	173	396	74	32	5	6
Truck/Loading	2	-	2	2	1	1	-	73

Total Cars 1,023
 Total HC 53

Total Truck: 8 Loading + 73 Truck Parking

Handicapped Parking

Handicapped Parking requirements based on ADA Guidelines for buildings.

Total Parking in Lot: 1 to 25 = 1 Space
25 to 50 = 2 Spaces
100 and above = 5% of spaces to be HC

Truck Parking

Parking area will be screened as required by the Kent Zoning Regulations with 10' earth mounds along Route 52 with shrub cover.

Loading Area

The Town of Kent requires one loading area for each 40,000 sq. ft. of gross floor area or a fraction thereof. The proposed buildings includes (2) loading space behind each building – measuring 15 x 40 ft. plus, in compliance with regulations.

Parking Land Bank

It is proposed to land bank 66 parking spaces, or more based on town input. They have been designed into the plans but would only be constructed if the site use demands additional spaces. The areas will be planted with lawn initially.

RETAIL BUILDING DATA

Radisson Red Footprint:	13,000 sf.
(150 rooms- 5 stories* + pool + restaurant)	
La Quinta Footprint	14,400 sf
(104 rooms - 4 stories* + pool)	
Indoor Water Park:	50,000 sf
(All interior activities)	
Convention Center:	50,000 sf
Tire Store	8,400 sf + 15,100
Food Court	5,000 sf
Country Store	7,500 sf
Rest Area (lounge,restrooms)	5,000 sf
Future Expansion:	<u>12,500 sf</u>
Total Building Footprint:	165,900 sf
Canopy over Fueling Area	15,100 sf
Note: Hotel canopies not incl.	
Utility Buildings	
Sewage Treatment:	5,000 sf.
Water Treatment/tank	<u>5,000 sf.</u>
Total Structure Coverage	191,000 sf

*Requires Variance for Building Height & # of Stories

ZONING REQUIREMENTS

The required setback for the IOC Zone is:

Front Yard 40'
Side Yard 20'
Rear Yard 40'

(If adjoining a Residential Zone, add 15' to above setbacks)

Development is proposed within the setbacks

Max building height: 40'

SEQRA DETERMINATION

The requirements of the DEIS and FEIS are defined by thresholds of development established by the NYSDEC Regulations, Section 617.4 A Type I action is required should the project:

- a project or action that involves the physical alteration of 10 acres;
- a project or action that would use ground or surface water in excess of 2,000,000 gallons per day;
- parking for 1,000 vehicles;
- in a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area;
- in a city, town or village having a population of more than 150,000 persons, a facility with more than 240,000 square feet of gross floor area;

It is also the preview of the local jurisdiction or lead agency to evaluate the project for impacts to the environment and requires a DEIS. It is the position of the applicant to address as many issues as possible with Part III, EAF submissions to clearly define the impacts prior to environmental evaluation of the project by the lead agency.

LAND DISTURBANCE

The project proposal is for the disturbance of 54.9 acres for the buildings and parking referenced as the SITE and 9.8 acres for the SSTS and water treatment plant and storage tank, referenced as Utility Area. An existing accessway to the well field is located along the southern portion for the site which shall be upgraded to a gravel drive with this proposal. The disturbances for each area are as follows:

Site Development

Acreage disturbed: 54.9 acres

Acreage over 15%: 34.6 acres

Wetland and wetland buffer clearing: none

Disturbances: Removal of tree cover, topsoil, soils for reuse on site.

Estimate of Rock removal: 5.6 million yards, refer to cut/fill plan

Disturbance Intent: Create one pad site which is accessed by a single boulevard road with pedestrian connectivity buffered from surrounding land uses.

The fire department has requested a separate 24' wide gravel access lane to the site which is located to the north of the entrance boulevard.

Final Development area description:

Impervious Area: 17.20 acres

Building Area: 4.75 acres + 0.11 Sewage Treatment + .36 acres (potential hotel footprint expan.)

Slope area: 2/1 with grass cover: 8.1 acres

Pond Areas: 2.2 acres

Bio-retention Areas: 2.6 acres+ Planters: 0.46 acres

Landscape Islands and planted areas: 19.1 acres

Mitigation of the disturbance consists of the extensive planting plan proposed.

Utility Area:

Acreage disturbed: 9.8 acres

Acreage over 15%: 0.2 acres

Wetland and wetland buffer clearing: none

Disturbances: Removal of tree cover, topsoil for reuse on site.

Estimate of Rock removal: none.

Disturbance Intent: Create subsurface sewage treatment area with approximately 36 inches of septic fill and 6 inches of topsoil cover.

Create an access driveway for water storage tank and water treatment building.

Final Development area description:

Impervious Area: limited to driveway with remainder gravel.

Water treatment plant: allocate: 0.11 acre

Well Bulding & tank: allocate: 0.11 acre

Grass cover: 9.6 acres

Mitigation of the disturbance consists of the large grass area on the hillside which is mowed as a field twice per year.

ENVIRONMENTALLY SENSITIVE LANDS

The Town of Kent Zoning Code identifies Environmentally sensitive lands under section 77-72. definitions as:

Wetlands (as defined in Chapter 39A), areas of special flood hazard (as defined in § 39-4) and steep slopes (ground areas having a topographical gradient greater than 15%).

The discussion of the existing conditions on the site are addressed through individual sections which follows.

Wetlands:

A total of 14.3 acres of wetland were delineated on the proposed site according to vegetation and soil conditions (see Map #8). None of these wetland areas exist within the area of development. Rather, they are part of the 73± acres to be preserved as open space. As illustrated on the following map, some wetland areas consist of characteristic wetland vegetation, some consist of characteristic wetland soils, and some consist of both. In most cases, the soil line exceeds the vegetation line, thus a greater acreage of land will be considered wetland by soil as opposed to wetland by vegetation. Mapping by soils was determined by Michael Nowicki of Ecological Solutions, Inc. Wetlands delineated by soils total an approximate 9.4 acres and consist of either, or a combination of, Leicester and Sun soils. Both soils are poorly drained, hydric soils and are further described in the Soil Section. Due to the small size of the wetlands, all are Local Wetlands and based upon a NYSDEC review, are independent of the adjacent NYSDEC wetlands along Stump Pond and Stream.

Wetlands delineated by vegetation total an approximate 4.9 acres and consist of typical wetland vegetation. Trees found in the wetland areas consist generally of red maple (*Acer rubrum*), green ash (*Fraxinis pensylvanica*), and American elm (*Ulmus Emericana*). The general understory consists of silky dogwood (*Cornus amornum*), spicebush (*Lindera benzoin*), and witch hazel (*Hamamelis virginiana*). Weeds and ground cover were found to consist generally of skunk cabbage (*Symplocarpus foetidus*), jewel weed (*Impatiens biflora*), goldenrod (*Solidago rigida*), jack-in-the-pulpit (*Arisaema atropurpureum*), bulrush (*Scirpus spp.*), purple loosestrife (*Lyrthrum salicaria*), bur-reeds (*Sparganium spp.*), grape (*Vitis spp.*), various ferns, mosses and lichens. As previously noted, Stump Pond resembles a "wet meadow" due to its presently dry state. It contains species characteristic of this environment including Queen Anne's lace (*Daucus carota*), goldenrod, purple loosestrife, bur-reed, common reed (*Phragmites communis*), cottonwood (*Populus spp.*), and pussy willow (*Salix discolor*).

The site plan has located the wetlands with a buffer of 100 feet along their perimeter. The wetlands are identified as #1 to #10 with each wetland acreage listed on the Existing Condition Map. The site plan maintains the integrity of the wetlands and buffers for all of the wetlands on the site.

The location of the proposed development impacts Wetland #9 (0.2 acre wetland at the base of the north-west corner of the site) by a slight reduction in water shed size. The soils are noted as CrC, a site inspection indicated that this wetland is within an existing depression on the site. The watershed which extends to this wetland is reduced in size. Mitigation is proposed through the discharge of ground water from the site footing drains through this wetland to maintain a water balance.

Special Flood Hazard:

Chapter 39-4 identifies:

The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. This area may be designated as Zone A, AE, AH, AO, A1-A30, A99, V, VO, VE, or V1-V30. It is also commonly referred to as the base floodplain or one-hundred-year floodplain. For purposes of this chapter, the term "special flood hazard area (SFHA)" is synonymous in meaning with the phrase "area of special flood hazard."

Map # 7 is the FEMA Map Flood Insurance Rate Map for Stump Pond Stream. The map is an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

A review of the maps indicates that there are no FEMA designated Special Hazard Zones denoted on the subject property. Stump Pond Brook, located to the west of US Route 84 contains the Hazard Zones pertinent to the Town of Kent Zoning regulations.

Steep Slopes

The steep slopes are identified on Map #1 for slopes of between 0 and 10, 10 to 15, 15 to 25 and greater than 25 percent gradient. Since the sensitive slopes are over 15 percent gradient, the last two categories are relevant to this definition.

The slopes have been developed through the use of the Civil 3D computer model based upon 2 foot contours converted from Lydar data for the site. This data was site verified at corner points by the surveyor to create the topographic map and datum for the site.

The slopes on the site greater than 15 percent gradient totals 73.5 acres. The area of disturbance for the site development is 54.9 acres as defined by the project limit of disturbance line. Within this area, the steep slopes being impacted total: 34.6 acres.

The septic area is generally of slopes less than 15 percent with some local areas of up to 20 percent slopes, an area which totals 9.80 acres. This area is mitigated by the inclusion of septic fill to a final slope of 15 percent in compliance with the PCDOH regulations.

The issue with steep slopes is the erodability of the soils. The area of this disturbance is within the Charlton chatfield complex soils (CrC & small area at top of hillside of CsD) which has a depth to bedrock of between 48 and 60 inches and soils of a granular nature with moderate erosion hazard. The intent of the project is to excavate the area to the proposed grades which will require the removal and stock piling of the top soils, removal and stock piling of the subsoils prior to the removal of any of the rock. The top soils depths encountered during the deep testing across the site is an average of six inches, which across the area of disturbance equates to 43,500 cy. The soils based upon an average depth to ledge of 60 inches equates to 435,000 cy in total. The soils shall be removed in areas of under 5 acres, stockpiled and stabilized with the rock faces exposed. The benches used for rock removal shall remain in place with diversion swales in place until remediation takes place at which time stockpiled soils shall fill the benches and woody plants shall be installed to create stabilized strips of deep soils and topsoil across the exposed faces. The process will include erosion control devices including; top of the hillside diversion swales, silt fence at 75' intervals, sediment basins and rock wash basins at the base of the hillside which become ponds, and ancillary practices which include watering for dust control, seeding of disturbed areas across the pad site and collection swales extending to the sediment basins.

During the rock removal operation, the slopes shall be cut through drilling and blasting which involves the collection and filtration of runoff which is discussed in the rock removal section of the report. The final site rock slopes are proposed as 2 horizontal to 1 vertical which can be stabilized with a good grass cover. The slope lengths are over 200 foot long which, with stabilized vegetation in place, will filter any local erosion across this face of site excavation.

SOIL DATA

Site soils have been defined using the NRC Soil Mapping Program. The findings are provided in Figure 1.0 with the following soils:

SOIL RATING TABLE				
Summary by Map Unit — Putnam County, New York (NY079)				
Map Unit Symbol	Map Unit Name	Rating	Acres in AOI	Percent of AOI
ChD	Charlton fine sandy loam, 15 to 25 percent slopes	B	2.7	2.00%
ClB	Charlton fine sandy loam, 3 to 8 percent slopes, very stony	B	5.6	4.00%
ClC	Charlton fine sandy loam, 8 to 15 percent slopes, very stony	B	1.2	0.80%
ClD	Charlton loam, 15 to 25 percent slopes, very stony	B	2.5	1.80%
CrC	Charlton-Chatfield complex, 0 to 15 percent slopes, very rocky	B	60.6	43.50%
CsD	Chatfield-Charlton complex, 15 to 35 percent slopes, very rocky	B	55.3	39.80%
CtC	Chatfield-Hollis-Rock outcrop complex, 0 to 15 percent slopes	B	2.2	1.60%
CuD	Chatfield-Hollis-Rock outcrop complex, 15 to 35 percent slopes	D	2.2	1.50%
HrF	Hollis-Rock outcrop complex, 35 to 60 percent slopes	D	4.1	3.00%
LcB	Leicester loam, 3 to 8 percent slopes, stony	A/D	0.7	0.50%
Pa	Natchaug muck, 0 to 2 percent slopes	B/D	0.3	0.30%
Sm	Sun loam, extremely stony	C/D	1	0.70%
Uf	Urban land		0.5	0.40%
UhC	Urban land-Charlton complex, 8 to 15 percent slopes		0.1	0.10%
Totals for Area of Interest			139.1	100.00%

Soil description reports are available from Putnam County Soil Services.

WETLAND PERMITTING

The lot contains several local wetlands on the south portion of the site with two local wetlands to the north of one of the proposed hotels. There are adjacent NYSDEC wetlands that exist beyond the property line. A Soil Scientist will examine the impact the current development may have on these wetlands. There are no anticipated impacts to local wetlands.

NYSDEC WETLANDS

The plan provides the location of the adjacent NYSDEC wetland areas. All of the areas fall outside of the edge of the property lines. There are several tributary streams which may feed the offsite NYSDEC wetland areas. These shall be evaluated by a Soil Scientist as the project progresses. Refer to Offsite Wetland Mapper, Figure 2.0. These are anticipated impacts to local wetlands.

NYCDEP PERMITTING

The site appears to drain to Stump Pond which is located to the west across US Route 84. Stump Pond drains through Horse Pound Brook (NYSDEC stream) to West Branch Reservoir located to the south in Carmel, NY. Accordingly, the project is within the NYCDEP Water Supply, refer to the NYCDEP Watershed Map in the report, and must follow the NYCDEP Rules and Regulations.

It is the intent of this project to leave the portion of the site with wetlands undisturbed.

PERMITS REQUIRED

The permits required are as follows:

1. Town of Kent Wetland Permit

Buffer requirements:

For all wetlands, the "controlled area" shall extend 100 feet away from the edge of the wetland. Refer to 39A-3(F) and 39A-6 of Town of Kent Code.

2. NYCDEP

A permit will be required with greater than 2 acres of disturbance. A site visit will be required to check for any existing watercourses.

Each permit above shall be addressed with a SWPPP and Stormwater Management Report.

SOLID WASTE DISPOSAL

A dumpster enclosure is proposed for each of the commercial developments on the site plan. Garbage shall be picked up by a local carter and disposed to a certified transfer station or landfill.

The truck stop will generate waste that will be disposed of by certified carters for waste such as tires, oil, or other truck/car related fluids and solids. An enclosed concrete based dumpster area with screening will be provided along with a drain with oil filter.

STORMWATER MANAGEMENT

The project scale shall require attenuation as dictated by the NYSDEC. The proposal is to collect the runoff from the buildings and parking and attenuate the runoff to pre-development levels with proposed wet ponds and bio-retention treatment methods. After attenuation the drainage will flow into drainage swales and then into existing wetlands. The sizing and placement of these methods and structures will be developed along with the project.

LANDSCAPING

Landscaping shall be provided per the Zoning Code.

A 40' buffer shall be planted to screen parking areas from the street.

Edge of excavation grading is set at 2 on 1 slope in compliance with General NYS Mining Regulations for rehabilitation purposes.

The project proposes a developed landscape around the hotels and water park. The landscaping will be designed for parking lot and roadway areas as well as special interest areas around the hotels. The intent is to have a tree lined boulevard into the complex and avenues of trees to provide shading in the summer and break the wind in the winter months.

The large parking areas will be separated by planted islands with trees provided for shading. The hotels will have a planted entry circle providing a viewpoint as the sites are entered from the main access drive.

The water park will have a large entry patio with either specific planting islands or large urns with

flowering plants during the summer and coniferous bushes in the winter months.

The large areas between the buildings will be planted with grass and maintained on a regular basis to provide open spaces for the guests as well as aid in the development of areas to treat water drainage being generated by the buildings and parking lots.

On the lower area with the truck stop and restaurant, the areas adjacent to the restaurant parking will be lined with trees. The truck receiving and parking areas will be buffered with coniferous varieties of trees and bushes to maintain a visual buffer through the winter.

TRAFFIC IMPACT

A Traffic Study will be provided to determine the impact on local roads. Traffic generation shall be predominately from Exit 17 of US Route 84 since the uses proposed are destination traffic generators with little bypass traffic except for the restaurant proposed. Truck traffic to the truck stop is for both directions along US Route 84.

SIGNAGE

The signage shall be in compliance with the ordinance under section 77.37 of the Kent Code. Sign locations are shown on the site plan. These permits will be obtained as individual tenants build out and make use of the pads developed. If variances are needed, individual tenants will obtain the proper permits prior to installation of any signage.

LIGHTING

Lighting shall be provided per Section 77-44.3.

A Lighting Plan will be provided upon further development of the site.

Light plans shall provide the following;

- Requires Safety & Justification
- How fixtures minimize offsite light spillage
- Hours of operation
- Analysis of light spillage view sheds
- Specifications of fixtures/coverage ratings
- Illumination values for all developed portion of the site in foot-candles (Fc)
- Estimate of annual energy savings in kilowatt hours (kwh)

NOISE IMPACTS

The proposed facility is buffered from the surrounding properties with large buffers and planted areas which will reduce noise impact on the neighboring sites. The location off Interstate Route I-84 to the north also develops an ambient noise level above that developed by the site. With the proximity to the highway, truck traffic will be limited to a short distance.

Excavation of the rock quantities shall require a separate noise study to predict the impacts due to blasting. The design is such that the blasting forces shall project towards US Route 84.

A Noise Study will be provided with the DEIS.

IMPACT ON THE COMMUNITY

The site plan is submitted in compliance to the IOC Zone. The permitted uses should not constitute a change in the character of the commercial corridor located along Route 52 and I-84. The project will provide jobs for local towns people and provide recreational activities and accommodations for a larger radius.

ROCK REMOVAL

The site has been graded with 10' vertical contours for simplicity. A 3D tin has been prepared to determine the extent of cut. While overburden is not known, a minimum of 5,000,000 cubic yards can be excavated. A tin will be provided depicting the extent of cut anticipated across the site.

The pad for the Truck Stop and Hotel/Recreation Complex has been separated since the uses are somewhat diverse. The excavation for each is separate as noted on the site plan. The intent is to create the truck stop and restaurant pads first and later create the access road to the hotels and recreation center area. The ponds proposed shall be utilized as sediment collection areas as the project continues. An independent traffic report shall be prepared for the truck trips required for material process movement off-site to the Route 84 corridor.

WATER

There are ten existing wells across the site. The intent is to abandon and cap off several of them. Once several of the wells have been tested again for pressure and the water tested for current health standard requirements, it will be determined which ones will be used for the required flow for the project. The water supply lines will join at the proposed water treatment building on the property and then be distributed to each of the buildings as they are developed.

SEPTIC

The site shall be serviced by a sewage treatment plant and subsurface sewage disposal system. Site testing has been completed with an area designated in compliance with Dutchess County Department of Health (DCDOH) regulations. The system will be designed in accordance with the NYCDEP and PCDOH regulations. This permit would be pending SEQR determination. The following are aspects of the onsite disposal.

Soils

A review of the overall site indicated that an extensive area at the north east corner contains Charlton Soils (CrC) which are between 8 and 15% slopes, well drained and deep to ledge (7'+). Since this is a commercial project slopes are permitted up to 20% for the septic area. The absorption areas selected are noted on the site plan and were identified during the deep testing of the site.

Design Reference

Submission will be based upon New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, dated March 6, 2014.

Each specific use is listed below and the corresponding septic effluent generation rate: reference page B18, 19 and 20.

Hotels per sleeping room:	110 gpd for new plumbing fixtures
(Add for banquet hall, restaurant, pool/spa or theater).	
Restaurants:	35 gpd per seat
	50 gpd per seat when open 24 hrs per day
Conference Center (Banquet Center):	10 gpd per seat
Truck Stop Use:	5 gpd per traveler (rest stop)
Restaurant seating:	75 gpd per seat for freeway restaurant
Recreational Facility:	10 gpd per patron
(similar to a swimming pool)	

Estimated Flows:

La Quinta: 104 rooms (110 gpd)	=	11,440 gpd
Radisson: 150 rooms (110 gpd)	=	16,500 gpd
Add for 100 Seat Hotel Restaurant (35 gpd)	=	<u>3,500 gpd</u>
Subtotal:		31,440 gpd
Truck Stop Use:		
Rest Area Toilets: 12 uses (76 spaces) (5gpd)	=	4,560 gpd
Food Court (100 seats)(75 gpd)	=	7,500 gpd
Indoor Water Park (Recreational Facility): (400 patrons/day) (10gpd)	=	4,000 gpd
Conference Center (50,000 sf) 250 seats x 5 halls = 1,250 seats (10gpd)	=	12,500 gpd
Total flow for all uses proposed:		60,000 gpd.
Reduction with water savings devices (80%)	=	<u>48,000 gpd</u>

The large disposal fields as noted on the site plan may require additional reductions.

The project intent is to use a water recycling system to store treated water for toilet flushing. Treatment for recycling would include charcoal filter, followed by sand filter and UV tertiary purification.

The sewage treatment plant would require a peak capacity of 50,000 gpd. The permit application is for 29,500 gpd for subsurface discharge with an additional 41,000 gpd in tanks available (which is equivalent to 2-days of storage) for flush water.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Route 52 Development		
Project Location (describe, and attach a general location map): Route 52, Kent, NY (TaxID:12.-1-52) (behind Dunkin Donuts – 1090 Route 52, Carmel, NY, opposite Kent Elementary School, opposite Farmer's Mills Rd)		
Brief Description of Proposed Action (include purpose or need): Development of Industrial/Office/Commercial zoned property of 137.26 acres on Route 52 as: Mixed use commercial project to include the following: <ul style="list-style-type: none"> • Radisson Red Hotel (150 rooms) • La Quinta Hotel (104 rooms) • A 50,000 sf Indoor Water Park • A 50,000 sf Convention Center • A truck stop with the following services: Country Store, Food Court, Service Area (to include restrooms, showers and lounge), Future Expansion Area, Tire Service, Fueling Area for Trucks, Outdoor Seating Area, and connecting sidewalk system. Refer to Statement of Use and Dwg SY1 for additional Zoning information as qualified. Includes private water supply, sewage treatment and disposal system.		
Name of Applicant/Sponsor: Peder W. Scott, P.E., PW Scott Engineering & Architecture, PC		Telephone: 845-278-2110
		E-Mail: pwscott2@comcast.net
Address: 3871 Danbury Rd		
City/PO: Brewster	State: NY	Zip Code: 10509
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Laurel Realty, LLC		Telephone:
		E-Mail:
Address: 23 Cartway Lane W		
City/PO: Bedford	State: NY	Zip Code: 10506

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board- Bonding approval	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Kent Planning Board-Site Plan Approval, Steep slope perm, Erosion Control, Special Permit	
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building Height, Signage	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Inland Wetlands	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Putnam County Health Dept- Sewage Permit, Well Permit, Putnam County Planning	
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYCDEP- Wetland Review, SWPPP, SSDS Review	
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC-Wetland Permit, SPDES-Sewage Discharge, NYSDOT-Rte52 Access, NYS SHIPO	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
<u>NYSDEC- the project will require an Notice of Intent</u>	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<u>The parcel is across Route 84 and northwest of Wonder Lake State Park. There are no impacts on the Wonder Lake State Park.</u>	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
Industrial Office Commercial (IOC)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Carmel

b. What police or other public protection forces serve the project site?
Town of Kent Police Dept.

c. Which fire protection and emergency medical services serve the project site?
Kent Volunteer Fire Department, Lake Carmel Fire Protection

d. What parks serve the project site?
Wonder Lake State Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed commercial use including: Hotel, Recreational, Food Service, and Truck Stop.

b. a. Total acreage of the site of the proposed action? 137.435 acres
 b. Total acreage to be physically disturbed? 60.9 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 137.435 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated 7
 • Anticipated commencement date of phase I (including demolition) 9 month 2018 year
 • Anticipated completion date of final phase 4 month 2024 year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
Phase 1- mining (2 years). The remaining individual proposed pads will depend on actual leases being negotiated and construction time for the individual projects.

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes,

- i. Total number of structures 6
- ii. Dimensions (in feet) of largest proposed structure: 35' height; 180 width; and 285 length
- iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No

If Yes,

- i. Purpose of the impoundment: Drainage Management- detention/infiltration basin
- ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
- iii. If other than water, identify the type of impounded/contained liquids and their source.
NA
- iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: .99 acres
- v. Dimensions of the proposed dam or impounding structure: 10' height; 100' length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Rock, earth fill

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No

If Yes:

- i. What is the purpose of the excavation or dredging? Excavate for site preparation
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 - Volume (specify tons or cubic yards): 5,466,321 CY
 - Over what duration of time? 2 years
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Gravel, to be dispersed off site: 5,466,321 CY. 5,623 CY to be used for fill.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. Rock material processed for off site disposal

- v. What is the total area to be dredged or excavated? 54.4 acres
- vi. What is the maximum area to be worked at any one time? 20 acres
- vii. What would be the maximum depth of excavation or dredging? 178 feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan:

The site is to be mined for rock to create pads for the erection of 2 hotels, a water park, a truck stop and a rest stop restaurant.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ 29,500 gallons/day with water recycling for toilet flush.

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
If Yes:

- Applicant/sponsor for new district: Project Developer
- Date application submitted or anticipated: TBD
- Proposed source(s) of supply for new district: New Wells

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____
On site wells & water treatment plant from DEIS

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ 150 gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 51,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary waste water to sewage treatment plant (29,500 gpd) to subsurface disposal area.)

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: Project Developer- On Site Sewage Plant
 • Date application submitted or anticipated: TBD
 • What is the receiving water for the wastewater discharge? Subsurface discharge

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):
Septic system for each building use. (Approximately 40,000 gal/day)

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
Potential water recycling system using a Zenon system (reducing effluent discharge by 50%)

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
858,700 Square feet or 19.7 acres (impervious surface)
5,986,669 Square feet or 137.435 acres (parcel size)
 ii. Describe types of new point sources. Parking areas, roads, new buildings

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
On site stormwater management facilities/structures and then to existing wetlands onsite

• If to surface waters, identify receiving water bodies or wetlands: _____
Croton Reservoir and watershed area

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
During preliminary phase for crushing and removal of gravel materials
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
Crushers
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
None

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • No Tons/year (short tons) of Carbon Dioxide (CO₂)
 • No Tons/year (short tons) of Nitrous Oxide (N₂O)
 • No Tons/year (short tons) of Perfluorocarbons (PFCs)
 • No Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • No Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • No Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): Sewage Treatment Plan: 500cf/day = 7430 tonnes
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): Combustion for heat

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):
Operation: Rock & excavation and grading rock particles, dust, diesel exhaust

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: 337
 iii. Parking spaces: Existing 0 Proposed 1,022 Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
Creation of 3 new road cuts. One boulevard entrance will access the hotel and water park site. Three road cuts for the truck stop entry and exit from US Rte 52

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
2.7 MWH @ 14 kwh/sf
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Grid/local utility sources
 iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	<u>7am to 5 pm</u>	• Monday - Friday:	<u>24 hours</u>
• Saturday:	<u>0</u>	• Saturday:	<u>24 hours</u>
• Sunday:	<u>0</u>	• Sunday:	<u>24 hours</u>
• Holidays:	<u>0</u>	• Holidays:	<u>24 hours</u>

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Building and parking lighting. Zero night sky lighting.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: Removal of tree cover. These will be replaced with vegetative buffers on completion of individual structures

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:
Dust and particulate matter when the mining operation is in place. Residential homes at the south end of the site. distance away from the area of rock removal is 1,300 ft

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored Petroleum Products for the truck stop
 ii. Volume(s) 800K per unit time Month (e.g., month, year)
 iii. Generally describe proposed storage facilities: Underground storage tanks

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: 12,000 tons per 10 hours (unit of time)
 • Operation: N/A tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Reuse of 11,246 tons of fill
 • Operation: NA
 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Sale of gravel from mining activities
 • Operation: Solid waste from commercial activities to be provided by a certified hauler to an approved disposal center. Recycling to be required at these commercial locations.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.0	19.7	+19.7
• Forested	128.46	69.66	-58.8
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0	6
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.5	2.2	+1.7
• Wetlands (freshwater or tidal)	5.1	5.1	0
• Non-vegetated (bare rock, earth or fill)	3.2	1.2	2.0
• Other Describe: lawn/Landscape _____	0	39.4	+39.4

137.26

137.26

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 0 + 8' feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 8 %

c. Predominant soil type(s) present on project site:

CrC	_____	43.5 %
CsD	_____	39.8 %
CIB	_____	4.0 %

d. What is the average depth to the water table on the project site? Average: _____ 3'-8' + feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 94.5 % of site
 Poorly Drained _____ 5.5 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 4.5 % of site A
 10-15%: _____ 94.5 % of site B
 15% or greater: _____ 5.5 % of site C/D

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name N/A Classification _____
- Lakes or Ponds: Name N/A Classification _____
- Wetlands: Name Local Wetlands Classification _____
- Wetland No. (if regulated by DEC) _____ Approximate Size _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:

Deer _____ Bats (IPaC Study) _____
Fox _____ Migrating Birds _____
Squirrels _____

n. Does the project site contain a designated significant natural community? Yes No
If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:
• Currently: _____ acres
• Following completion of project as proposed: _____ acres
• Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

Indiana Long Eared Bat
Brown Bat

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present?
i. If Yes: acreage(s) on project site? _____ Yes No
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
If Yes:
i. Nature of the natural landmark: Biological Community Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify resource: <u>Wonder Lake State Park</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State Park</u>	
iii. Distance between project and resource: _____ <u>0.7 miles</u> Across US Rte 84	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No	

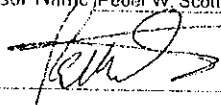
F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name: Peder W. Scott, P.E. Date: 1/26/18
 Signature:  Title: Engineer

PRINT FORM

Planning Kent

To: jmangarillo@rsaengrs.com; Bruce Barber (barberbruce@yahoo.com); Elizabeth Axelson
Subject: FW: Route 52 Development - ECP for septic area TM 12.-1-52
Attachments: doc04952220181105144401.pdf; ECP.11.2.18.pdf

FYI, this is in response to your note, Julie, on Friday to request info by today.

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

From: P.W. Scott Eng. & Arch. PC [<mailto:pwscott2@comcast.net>]
Sent: Monday, November 05, 2018 2:27 PM
To: Planning Kent
Subject: RE: Route 52 Development - ECP for septic area TM 12.-1-52

Vera,
Attached please find response to the Mangarillo Review.
Deed to follow from the attorney, it may not be today, as he is out of his office.
Melanie Ancin

From: Planning Kent [<mailto:planningkent@townofkentny.gov>]
Sent: Friday, November 2, 2018 11:12 AM
To: P.W. Scott Eng. & Arch. PC
Subject: FW: Route 52 Development - ECP for septic area TM 12.-1-52

Paula: Please find attached comments from Julie Mangarillo – she really needs a response by Monday if possible because next week is kind of messed up – the office is closed on Tuesday for election day, the site walk is next Friday and the meeting is next Thursday.

Also, even though I received the check for \$10,000 this week as I told you in my last note, the review account is in arrears by about \$400.00 and I just received another invoice for a traffic study for nearly \$3,000.00. Last night at the workshop we discussed replenishing the review account and based on the work the consultants have been doing they want another \$10,000.00 as soon as possible. I really hate this part of my job and hope you understand.

Thanks very much.

Vera Patterson
Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
845-225-7802 (T)

845-306-5283 (F)
planningkent@townofkentny.gov

From: jmangarillo@rsaengrs.com [<mailto:jmangarillo@rsaengrs.com>]
Sent: Friday, November 02, 2018 11:11 AM
To: Planning Kent
Subject: FW: Route 52 Development - ECP for septic area TM 12.-1-52

Vera,

Can you please follow-up with Peder Scott's office to expedite a response to the attached comments?

Thanks so much,
Julie

From: jmangarillo@rsaengrs.com <jmangarillo@rsaengrs.com>
Sent: Friday, October 5, 2018 4:51 PM
To: Kent Planning (planningkent@townofkentny.gov) <planningkent@townofkentny.gov>; 'Bruce Barber (barberbruce@yahoo.com)' <barberbruce@yahoo.com>; Liz Axelson (eaxelson@cplteam.com) <eaxelson@cplteam.com>
Subject: Route 52 Development - ECP for septic area TM 12.-1-52

Please see attached review memo regarding Route 52 Development's request for an erosion control permit for soil disturbance resulting from fallen trees for septic testing.

Vera – Please circulate to the Planning Board members and Peder Scott's office.

Thank you,
Julie

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

	P.W. Scott	pwscott2@comcast.net
	Engineering & Architecture, P.C.	www.pwscott.com
	3871 Route 6	(845) 278-2110
	Brewster, NY 10509	

November 2, 2018

Mr. Phil Tolmach, Planning Board Chairman
 Planning Board Members
 Town of Kent
 25 Sybils Crossing
 Kent, NY 10512
planningkent@townofkent.gov

Re: Route 52 Development
 TM# 12.-1-52
 Erosion Control Plan

Dear Mr. Tolmach and Planning Board Members,

The following is a response letter to the review by Julie Mangarillo, P.E., Rohde, Soyka and Andrews, subject – Erosion Control Plan, revision dated 8/1/18. It is numbered according to the comments.

1. Application Form
 - a. A more comprehensive description of relocation of tree materials is provided as an attachment to the application. The trees to be removed and stockpiled for later mulching are those along the trails noted on the plan. Trees outside these trails will be left in a natural state as would be the case in a storm event on an undeveloped property until such time that a development has been approved.
 - b. A copy of the Deed is to follow from the attorney.
 - c. An authorization letter is attached.
2. All testing has been completed at this time.
3. The construction entrance is labeled.
4. The lines have been labeled for clarification, the limit of proposed septic area, property line, limit of disturbance and the limit of cut and fill for proposed future site development which is pending.
5. The area of disturbance has been qualified by a poche on the trails as noted on the drawing and a note has been added to the symbol key description.
6. "Erosion Control Notes" #2 has been updated and Note #8 has been added to address this comment.
7. The removal of tree fall due to storm events is not a permitted activity. It is maintenance of an undeveloped property. And at this time there are no approvals for the use requiring land clearing and therefore it will be left in its' natural state until a permit has been issued for construction of the property. It is the intent of the applicant to leave the tree fall piles as presently stabilized on the site pending approval and development of this project. Should the project not be approved the trees shall remain as they have fallen in the forest.
8. A pdf. has been provided to the town of the revised ECP drawing, dated 11/2/18.
9. Comment acknowledged.

Please accept this response letter for the file.

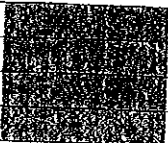
With regards,

Peder Scott

Peder Scott, P.E., R.A.
 President

cc: Mike Caruso, Esq., mycarusolaw@gmail.com

ARCHITECTURE * ENGINEERING * SITE PLANNING

	P.W. Scott	
	Engineering & Architecture, P.C.	pwscott2@comcast.net
	3871 Route 6	www.pwscott.com
	Brewster, NY 10509	(845) 278-2110 FAX (845) 278-2166

Route 52 Development
Kent, NY

11/5/18

Tree Removal Plan

1. Fallen trees to remain in place until project approvals are received.
2. Once approvals are granted, existing trees which have fallen shall be mulched in place through the use of large scale chipping equipment since the fallen trees are contaminated with rock and soil. Chipped material shall be stored in drying beds along the upper section of the septic area. Beds shall be 10' wide x 20' long.
3. Any standing lumber shall be harvested if over 8" diameter.
4. Tree branches and remaining trees shall be chipped.

LAUREL REALTY, LLC
23 Cartway Lane West
Bedford, NY 10506

January 18, 2018

By Electronic Mail and Hand Delivery
Town of Kent Planning Board
25 Sybil's Crossing
Kent Lakes, New York 10512
Attn: Vera Patterson, Clerk

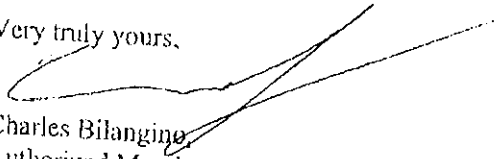
Re: Application for site plan review for Route 52 site development;
Real property identified on Kent Assessment Roll as 12.-1-52 (the "Premises")

Dear Chairman Tolmach and Planning Board Members:

Laurel Realty, LLC is the record owner of the Premises, which is the subject of the above-referenced application. Laurel is in contract with Tejpal Sandhu to purchase the Premises subject to obtaining the requisite municipal approvals. He has engaged P.W. Scott Engineering and Architecture, P.C. for architecture, engineering, and site planning services, in addition to Michael V. Caruso as his attorney of record for this project. Both are copied on this transmittal.

This shall serve as an authorization for Tejpal Sandhu to submit site plan application and appear before the Planning Board to review his proposed uses of the Premises. Mr. Sandhu and I regularly communicate and I have already attended preliminary Town meetings addressing this project.

Very truly yours,


Charles Bilangino
Authorized Member

cc: Tejpal Sandhu (via electronic mail)
P.W. Scott Engineering and Architecture, P.C. (via electronic mail)
Michael V. Caruso, Esq. (via electronic mail)

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

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

RESOLUTION 17
FOR
CONNOLLY PROPERTY
Year 2018

Date: November 8, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor- w/Att. Bill Huestis, Deputy Supervisor
Paul Denbaum Christine Woolley
CC: W. Walters, Building Inspector - w/Att
Tamara Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att
Finance Department - w/Att
N. Tagliaferro. - w/Att.
Re: Request to Return Review fees to:
Britt Connolly
8 Grasslands Road
Kent, NY
TM: 33.73-1-53 & 54

Resolved: On November 8, 2018, the Kent Planning Board reviewed a request from Mr. & Mrs. Connolly to release their review fees for this property.

Mr. Tolmach asked for a motion to ask the Town Board to release the review fees. The motion was made by Simon Carey and seconded by Giancarlo Gattucci. The roll call votes were as follows:

The roll call votes were as follows:

Philipp Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Sincerely,



Vera Patterson, Secretary
Kent Planning Board

Planning Kent

From: Britt Connolly [brynnbaby123@yahoo.com]
Sent: Wednesday, October 17, 2018 9:44 AM
To: Planning Kent
Cc: Tom Connolly
Subject: Re: Connolly Oct Inv.
Attachments: Connolly Oct 2018 Inv.pdf
Categories: Red Category

Hi Vera, please refund the funds in our review account. Thank you.

Britt Connolly
845.225.0568

On Tuesday, October 16, 2018, 2:56:52 PM EDT, Britt Connolly <brynnbaby123@yahoo.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Planning Kent <planningkent@townofkentny.gov>
Date: October 16, 2018 at 1:05:38 PM EDT
To: Britt Connolly <brynnbaby123@yahoo.com>
Subject: Connolly Oct Inv.

The check for your bond has been processed and you can pick it up on Thursday.

Vera Patterson

Kent Planning Board

25 Sybil's Crossing

Kent, NY 10512

845-225-7802 (T)

845-306-5283 (F)

planningkent@townofkentny.gov

Connolly Property 33.73-1-53,54

Date		Deposits	Fees	Balance
1/23/2017	Check #1022			
3/13/17	Cornerstone - Feb 2017	1,000.00		1,000.00
3/30/17	Ck. 154 Rev./Bond \$4,082 given)		(500.00)	500.00
01/23/18	Rohde - 29657-864	1,000.00		1,500.00
10/08/2018	Rohde 29657-1285		(67.50)	1,432.50
10/18/18	Rohde 29657-1351		(129.34)	1,303.16
			(162.00)	1,141.16

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

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

RESOLUTION 16
FOR
HOWLES PROPERTY
Year 2018

Date: November 8, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor- w/Att. Bill Huestis, Deputy Supervisor
Paul Denbaum Christine Woolley
CC: W. Walters, Building Inspector - w/Att
Tamara Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att
Finance Department - w/Att
N. Tagliaferro.
Re: Request to Return Review Fees for:
Daniel Howles
5 Rockwood Road
Kent, NY 10512
TM: 33.51-1-10

Resolved: On November 8, 2018, the Kent Planning Board reviewed a request from Mr. & Mrs. Howles to release their review fees for this property.

Mr. Tolmach asked for a motion to ask the Town Board to release the review fees. The motion was made by Dennis Lowes and seconded by Stephen Wilhelm. The roll call votes were as follows:

Philipp Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Sincerely,

Vera Patterson, Secretary
Kent Planning Board

Planning Kent

From: Elizabeth Howles [dlhowles88@gmail.com]
Sent: Friday, October 19, 2018 12:40 PM
To: Planning Kent
Subject: Re: Kent Planning Board Agenda

Hi Vera,

As per our conversation yesterday you said that I should send you a reminder email to receive the review funds back. I don't remember if I needed to send you the reminder email now or later. Please let me know.

Thank you,
Elizabeth Howles

On Thu, Oct 18, 2018 at 9:15 AM Elizabeth Howles <dlhowles88@gmail.com> wrote:
Thank you so much. I will be by today to get it. What time will you be in the office.

Lisa

On Oct 18, 2018, at 8:20 AM, Planning Kent <planningkent@townofkentny.gov> wrote:

I have your check here in my office – I was off yesterday and it was in my mail today, so you can stop by today or tomorrow to pick it up if you want.

Vera Patterson

Kent Planning Board

25 Sybil's Crossing

Kent, NY 10512

845-225-7802 (T)

845-306-5283 (F)

planningkent@townofkentny.gov

Howles/Daniel Sr.&Elizabeth - TM#31.51-1-10

Date		Deposits	Fees	Balance
02/13/04	Rec. #2243 - Ck#3376, 2/11/04	175.00		175.00
03/05/04	Rec.#2253 - Ck#3392, 2/25/04	175.00		350.00
04/27/04	Ck#12469 Rohde 1/31-2/27/04 V#1		(86.25)	263.75
04/27/04	Ck#12469 Rohde 2/28-3/26/04 V#2		(115.00)	148.75
05/11/04	Rec.#2298 - Ck#3426, 3/18/04	113.00		261.75
				261.75

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

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

RESOLUTION 18
FOR
MURTAUGH PROPERTY
Year 2018

Date: November 8, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att. Bill Huestis, Deputy Supervisor
Paul Denbaum Christine Woolley
CC: W. Walters, Building Inspector - w/Att. Finance Department - w/Att.
Tamara Harrison - w/Att. N. Tagliaferro - w Att.
L. Cappelli, Town Clerk - w/Att.
Re: Request to Accept an Erosion Control Bond
John Murtaugh 1250 Peekskill Hollow Road
Kent, NY 10512
For Property located at:
1144 Peekskill Hollow Road
Kent, NY 10512
TM: 42.02-2-51

Resolved: On September 27, 2018 the Kent Planning Board reviewed material submitted by Mr. John Murtaugh, the owner of the property mentioned above. This project pertains to construction of a single-family residence and an Erosion Control Bond in the amount of \$6,138.00. Attached is supporting documentation for this project as well as the following checks:

Wells Fargo Bank Check 1201 in the amount of \$480.00 and Wells Fargo Bank Check 6788803073 in the amount of \$5,658.00.

Mr. Tolmach asked for a motion to recommend to the Town Board that this Erosion Control Bond be accepted. The motion was made by Mr. Wilhelm and seconded by Mr. Gattucci. The roll call votes were as follows:

Philipp Tolmach, Chairman	<u>Aye</u> _____
Simon Carey	<u>Aye</u> _____
Giancarlo Gattucci	<u>Aye</u> _____
Dennis Lowes	<u>Aye</u> _____
Charles Sisto	<u>Aye</u> _____
Stephen Wilhelm	<u>Aye</u> _____

The motion carried.

The Planning Board would appreciate it very much if this matter could be placed on the next Town Board meeting.

Sincerely,



Vera Patterson, Secretary
Kent Planning Board

John J Murtagh
Kalsu Murtagh
1250 Peekskill Hollow Rd
Carmel NY 10512

1 Nov 2018

www.Chief.com

PAY TO the order of Town of Kent \$ 480
four hundred + eighty ⁰⁰/₁₀₀ Dollars

Wells Fargo

Memo Erosion Control Bond John Murtagh

⑆0 260 1 288 1⑆ 1030000729978⑈ 1201

RECEIPT		DATE <u>Nov. 1, 2018</u>	No. <u>373566</u>
RECEIVED FROM <u>J. Murtagh</u>		\$ <u>480.00</u>	
<u>Five Thousand Six Hundred fifty eight and 00/100</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>2nd Part of E/C Bond T.M. 42.02-2-51</u>			
ACCOUNT		<input type="radio"/> CASH	<u>678.8803073</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V.P. Attner</u> TO <u>J. Murtagh</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

RECEIPT DATE Nov. 1, 2018 No. 373565

RECEIVED FROM J. Murtagh \$ 480.00

Four Hundred Eighty and 00/100 DOLLARS

FOR RENT
 FOR Part of E/B Bond - TM: 42.02-2-51

ACCOUNT		<input type="radio"/> CASH	<u>1201</u>
PAYMENT		<input checked="" type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	

FROM V. Patters TO J. Murtagh

BY _____

0067888 11-24
 Office AU # 1210(8)

Remitter: JOHN J MURTAGH
 Purchaser: JOHN J MURTAGH
 Purchaser Account: 1010031329655
 Operator I.D.: ny001573
 Funding Source: Electronic Items(s), Paper Items(s)

CASHIER'S CHECK

SERIAL #: 6788803073
 ACCOUNT#: 4861-513604

PAY TO THE ORDER OF *****TOWN OF KENT*****

October 25, 2018

*****Five thousand six hundred fifty-eight dollars and no cents*****

****\$5,658.00****

Payee Address:
 Memo:

WELLS FARGO BANK, N.A.
 259 ROUTE 52
 CARMEL, NY 10512
 FOR INQUIRIES CALL (480) 394-3122

NOTICE TO PURCHASER—IF THIS INSTRUMENT IS LOST, STOLEN OR DESTROYED, YOU MAY REQUEST CANCELLATION AND REISSUANCE, AS A CONDITION TO CANCELLATION AND REISSUANCE, WELLS FARGO & COMPANY MAY IMPOSE A FEE AND REQUIRE AN INDEMNITY AGREEMENT AND BOND.

VOID IF OVER US \$ 5,658.00

NON-NEGOTIABLE

Purchaser Copy

FB004 M4203 80078634

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW. FOR ADDITIONAL SECURITY FEATURES SEE BACK.

CASHIER'S CHECK

6788803073

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 Office AU # 1210(8)

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VOID IF OVER US \$ 5,658.00

Richard Levy
 CONTROLLER

⑈ 6788803073 ⑈ ⑆ 121000248⑆ 4861 513604 ⑈

Security Features Included. Details on Back.



**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: Phil Tolmach
Chairman

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

Subject: Subdivision

Date: September 27, 2018

Project: Murtagh Subdivision –
Peekskill Hollow Rd
TM # 42.-2-51

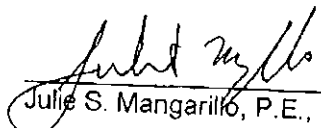
The following materials were reviewed:

- Letter prepared by Badey & Watson Surveying & Engineering, P.C, dated 8/9/2018 in response to engineer consultant comments.
- Deed
- Draft Declaration of Easement
- "Subdivision Plat Prepared for John Murtagh," prepared by Badey & Watson Surveying & Engineering, P.C., revised August 9, 2018
- "Erosion & Sediment Control Plan," prepared by Badey & Watson Surveying & Engineering, P.C., revised Aug 9, 2018
- "Wetlands Mitigation Plan," prepared by Badey & Watson Surveying & Engineering, P.C., revised August 9, 2018

The project proposes subdivision of an existing 17 +/- acre lot into two (2) lots. There is an existing house, driveway, septic and out buildings.

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

1. 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. – **Acknowledged.**
2. Provide Health Department approvals when available. – **Acknowledged.**
3. We defer to the Planning Board's environmental consultant regarding wetland issues.
4. We defer to the Planning Board's planning consultant regarding subdivision and zoning issues.
5. A bond estimate of \$6,138.00 is included on the "Erosion & Sediment Control Plan" prepared by Badey & Watson. We recommend this amount be accepted for the erosion control bond amount and recommended for approval by the Town Board.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
Liz Axelson, AICP via email

Bruce Barber via email
18-261-245

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

John Murtaugh
1250 Peekskill Hollow Road
Carmel, NY 10512
For property located at
1144 Peekskill Hollow Road
Tax Map: 42.02-2-51

Erosion Control Bond given by **JOHN MURTAUGH**, whose property is located at 1144 Peekskill Hollow Road/Tax Map: 42.02-2-51, 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

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$5,658.00, 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 "Murtaugh Residence" ("Project Plans") and the Erosion and Sediment Control Plan, prepared by Jason Snyder, CPESC, Project Engineer **BADEY & WATSON Surveying & Engineering, P. C.**, 3063 U.S. Route 9, Cold Spring, NY 10516 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 a surety bond from Western Surety Company, in the amount of \$5658.00 as a performance guarantee and a check 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:

Bond in the amount of \$5,658.00 from John Murtaugh and an Official Bank Check drawn upon Wells Fargo and delivered to the Town of Kent Planning Board Clerk on 25 Oct 18, 2018.

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 surety bond and 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 **John Murtaugh**;
4. In the event the erosion control work allowed shall not have been duly completed by **John Murtaugh** 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 **John Murtaugh** 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 **John Murtaugh** 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 **John Murtaugh**.
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 **John Murtaugh**.

Dated: 25 Oct, 2018

JOHN MURTAUGH

By: [Signature]
(signature)

JOHN MURTAUGH

(print/type signatory's name)

John Murtaugh

Owner/Obligee

owner.

(print/type signatory's title)

STATE OF New York)

COUNTY OF Putnam)) ss.:

On the 25 day of October, 2018, before me, the undersigned, a notary public in and for said state, personally appeared John J. Murtaugh, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
NOTARY PUBLIC

John Murtaugh

[Signature]
(signature)

Owner
(print/type signatory's title)

LINDA J BRHAM
NOTARY PUBLIC STATE OF NEW YORK
PUTNAM COUNTY
LIC. #01BR6361056
COMMISSION EXPIRES 07-03-2021

STATE OF New York)

COUNTY OF Putnam)) ss.:

ATTN: VERA

Town of Kent Planning Board Resolution of
SEQRA Negative Declaration; and Approvals with Conditions
for Subdivision; Wetland; and Erosion Control
for Murtagh Subdivision
September 27, 2018

JOHN MURTAGH

Be It Further Resolved, that these subdivision, freshwater wetland and steep slope and erosion control plan approvals are expressly conditioned on the completion of the compliance with the following:

1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated September 27, 2018. *NO COMMENTS TO ADDRESS*
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated September 27, 2018. *NO COMMENTS TO ADDRESS*
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated September 21, 2018. *NO COMMENTS TO ADDRESS*
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan. *APPROVED*
5. Obtain the approval of the Putnam County Department of Health for the individual sewage disposal and water supply system for lot 2. *APPROVAL VERA HAS A COPY*
6. Obtain all required approvals from the New York City Department of Environmental Protection. *APPLICATION IS COMPLETE VERA HAS COPY BEING PUT ON TO PAPER NOW*
7. Obtain all required approvals from the New York State Department of Environmental Conservation. *VERA HAS COPY.*
8. Obtain the approval of the Town of Kent Highway superintendent for the design of the proposed residential driveway curb-cut, including associated storm water management facilities. *VERA HAS COPY HAVE PRE-APPROVAL WILL GET ROAD APPROVAL AFTER MAP SIGNED*
9. Certification by the Planning Board's Attorney that the submitted Declaration of Easement for a twenty-five foot (25') wide Access and Utility Easement running from Peekskill Hollow Road over lot 1 to in favor of lot 2 is acceptable as to form and sufficiency. *PER VERA THIS IS DONE*
10. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board. *PAID.*
11. Payment of an inspection fee for the Steep Slope and Erosion Control Permit. *PAID*
12. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application. *PAID*
13. Payment of a recreation fee in lieu of land for the one new residential lot in an amount as set by the Town Board. *?*

*Town of Kent Planning Board Resolution of
SEQRA Negative Declaration; and Approvals with Conditions
for Subdivision; Wetland; and Erosion Control
for Murtagh Subdivision
September 27, 2018*

14. The conditional final subdivision approval shall expire within one hundred eighty (180) day of the date of this resolution unless each condition as stated herein has been certified as completed. Said conditional approval shall thereafter expire unless otherwise extended by the Planning Board after receipt of a written request of the applicant prior to the date of expiration.

15. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Final Subdivision Approval; and Freshwater Wetland and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

Motion:	<u>Stephen Wilhelm</u>
Second:	<u>Simon Carey</u>
Phil Tolmach, Chairman	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Simon Carey	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on September 27, 2018.


Vera Patterson, Clerk
Town of Kent Planning Board

**New York State Department of Environmental Conservation
Division of Environmental Permits**

NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY 12561
(845) 256-3054



October 22, 2018

JOHN MURTAGH
1250 PEEKSKILL HOLLOW RD
KENT LAKES, NY 10512

Re: DEC ID # 3-3722-00241/00001
MURTAGH RESIDENCE

Dear Applicant :

Please be advised that your application for a DEC permit(s) is complete and a technical review has commenced. Notice and the opportunity for public comment is required for this application. Enclosed is a Notice of Complete Application for your project. Please have the Notice published in the newspaper identified below once during the week of 10/22/2018 on any day Monday through Friday.

The official newspaper of the Town (City) of KENT.

Contact the Town (City) Clerk's office to confirm the official newspaper.

On the Notice of Complete Application, that information presented between the horizontal lines, on the enclosed page(s) should be published. Do not print this letter or the information contained below the second horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper.

Notification of this complete application is also being provided by this Department in the NYSDEC Environmental Notice Bulletin.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary to reach a decision on your application. Your project is classified major under the Uniform Procedures Act. Accordingly, a decision is due within 90 days of the date of this notice unless a public hearing is held, which may extend this time frame. If a public hearing is necessary, you will be notified.

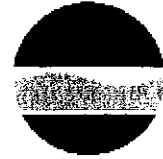
If you have any questions please contact me at the above address or phone number above.

Sincerely,

Victoria Lawrence

VICTORIA A LAWRENCE
Division of Environmental Permits

THIS IS NOT A PERMIT



**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 10/22/2018

Applicant: JOHN MURTAGH

Facility: MURTAGH RESIDENCE
1144 PEEKSKILL HOLLOW RD
KENT LAKES, NY 10512

Application ID: 3-3722-00241/00001

Permits(s) Applied for: 1 - Article 24 Freshwater Wetlands

Project is located: in KENT in PUTNAM COUNTY

Project Description:

The applicant proposes to disturb a portion of the 100-foot Adjacent Area of NYS Freshwater Wetland OL-37 (Class I) to construct a driveway to a single family residence located outside of the regulated Wetland areas. Activities proposed within the Adjacent Area include excavation, fill, and grading. The total area of disturbance to the 100-foot Adjacent Area is 0.05-acre; no disturbance is proposed within the Freshwater Wetland. The project is located at 1144 Peekskill Hollow Road, in the Town of Kent, Putnam County.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was performed.

SEQR Lead Agency Kent Town Planning Board

State Historic Preservation Act (SHPA) Determination

Cultural resource lists and maps have been checked. The proposed activity is not in an area of identified archaeological sensitivity and no known registered, eligible or inventoried archaeological sites or historic structures were identified or documented for the project location. No further review in accordance with SHPA is required.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 11/08/2018 or 15 days after the publication date of this notice, whichever is later.

Contact Person

VICTORIA A LAWRENCE
NYSDEC
21 S Putt Corners Rd
New Paltz, NY 12561

CC List for Complete Notice

Jason Snyder, Badey & Watson
Town of Kent Planning Board
Kelly McKean, NYSDEC
ENB