

**TOWN OF KENT
TOWN BOARD MEETING
Tuesday, October 22, 2019**

Executive Session – 6:00 p.m.

to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Public Hearing – 7:00 p.m.

Zoning Code change for building height in IOC

Workshop

1. Pledge of Allegiance
2. Proposed Mining Legislation
3. Climate Smart Initiative – Anne Balant-Campbell, CAC
4. Stop signs on Putnam Drive
5. Stop sign at Tilly Foster Court
6. Lake Carmel Park District – tree quotes
7. Recreation – tree quotes for pruning and tree cutting at Edward Ryan Memorial Park
8. Planning Board – NYCDEP Letter in lieu of Erosion Control Bond for TM# 333.-1-44, 45 and 33.6-1-71, accept bonds for TM# 32.06-1-1 and TM# 31.9-1-6
9. Set date for Budget Hearing
10. Code Enforcer – correct violations at TM# 33.58-1-34, TM# 33.72-1-36, TM# 33.74-2-49, TM# 22.50-2-2, TM# 33.35-1-44, TM# 22.-2-15, TM# 31.5-1-8
11. Announcements
12. Public Comment

Meeting

1. Roll Call
2. Vote on the following:
 - a. Climate Smart Initiative
 - b. Stop sign at Tilly Foster Court
 - c. LCPD tree quotes
 - d. Recreation tree quotes
 - e. Accept letter in lieu of Erosion Control Bond for TM# 333.-1-44, 45 and 33.6-1-71
 - f. Accept Erosion Control Bond, Wetland Mitigation Plan, and Inspection Fees for TM# 32.06-1-1
 - g. Accept Erosion Control Bond and Inspection Fees for TM# 31.9-1-6
 - h. Set date for Budget Hearing
 - i. Correct violations at TM# 33.58-1-34, TM# 33.72-1-36, TM# 33.74-2-49, TM# 22.50-2-2, TM# 33.35-1-44, TM# 22.-2-15, TM# 31.5-1-8
3. Vouchers and Claims
4. Correspondence
5. Public comment

BE IT RESOLVED, that an amendment to the Kent Town Code Chapter 77, Article VII regarding permitted uses in the IOC Zoning District is hereby introduced as Local Law # ____ of the year 2019 before the Town Board of the Town of Kent in the County of Putnam State of New York, and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Amendment, which is attached hereto, be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said proposed Amendment at the Town Hall, in the Town of Kent, New York at 7:00 o'clock P.M. on October 22, 2019, and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Kent of said public hearing at lest ten (10) day prior thereto

TOWN OF KENT
AMENDEMENT TO
CHAPTER 77
OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York as follows:

Section 1. Chapter 77, Article VII regarding "Industrial -Office-Commercial District" shall be amended to read as follows:

ARTICLE VIII
Industrial-Office-Commercial District

§ 77-24. Purpose and permitted uses.

This district is designed to provide areas for medium- to large-scale commercial establishments that are capable of functioning independently of intensive pedestrian traffic and proximity to other firms. These uses typically require direct vehicular access to and visibility from a major arterial highway and collector road. In an IOC District, no building or premises shall be used and no building shall hereinafter be erected, altered or added to unless otherwise provided in this chapter, except for one or more of the following uses:

- A. Principal permitted uses. (*) indicates a use that is also subject to Planning Board site plan approval pursuant to § 77-60 of this chapter.
- (1) (*) Animal hospital, clinic, veterinary office, no kennel or boarding facilities, no crematorium.
 - (2) (*) Art gallery, community center.
 - (3) (*) Bakery, retail, wholesale, no drive-in or drive-through.
 - (4) (*) Bank or financial services.
 - (5) (*) Bowling alleys.
 - (6) (*) Club, health and fitness.
 - (7) (*) Commercial recreation facility.
 - (8) (*) Conference facility.
 - (9) (*) Country clubs.
 - (10) (*) Delicatessen, no drive-in or drive-through.
 - (11) (*) Eleemosynary institutions (other than correctional institutions, drug rehabilitation centers or institutions for the insane, but excluding administrative headquarters or branch office buildings thereof), subject to the following requirements:
 - (a) The minimum lot area shall be five acres.
 - (b) No building or part thereof or any parking or loading area shall be located within 150 feet of any street or lot line.
 - (12) (*) Fraternal clubs, membership clubs, recreational clubs.
 - (13) (*) Funeral homes; no crematorium.
 - (14) (*) Golf courses.
 - (15) (*) Hospitals authorized by the Department of Health of the State of New York, excluding hospitals with facilities for correctional purposes, subject to the following requirements:
 - (a) The minimum lot area shall be five acres.
 - (b) No building or part thereof and no parking or loading area shall be located within 150 feet of any street or lot line.

- (16) (*) Hotel, motel, inns.
- (17) (*) Kennel, provided:
 - (a) The minimum lot area is three acres.
 - (b) No dog kennel, runway or exercise pen shall be located within 150 feet of any lot line.
- (18) (*) Laundry, laundromat, dry cleaner.
- (19) (*) Indoor theater.
- (20) (*) Industrial and manufacturing uses.
- (21) (*) Industrial park.
- (22) (*) Motor vehicles sales, rental and service, with or without accessory repair facilities, subject to the following requirements:
 - (a) Entrance and exit driveways shall have an unrestricted width of not less than 12 feet and shall be so laid out as to avoid the necessity of any vehicle backing out into any public right-of-way.
 - (b) Vehicle lifts or pits, dismantled vehicles and all parts and supplies shall be located within a building enclosed on all sides.
 - (c) All services or repair of motor vehicles shall be conducted in a building enclosed on all sides. This requirement shall not be construed to mean that the doors to any repair shop must be kept closed at all times.
 - (d) Gasoline or flammable oils in bulk shall be stored fully underground, not nearer than three feet to any street line or 10 feet to any other lot line.
 - (e) No commercial sale of gasoline shall be permitted, nor shall any pump be located in a front or side yard.
 - (f) No inoperative or partially dismantled automobile shall be stored on the premises for more than 90 days. All such vehicles shall be screened from view.
- (23) (*) Museums.
- (24) (*) Nurseries, greenhouses and vegetable stands.
- (25) (*) Nursery schools, family day-care home, or day-care centers subject to § 77-34.5 of this chapter.
- (26) (*) Office for business, professional and medical use.
- (27) (*) Office park.
- (28) (*) Outdoor recreation, including miniature golf courses, archery ranges, driving ranges and skating rinks.
- (29) (*) Personal service business, no drive-through.
- (30) (*) Places of religious worship.
- (31) (*) Public utility structures.
- (32) (*) Restaurant, no drive-through.
- (33) (*) Retail business, no drive-through.
- (34) (*) Service business, no drive-through.

- (35) (*) Shopping center.
 - (36) (*) Supermarket, grocery store.
 - (37) (*) Swimming pool and pool accessory sales.
 - (38) (*) Veterinary office, clinic, no crematorium.
 - (39) (*) Warehouse, storage and distribution facility.
 - (40) (*) Wholesale, indoor storage and warehousing establishments, but excluding trucking terminals and the storage of coal, coke and fuel oil.
- B. Permitted accessory uses. (*) indicates a use that is also subject to Planning Board site plan approval pursuant to § 77-60 of this chapter.
- (1) (*) Off-street parking and loading in accordance with the provisions of Article XI of this chapter.
 - (2) (*) Streets, roads, driveways, utilities, and infrastructure subject to § 77-6D.
 - (3) (*) Accessory signs in accordance with the provisions of Article X of this chapter.
 - (4) Satellite antennas which receive and/or transmit, are less than two meters in maximum diameter, and which do not produce or contribute to the production of emission levels exceeding the emission standards adopted, from time to time, by the FCC, based on the maximum equipment output.
 - (5) (*) Other customary accessory uses.
- C. Special uses permitted subject to the approval by the Planning Board in accordance with the provisions of § 77-59 of this chapter. (*) indicates a use that is also subject to Planning Board site plan approval pursuant to § 77-60 of this chapter.
- (1) (*) Adaptive reuse of existing residential structure for nonresidential office use.
 - (2) (*) Adult business use subject to § 77-44.2 of this chapter.
 - (3) (*) Communication facilities subject to the following requirements:
 - (a) The communication facility may be located on a lot occupied by a principal use provided that the lot area is no less than the minimum lot area set forth below.
 - (b) The maximum height of any communication tower shall not exceed 150 feet.
 - (c) For the purposes of calculating maximum lot coverage, coverage by a communication tower shall include the outer rectangular area drawn about the perimeter of the tower's base and any anchoring (such as guy wires), and any support foundation for the tower and ground-mounted equipment.
 - (d) For a communication tower with a height of 80 feet or less, no part thereof shall be located within a distance

equal to the height of the communication tower, plus the minimum yard area requirements set forth below, of any street or lot line.

- (e) For a communication tower with a height in excess of 80 feet, no part thereof shall be located with a distance equal to twice the height of the communication tower of any street or lot line.
- (f) All communication facilities shall be subject to the additional supplementary use requirements and standards set forth in § 77-44.1 of this chapter.
- (4) (*) Contractor business office with or without accessory contractor yard.
- (5) (*) Motor vehicle repair shop, motor vehicle service station, with or without convenience store, with or without car wash and commercial garage subject to the following requirements:
 - (a) Exterior storage or display of materials and materials offered for sale is prohibited.
 - (b) No building permit shall be issued for any such establishment within a distance of 500 feet of any school, public or private, religious institution, hospital, library, park, nursing home, extended-care facility, alternate care housing, or any similar institution or other place of public assembly designed for occupancy by more than 50 persons, said distance to be measured in a straight line along or across a street between the nearest points of each of the lots or premises, regardless of the district where either premises is located.
 - (c) Entrance and exit driveways shall have an unrestricted width of not less than 12 feet nor more than 20 feet, shall be located not nearer than 10 feet to any lot line and shall be so laid out as to avoid the necessity of any vehicle backing into any public right-of-way.
 - (d) Vehicle lifts or pits, dismantled automobiles, all parts or supplies, goods, equipment, materials, refuse, garbage or debris shall be located within a building enclosed on all sides.
 - (e) No inoperative or partially dismantled automobile shall be stored on the premises for more than 90 days. All such vehicles shall be screened from view.
 - (f) All service or repair of motor vehicles shall be conducted in a building enclosed on all sides. This requirement shall not be construed to mean that the doors to any repair shop must be kept closed at all times.

- (g) Gasoline or oils in bulk, including waste oil, shall be stored fully underground not nearer than three feet to any street line or 10 feet to any other lot line, and the top of the tank shall be not less than two feet below the surface of the ground.
- (h) Gasoline pumps, lubrication equipment and other devices shall be located not nearer than 20 feet from any street or other lot line.
- (i) Signage shall conform to the provisions of § 77-37. In addition, the following signs shall also be permitted:
 - [1] Signs advertising for each grade of gasoline, the sales price and taxes with an area not exceeding 12 inches wide by 12 inches in height posted so as to be clearly visible to motor vehicle drivers shall be permitted on each pump.
 - [2] Each pump may also be marked with the brand name and quality of gasoline, with such sign not exceeding 24 inches square. In the case of self-service gasoline pumps, not more than one sign with an area of not more than 10 square feet shall be permitted on each side of each pump island for instructional purposes and identification of self-service.
- (j) If a car wash is involved, the following restrictions shall apply:
 - [1] Lot size shall be a minimum of two acres, and such lot shall have street frontage of at least 200 feet.
 - [2] All washing and machine-drying operations shall be conducted within a structure.
 - [3] No washing, vacuuming, steam-cleaning, waxing, polishing nor machine-drying operation, nor building within which such operations are conducted, shall be permitted within 100 feet of a residential building located in a residence district.
 - [4] All entrance and exit lanes and parking areas shall be surfaced with an asphaltic or portland cement pavement so as to provide a durable and dustless surface and shall be so graded and drained as to dispose of all drainage water therein in a manner that does not adversely impact adjacent properties, uses and abutting roadways.
 - [5] Exit drives for new facilities shall be designed to avoid the accumulation of water on the surface normally traversed by exiting vehicles. The exit drive shall have a minimum length of 150 feet located past the wash facility structure and incorporate speed bumps

Designed to shake the vehicle sufficiently to remove
As much wash water as possible prior to the vehicle's
Exiting the site

- (6) (*) Personal service business, with drive-through.
- (7) (*) Restaurant, with drive-through.
- (8) (*) Retail business, with drive-through.
- (9) (*) Service business with drive-through.
- (10) (*) Truck terminal.

(11) (*) Buildings greater than three stories or 40 feet in height not exceeding 5 stories or 60 feet in height.

S. 77-25. Lot and bulk requirements

- A. The minimum lot area shall not be less than 60,000 square feet.
- B. The minimum lot width, measured at the street line, shall not be less than 200 feet.
- C. The minimum highway frontage shall not be less than 200 feet as measured along a single unbroken linear length at the street line.
- D. The maximum building coverage shall not exceed 50% of the total lot area.
- E. The maximum impervious surface coverage shall not exceed 75% of the total lot area.
- F. Minimum yards. Yards shall have the following minimum setbacks.
 - (1) Front yard: 40 feet.
 - (2) Each side yard: 20 feet.
 - (3) Rear yard: 40 feet.
- G. Minimum distance from accessory building or uses, including off-street parking and loading, to any property line shall not be less than 25 feet.
- H. Maximum building height is
 - (1) three stories or 40 feet, or
 - (2) five stories or 60 feet pursuant to S. 77-24 (C) (11)
- I. Each lot shall be a buildable lot as set forth in S. 77-34.3.

Chapter 77, A new article to be added to the Town Code:

ARTICLE VIIC

§77-26. 11. Definitions.

ABANDONMENT

The discontinuance of use by not performing the normal functions associated with the mining operation for an eighteen-month period.

AFFECTED AREA

The sum of that surface area of land or land under water which is to be disturbed by the mine.

EXCAVATION

The permanent removal of overburden and minerals, as defined herein, from the ground in the affected area.

HAULAGEWAY

All roads utilized for mining purposes, together with that area of land over which material is transported that are located within the permitted area.

MINE

Any excavation from which a mineral is to be produced for sale or exchange, or for commercial, industrial or municipal use; all haulageways and all equipment above, on or below the surface of the ground used in connection with such excavation, and all lands included in the life of the mine review by the DEC.

MINERAL

Peat, topsoil, sand and gravel shall be considered minerals.

MINING FLOATING ZONE

The area in which mining may occur within the Town's RL-1, RL-2, RL-3 and Industrial Zones and particular solely to each individual application.

MINING OPERATION/MINING

The excavation of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes or parts thereof for the extraction or removal of minerals from their original location and the preparation, washing, cleaning, crushing, stockpiling or other processing of minerals at the mine location so as to make them suitable for commercial, industrial, or construction use; exclusive of manufacturing processes, at the mine location; the removal of such materials through sale or exchange, or for commercial, industrial or municipal use; and the disposition of overburden, tailings and waste at the mine location.

MINING PLAN

A description of the applicant's mining operation which shall include maps, plans, written materials and other documents as required by the Town and/or the DEC.

OPERATOR and OPERATOR THEREOF

Any person, corporation, firm, partnership or other entity conducting a mining operation as defined herein with the Town of Pawling, Putnam County, New York, and shall include any owner of land or other premises situated within the said Town who permits or consents to the use of such land or other premises by any person, corporation, firm, partnership or other entity for a mining operation unless such other person, corporation, firm, partnership or other entity is conducting the same on such premises under a lease granting him sole occupancy, use and possession of such premises for a term of at least one year and is a permittee hereunder.

OVERBURDEN

All of the earth, vegetation and other materials which lie above or alongside a mineral deposit.

RECLAMATION

The conditioning of the affected land to make it suitable for any productive use, including but not limited to the planting of forests, the planting of crops for harvest, the seeding of grass and legumes for grazing purposes, the protection and enhancement of wildlife and aquatic resources, the establishment of recreational, residential, commercial, industrial and historical sites or for other uses demonstrated to be consistent with the policy of the Town and/or the DEC.

RECLAMATION PLAN

A description of operations to be performed by the applicant to reclaim the land to be mined over the life of the mine. The reclamation plan shall include maps, plans, the schedule for reclamation, written material and other documents as required by the Town and/or the DEC.

77-26.12. Mining Floating M Zone.

Mining of all kinds is prohibited throughout the Town of Kent except as specifically set forth in this section. The Town Board seeks to promote the safety, health and general welfare of the residents of the Town of Kent by removing the danger to health, safety and life caused by creation of excessive noise and/or light; excessive quantities of dust; deep excavations remaining in the ground; traffic dangers; exposure of the bare earth to wind action and other natural elements; creation of artificial pools of water; pollution of water; danger to the groundwater, watershed, wildlife resources, including flora and fauna, and destruction of natural drainageways. A Mining Floating Zone, hereinafter also referred to as an "M" Zone, is hereby established for such use. It is designed to mitigate impacts and to assure that any mining is compatible with the character of the surrounding community, and to prevent excessive noise; prevent land from being left in a hazardous state; prevent soil erosion; protect the natural vegetative cover of

such land; and prevent destruction of natural drainageways. At the same time, it is recognized that the mining provided for in this Mining Floating Zone is necessary and useful and should be allowed when not in conflict with the express purposes of this section. There is hereby created a Mining Floating Zone located as shown and so designated on the Zoning Map of the Town of Kent, which is a part of the Code of the Town of Kent, and shall be added to § 180-5 thereof. Enactment of a local law by the Town Board is required to locate an M Zone. An M Zone may be created only within the RL-1, RL-2, RL-3 and I Zones.

Lot Size, Density and Yard Dimensions

Minimum Yard Dimensions

(feet)

Minimum Lot Size

Minimum Area/

| Area | Width | Family | | | |
|----------------|---------------|----------------|--------------|------------------|-------------|
| (acres) | (feet) | (acres) | Front | Each Side | Rear |
| 10 | 400 | -- | 200 | 200 | 200 |

A. Application process.

- (1) A person seeking to locate an M Zone shall file an application with the Town Clerk, signed by the owner or owners of the property or a by a duly designated and authorized agent of said owner or owners.
- (2) Once the Town Board has received a complete application to locate an M Zone, it may decide to meet with the applicant to discuss the application and determine whether additional information is needed. The Town Board may, at its discretion, decline to consider any application for a Mining Floating Zone. The Board may also, at its discretion, decide to hold informational meeting(s) to obtain public input on the proposal.
- (3) If the Town Board decides to consider the application to locate an M Zone, it shall transmit a copy of the complete application to both the Zoning Board of Appeals and the Planning Board for a review and recommendation. The Boards shall officially respond to the Town Board's referral within 45 days of the receipt of the application from the Town Board, unless either Board requests an extension and such extension is granted by the Town Board. In addition, the complete application shall be referred to the Putnam County Planning Department as may be required by the New York State General Municipal Law.
- (4) The Town Board shall comply with all State Environmental Quality Review Act requirements.

- (5) If the Town Board decides to consider the application to locate an M Zone, the Town Board shall schedule a public hearing on the proposed M Zone application in compliance with all applicable sections of Town Law. The Zoning and Planning Boards' recommendation and the referral from the Putnam County Planning Department, if any, shall be introduced at the public hearing and become a part of the official meeting minutes.
- (6) Within 60 days after completion of the public hearing, the Town Board shall determine whether to approve, approve with conditions or deny the application. In considering an application for designation of an M Zone, the Town Board must determine that the application meets the following:
 - (a) The use shall be designed, located and operated so as to protect the public health, safety and welfare of the community.
 - (b) The location, size, nature and intensity of the use, the size of the site in relation to the use and the location of the site, with respect to streets giving access to the use, shall assure that the use will be in harmony with the appropriate and orderly development of the neighborhood in which the use will be located and the nature and height of the buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
 - (c) The use shall be designed, located and operated so as to protect the groundwater; any residential or commercial water supply; drainage; nearby wetlands and nearby critical environmental areas as defined in the State Environmental Quality Review Act.
 - (d) The use shall not be more objectionable to nearby properties, by reason of aesthetic or visual impact, noise, fumes, vibration or flashing lights, than would any permitted use in the area.
 - (e) The use shall not generate undue traffic congestion, create a traffic hazard or impact the safety of children on school bus routes.
 - (f) The use shall have adequate road frontage and safe access directly onto a paved Town, county or state highway.
 - (g) The use shall be designed in accordance with the approval standards specified in Subsection **D** below.
- (7) If the Town Board decides to grant the application for an M Zone, this chapter shall be amended to reflect the changes to the text of the zone regulations, and the zone, appropriately labeled, shall be shown on the Zoning Map. The boundaries of the M Zone shall be no less than 200 feet from the property line of the adjacent properties.
- (8) Within six months after the Town Board has adopted a zoning amendment creating an M Zone, the

applicant shall apply to the Planning Board for site plan approval pursuant to this chapter. The Planning Board shall grant approval if it finds that the site plan satisfies the standards and criteria of this section and this chapter. If more than six months elapse between Town Board approval and the submission of a site plan application, the M Zone designation shall expire, and the property shall revert to its previous zoning classification, following notice to the applicant and owner and a public hearing, unless an extension is granted to the applicant by the Town Board.

- (9) If, after the passage of one year from the date of site plan approval by the Planning Board the mining operation has not started, the M Zone designation shall expire and the property shall revert to its previous zoning classification, unless the applicant shall obtain an extension from the Town Board.

B. Application information.

- (1) An applicant for a Mining Floating Zone and site plan approval under this section shall file 25 copies with the Town Clerk. The application shall state the specific intended use for the property and shall include a schematic site plan depicting the approximate size, height and location of the proposed structures, parking areas, roads, open space and other facilities. An application for an M Zone shall also include a completed short or full environmental assessment form as required by SEQRA, Article 8 of the Environmental Conservation Law and Part 617 of Title 6 of the New York Codes, Rules and Regulations. Each copy thereof shall set forth and include:
 - (a) Copy of any document submitted to or received from the New York State Department of Environmental Conservation (the "DEC") in connection with an application submitted to such agency, including but not limited to the applicable mining permit granted by the said DEC.
 - (b) A detailed statement of the nature of the proposed operation and the manner in which it is proposed to be conducted, and of the number of acres of land to be used in connection therewith.
 - (c) A statement as to the nature and type of any structure to be used in such operation and either presently on the area of proposed operations or to be built thereon.
 - (d) A statement as to the source of required water to be utilized in the operation and the amount of such use annually.
 - (e) A statement as to the amount of minerals proposed to be removed and the manner of removal thereof during the permit period and during any subsequent period.
 - (f) A statement as to the period of time required to complete the proposed mining operation, including any proposed restoration and reclamation.
 - (g) A proposed plan of reclamation of the area proposed for such usage, with a statement as to the

amount of such reclamation proposed to be accomplished within the permit period, and a time schedule as to reclamation proposed to be accomplished subsequent to the permit period. Where no reclamation is proposed, a statement to that effect will be submitted stating the reason or reasons that reclamation is not proposed. Where a proposed plan of reclamation is submitted, an easement executed and acknowledged by the owner or, if more than one, the owners, running to the Town and permitting entry on the land to perform reclamation in the event of the failure of the applicant to the Town's satisfaction shall be submitted.

- (h) A statement setting forth the proposed hours of operation; the level of traffic to be produced and the proposed routes to be used by such traffic during such time.
- (i) An abstract of title or other satisfactory evidence of the ownership of the land on which the operation is to be conducted.
- (j) A statement as to the existing groundwater level, and the methodology for arriving at such statement, at the location proposed for the M Zone.
- (k) A topographical map showing the boundary of the total property on which the operation is proposed to be conducted and all other adjacent property and streets and highways within 500 feet of the perimeter of the land on which the operation is proposed to be conducted and, also, showing all structures within the area of the map, the owners of all land shown on the map and the zoning classification of all such land. Such map shall show contour elevations at two-foot intervals using United States Geological Survey data. Such map may be referred to as the "topographical site map."
- (l) A statement as to the current zoning classification of the land on which the operation is proposed to be conducted.
- (m) A topographical map showing the boundary of the total property on which the operation is proposed to be conducted distinctly outlined and all property within 500 feet thereof, with contour elevations at two-foot intervals using United States Geological Survey data and showing, in a distinctive fashion, proposed contour elevations at two-foot heights after reclamation, if any is proposed, and after each stage thereof. Such map may be referred to as the "reclamation plan map."
- (n) The written, notarized consent of each nonapplicant owner of the premises on which the operation is proposed to be conducted.
- (o) A statement setting forth the record of compliance for any prior mining activities of the applicant or any related person.
- (2) Each such map shall be prepared by either a professional engineer duly licensed by the State of New York or by a surveyor duly licensed by the State of New York and shall be certified to the

Town as to the accuracy thereof by such preparer. Such certification shall be provided within 30 days of the date of the application to the Town Board and shall be recertified within 30 days of the date of the site plan review application, unless such site plan review application is made within 30 days of the enactment by the Town Board of the M Zone. Each such map shall be drawn in a scale of not greater than one inch to 100 feet nor less than one inch to 20 feet.

- (3) Upon acceptance of the application and the deeming of same to be complete by the Town Board, the applicant shall by certified mail notify all landowners whose land is adjacent to the perimeter of the proposed zone, or within 500 feet thereof, of the application.
- C. Public hearing. No new M Zone may be located and no approval under this section shall be issued under this section until after a public hearing by the Town Board, in accordance with the Town Code. Before the Town Board public hearing, the Town Code Enforcement Officer shall investigate the facts and circumstances of the application and submit a report in writing to the Town Board prior to the public hearing, which report shall either be read at the public hearing or made available for public inspection during the hearing and which shall include but not be limited to a recommendation regarding whether the application complies with the zoning requirements and whether all items required herein have been submitted. Nothing contained in the preceding sentence shall be deemed to limit the power of the Town Board to act on the application if the Town Code Enforcement Officer fails to submit such a report. The Town Board may hold a preliminary hearing or hearings or a preliminary conference or conferences with the applicant or his representative, and any such preliminary conference or preliminary hearing may be held without public notice.
- D. Approval standards. Each local law locating an M Zone shall include, but not be limited to, the following provisions:
 - (1) Mining operations may only be conducted between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday and between the hours of 8:00 a.m. and 12:00 noon on Saturdays. Mining operations may not occur on any Sunday or legal holidays as set by the Town Board.
 - (2) All access points and roadways to the affected area shall be from a paved Town, county or state highway. No vehicles utilizing or accessing the affected area shall stop, stand, park or idle outside the affected area.
 - (3) All mining operations shall be conducted without unnecessary noise and shall at all times be in conformity with then-enacted portions of the Town Code relating to noise.
 - (4) Barriers shall be erected and maintained around the area of operation and shall have no openings other than a gate or gates for ingress and egress, and each such gate shall be kept locked at all times except during the working hours of the operation when the operator or an owner of the land or an agent or employee of the operator or of the owner is inside. Such barrier shall be maintained until

reclamation of the area is complete, and after reclamation such barrier shall be maintained around each and every pit or excavation exceeding six feet in depth. This standard may be waived or modified with respect to any particular mining operation, provided the Town Board finds that the public safety will not be jeopardized, and subject to such conditions as the Town Board may impose.

- (5) At no time shall any mining operations be conducted within 200 feet of any adjacent property line or the boundary of any public street or highway.
- (6) At no time shall any mining operations, parking of vehicles or equipment or stockpiling of mineral, overburden or other product of the mining operation be conducted within 200 feet of any residence or business structure.
- (7) All mining operations shall be conducted in a safe manner, and all slopes shall be excavated and maintained at safe angles to prevent collapse of upper grade surfaces and danger to children.
- (8) No excavation shall adversely affect groundwater levels of other properties.
- (9) All haulageways shall be paved with blacktop or similar material for a minimum of 250 feet from intersection with the public roadway. All other haulageways shall be topped and maintained with materials of no less quality than item four gravel, or comparable quality, within the affected area.
- (10) Any vehicle entering a public road shall be free of exterior dirt, mud or other debris and shall be washed prior to leaving the limits of any affected area, if necessary to remove same.
- (11) Overburden removed in connection with any such operation shall not be removed from the premises and shall be arranged in a berm-like condition in a manner designed to help prevent noise, dust, and other emissions from escaping the mine. In the event that topsoil is the product being removed from the mining operation, sufficient reserves of such material shall be kept within the affected area sufficient to complete the reclamation plan.
- (12) Topsoil shall be re-spread upon the surface of the land from which such minerals have been removed unless this requirement is expressly waived by the Town Board.
- (13) All haulageways shall be at all points at least 200 feet from any residence or public building, provided that this standard may be waived or modified by the Town Board.
- (14) All materials used as fill shall be free from garbage, refuse, offal or other deleterious or unwholesome matter.
- (15) All areas on which overburden has been re-spread, as required hereinabove, or by any approved plan of reclamation, shall be prepared for and seeded with grass, unless other vegetation or planting

with vines or other covering is specified in an approved plan of reclamation.

- (16) All trucks hauling materials from any operation regulated or licensed under this section shall be loaded in such a manner as not to spread or spill such materials on any street or highway within the confines of the Town.
- (17) No removal of earth from the ground shall be made in such manner as to undermine, weaken or deprive of support other lands in the vicinity or so as to substantially obstruct, impede or change the course of or the natural movement or flow of surface water therein, or otherwise adversely affect any public waterway, public body of water, wetland, lake, pond, river, creek, waterway or body of water which is used as a part of any drainage system.
- (18) All facilities, including but not limited to that used for the crushing, screening, washing, stockpiling or processing of minerals, shall at all times be located only in an area approved by the Planning Board.
- (19) In order that the Town be in an assured position to enforce the provisions of the Mining Floating Zone issued hereunder, and have the completed excavation meet provisions of such zone and other applicable laws or ordinances of the Town, the applicant, upon the creation of a Mining Floating Zone hereunder, shall grant to the Town, its officers or employees, the license to enter upon the premises to determine that the provisions of the new zone are being fulfilled and require such work to be done as may be necessary to meet the conditions of the zone.
- (20) Maintenance, repair and fueling of vehicles and equipment shall be conducted so as to minimize and prevent lubricant and fuel spills to the maximum practicable extent. Mine vehicles and mining equipment shall be maintained in proper operating condition.
- (21) All discharges of silt, sediment or process water shall be confined within the permit area unless prior approval from the New York State Department of Environmental Conservation Regional Water Quality Engineer is obtained.
- (22) No chemical additions to processing water shall occur at any time unless prior approval from the New York State Department of Environmental Conservation Regional Water Quality Engineer is obtained.
- (23) No pollution of the groundwater or surface waters shall occur.
- (24) The applicant shall agree to engage in a program of mine site security through the use of gates and barriers to prevent unauthorized entry to the mine property.
- (25) The applicant shall agree to report to the Town Code Enforcement Officer all spills of chemicals, including gasoline, motor oil or hydraulic fluids, in excess of one gallon at any one time, within one

hour of discovery of such spill.

- (26) The applicant shall agree to file, annually, at least 30 days prior to the anniversary date of the enactment of a certification that all conditions imposed by the respective Boards are met, that the mining operation continues to be in compliance therewith and proof that any bond required is in effect.

E. Bond/insurance.

- (1) In the event the Town Code Enforcement Officer or other designated Town officer shall determine that the bond required by any entity having jurisdiction over the use proposed in the application is insufficient to complete its contemplated purpose, or in the event the use does not fall within the jurisdiction of any other governmental body or agency having superior jurisdiction to that of the Town Board or the Planning Board, as the case may be, the filing of a performance bond may be required as follows:
 - (a) Before the location of any new M Zone or the issuance of any permit hereunder, the Town Board shall, unless it shall have first determined that no bond is required, require that a bond be executed and filed by the applicant and by any and all owners of the premises on which said operation is to be conducted. Such bond shall be issued by a surety company licensed to do business in the State of New York. Such bond shall be in an amount equal to twice the estimated cost of such reclamation or \$5,000, whichever be the greater sum. Such bond must be approved by the Town Attorney prior to the enactment of any local law locating an M Zone hereunder. Such bond shall provide that in case of any failure or default to perform the work required to be performed the bond shall be called, upon written notice to the principal or principals and to the surety sent by certified mail to their addresses as shown in the bond, unless such failure be corrected within 90 days of the mailing of such notice to the principal (or principals) and surety. The ninety-day notice of such default or failure may be given at any time after such default or failure.
 - (b) If said default is not cured within the ninety-day period, the Town shall, upon written request to the surety, receive the full amount of the bond and commence reclamation.
 - (c) Said bond may not be cancelled for any reason unless authorized in writing by the Town.
 - (d) If the surety notifies the principal or Town of its desire to cancel the bond, such notice must be at least 120 days in advance of the cancellation. This notice shall hereinafter be referred to as "cancellation notice."
 - (e) The principal must replace any cancelled bond within 90 days of the receipt of cancellation notice, and the failure to do so is a default under this section, triggering the principal's requirement to commence reclamation. If reclamation is not completed before the expiration of the cancellation

notice period, the Town may call the bond due as stated in Subsection **E(1)(b)** above.

- (f) Said bond shall remain in full force and effect until released by the Town, except that the Town Board or Planning Board may reduce the amount thereof in a proper case. Prior to any such release the Town Board or Planning Board may require a statement showing the manner of compliance with the plan of reclamation, and a topographical map of the area on which the mining operation was conducted and the area within 300 feet of the perimeter of the area of operation, showing contour elevations at intervals of heights of two feet. The Town Board shall refer any request for release of any such bond to the Town Code Enforcement Officer, who shall report on compliance with the plan of reclamation within 15 days of such referral.
 - (g) Said bond shall also provide that the time for compliance with any such plan of reclamation shall be deemed to be accelerated and terminate 120 days after the date of revocation of such permit pursuant to the provisions of this section as in effect at the time of such revocation.
 - (h) In lieu of such bond, the Town Board or Planning Board may permit a letter of credit or a cash deposit to be made with the Town, subject to the approvals, conditions and forfeitures specified hereinabove in the case of a bond.
- (2) Before the enactment of a local law hereunder, the applicant shall present, to the Town, certificates of insurance evidencing the acquisition of liability insurance coverage in the amounts deemed by the Town Board to be appropriate and by resolution for death/bodily injury and property damage. Said insurance shall be maintained throughout the life of the Mining Floating Zone and for a three-year period after reclamation has been completed, and the aforementioned certificates shall provide for 120 days' notice to the Town prior to cancellation by the carrier.
- F. Exceptions. The following operations and uses are hereby excepted from the application of § **180-16.2**:
- (1) All existing mines permitted by the Town and operating on the date of enactment hereof shall continue to be operated pursuant to the terms and conditions of their respective permits.
 - (2) Excavation or removal of earth, mineral or rock incident to highway, sidewalk or driveway construction to the extent such topsoil, sand, earth and/or gravel is removed solely from the bed of said highway, sidewalk or driveway.
 - (3) The moving of earth, mineral or rock from one portion of premises to another portion of the same premises as an incident to construction of a building or other improvement to land or as an incident to farming or landscaping, subject to the requirements for obtaining a grading permit set forth at § **180-40** of this chapter.
 - (4) Removal of earth, mineral or rock from the area of a subdivision granted final approval by the

Planning Board of the Town of Kent pursuant to any then-applicable zoning ordinance of the Town of Kent, provided that any such removal be in accordance with plans and specifications approved by said Planning Board.

- (5) Construction of sewage-disposal systems.
- (6) Any of the exceptions set forth in the New York State Agriculture and Markets Law.
- (7) Any sanitary landfill or dump operation conducted by the Town of Kent or on its behalf.
- (8) Any mining operation conducted by the Town of Kent.
- (9) Grading permits as defined in § **180-40** of this chapter.
- (10) Small-scale mining as defined in § **180-23.1** of this chapter.

G. Posting and entry on posted premises.

- (1) The operator under this section shall cause the outside perimeter of the premises on which the mining operation is conducted, or the outside perimeter of that portion of the premises on which such operation is conducted, to be posted with appropriate notices having dimensions of not less than 11 inches square, containing, with letters of not less than one inch in height, the following language:

"No trespassing. These premises are subject to a local law of the Town of Kent, Putnam County, New York. Unauthorized entry upon these premises constitutes an offense punishable by a fine not exceeding \$100 or imprisonment for not more than six months, or both."

- (2) Such notices shall be posted not farther apart than 100 feet and shall be posted on each side of each entrance into the premises on which such operation is being conducted. No person, other than those lawfully engaged in operations thereon or the Town Code Enforcement Officer, police officer or authorized Town representative, shall enter onto any such posted premises.

H. Reimbursement of review costs; indemnification.

- (1) The applicant under this section shall be required to establish an escrow account to reimburse the Town of Kent for the legitimate costs of review associated with the use of professionals qualified to review the required plans, reports and other technical information submitted in support of an application for a mining operation or small-scale mine. The initial amount of the escrow account shall be determined on a case-by-case basis, but in no case shall be less than \$3,000 or such larger amount estimated by the Town Board and/or Planning Board to be reasonable and necessary to cover the cost of the review to be incurred by the Town. All necessary reviewing professionals assisting the Town in such reviews shall provide an estimate of the approximate cost of review

services. The Town shall submit an itemized bill to the applicant at least five business days prior to any deduction of such amount billed from the escrow account. The respective Boards may periodically and at their discretion require the replenishment of the escrow account established hereunder. Upon completion of the application and review process, any balance remaining in the escrow account shall be refunded to the applicant within 30 days of the submission and payment of the final bill by the Town and payment in full of all application and approval fees.

- (2) In any approval hereunder, the respective Boards shall require an irrevocable commitment from the owner of the mine and related facilities, the owner of the land upon which the mine is located, and any and all lessees and the affiliates of any of the above, to defend, indemnify, and hold the Town of Kent, its boards, officials, employees and agents, free and harmless from judgments or costs, including reasonable attorneys' fees, arising directly or indirectly from the construction, use, operation and/or reclamation of the mining operation and affected areas except as to those arising from the Town's own negligence.
- I. Complaints. Any person may file a complaint of any violation of this section, in writing, with the Town Code Enforcement Officer, who shall investigate the same and report thereon to the Town Board within 10 days.
 - J. Abandonment of use; rescission or suspension of local law authorizing Mining Floating Zone.
- (1) If the Town Code Enforcement Officer, or any authorized representative of the Town, finds that any mining operation permitted hereunder is not being conducted in accordance with the provisions of this section or of the site plan approval under which such operation is conducted, issued either under this section or prior to the effective date hereof, or is abandoned as defined herein, such facts shall be reported, by such Town Code Enforcement Officer or other Town representative, to the Town Board, which may direct that an order in writing be served upon the applicant directing that the conditions therein specified as being in violation of this section or such permit be remedied within five days after date of service of such order.
 - (2) Such order may be served either by personal delivery upon the operator in the same manner as a personal delivery of a summons or by certified mail. If served by certified mail, service shall be deemed to have been made five days after mailing thereof. If such conditions are not remedied within five days after such service, the Town Board may cause a notice in writing to be served upon the operator directing him to appear before the Town Board on a date and at a place within the Town specified in such notice and show cause why such local law or permit should not be rescinded or suspended.
 - (3) Such notice may be served either by personal delivery on the operator in the same manner as a summons or by certified mail; if served by certified mail, service shall have been deemed to have been made five days after mailing thereof. The hearing shall be set for a date at least 10 days and

not more than 30 days after service of the notice. The Town Board may hold such hearing and testimony of witnesses may be heard thereat.

- (4) The Town Board, after such hearing, may elect to rescind such local law or site plan approval or suspend the same. Such suspension may, by its terms, lead to a rescission of the local law upon failure of the operator to comply with the terms of suspension.
- (5) No rescission or suspension of such local law or site plan approval hereunder shall be ordered by such Board in the absence of a finding of a violation thereof. An order of suspension or revocation hereunder shall be served upon the operator either by personal delivery to the operator or by certified mail and shall be effective immediately upon service; if service is made by certified mail, service of such order shall be deemed completed five days after mailing. All service by certified mail under this action shall be mailed to the operator at his address as shown in the application under this local law and, in addition, if a more current address be known, to such current address. This section shall not preclude the Town from enforcing this section by any other lawful means, including any action for a penalty, for injunctive or other relief hereunder.
- K. Termination of Mining Floating Zone. In the event that the Town Board elects to rescind a local law or revoke a site plan approval enacted or granted in accordance with the above provisions; the Town Board deems the mining operation to be abandoned in accordance with the definition herein; or the Town Code Enforcement Officer certifies that reclamation has been completed in accordance with the reclamation plan for the M Zone, the Mining Floating Zone created by local law authorized herein shall terminate and the land within the said zone shall return to its former zoning designation set forth in the Town Code of the Town of Kent.
- L. Penalties for offenses. Each and every violation of the provisions of this section or of the conditions and/or restrictions of a permit issued hereunder or of a permit issued under the Code of the Town of Kent, New York, prior to the effective date hereof, for a mining operation shall be deemed an offense against this section and shall be punishable by a fine of not more than \$250 or imprisonment for not more than six months, or both. Each day's continued violation of this section shall constitute a separate and additional violation.
- M. Injunctive relief. Nothing contained herein shall prohibit the Town Board from maintaining, and the Town Board is authorized to maintain, an action or proceeding in the name of the Town in any court of competent jurisdiction to compel strict compliance with the provisions of this section and the conditions of any permit issued hereunder or any valid permit issued by the Planning Board and/or Zoning Board of Appeals prior to the effective date of this section, or to restrain by injunction the violation of any provision of this section or of any such permit.
- N. Administrative rules and regulations. The Town Board may, at any time and from time to time, by resolution, adopt procedural rules and regulations with respect to applications hereunder and with

respect to the administration and enforcement of this section, provided the same are not in conflict with this section.

- O. Severability. If any clause, sentence, paragraph, section or part of this section shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall not affect the remainder of this section but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.
- P. Miscellaneous
 - (1) This section is expressly adopted pursuant to the relevant sections of the New York State Town Law and the New York State Municipal Home Rule Law.
 - (2) All other provisions of the Code of the Town of Kent shall remain in full force and effect.
 - (3) This section shall be effective immediately upon filing with the Secretary of State.
- Q. Fees. Fees for applications and reviews provided for by this section shall be in the amount or amounts as established by the Town Board from time to time. Said fees shall be posted in the Town Hall on the official Schedule of Fees for the Town of Kent.

77-? Regulations for Small Scale Mines:

Small-scale mines.

Any person who proposes the extraction of more than 100 cubic yards and fewer than 1,000 tons or 750 cubic yards of minerals from the earth within 12 successive calendar months must obtain a special use permit from the Planning Board, pursuant to the provisions set forth herein. The Planning Board may only issue such a special use permit for applications within the _____ Zones within the Town. The applicant must obtain site plan approval pursuant to the Town of Kent Town Code. The provisions of § 180-16.2G, H, I, J, K, L, M, N, O, and P shall be applicable to all applications hereunder.

- A. Procedure for special use permit applications for small-scale mining.
 - (1) The applicant shall submit to the Planning Board Secretary the following documents:
 - (a) A mining plan, including a metes and bounds description of the proposed area to be mined, and a plan for a phased reclamation of the entire affected area shall be considered part of reclamation requirements.
 - (b) A plan, acceptable to the Planning Board, for safeguarding the public health, safety and welfare of surrounding and nearby residents during extraction and related activities.

- (2) The Town shall not bear costs for outside consultant reviews deemed necessary by the Town pertaining to the project or the permitting process. Prior to the Town incurring any costs necessary for its deliberations and chargeable to the applicant, the Planning Board shall advise the applicant of said costs and obtain the applicant's agreement to bear such costs.
- (3) The applicant shall furnish the Planning Board with all information in his possession which might affect its decision. In addition, the applicant shall be responsible for promptly providing the Planning Board with any new information or circumstances since the filing date of the application.
- (4) If approved, the special use permit shall be issued by the Planning Board for a three-year period, subject to annual inspection by the Planning Board or its designee, and to revocation for a finding of noncompliance with any condition of the permit.
- (5) Any permit, when issued, shall explicitly state all operating conditions which are necessary to assure compliance with this section, applicable Town and state laws, ordinances, regulations, and operational procedures designed to minimize physical and aesthetic damage to the environment.
- (6) Each extraction site shall be governed by an individual permit. If an operating group conducts extraction operations at more than one site in the Town of Kent, the conduct at all sites shall be considered in determining the provisions of each special permit and may be grounds for denial or restrictions of such permit.

B. Review of permits for small-scale mines.

- (1) The Planning Board shall review all small-scale mining permit applications in accordance with the standards for approval of a special use permit under §§ **180-43** and 44 and the following provisions:
 - (a) Permit renewals may be granted at the discretion of the Planning Board if the activity is proceeding in accordance with the provisions of the initial plan. No more than one permit renewal shall be granted.
 - (b) All holders of permits shall advise the Planning Board of any change of facts and conditions which might affect their ability to operate under the permit.
 - (c) Immediately after any change of ownership of any extraction site or of the persons or entities directly responsible for its operation, the new owner or operator shall apply for a new permit, indicating on the application any existing or anticipated changes from the data, plans and/or conditions supporting or including in the previous permit.
 - (d) Each site shall be inspected for compliance by the Town Code Enforcement Officer prior to any permit renewal. A written report of such inspection and its findings shall be made to the Planning Board. Such inspection(s) shall be financed by a fee system as established by the Town Board.

- (e) Each permit shall contain provisions which effect its suspension in the event of a finding of noncompliance with any term or condition of operation.
- (f) Each permit shall contain provisions which require that all mining activity shall be set back at least 200 feet from any property line.
- (g) Mining operations may only be conducted between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 12:00 noon on Saturdays. Mining operations may not occur on any Sunday or legal holidays as set by the Town Board.
- (2) The Planning Board, for good cause shown and in its sole discretion, may waive the strict enforcement of the above standards when considering a permit renewal hereunder.
- C. Reclamation standards and requirements for small-scale mines. Before issuing a special use permit, the Planning Board must find that the reclamation plan meets the following standards and requirements:
 - (1) Reclamation shall occur after the removal of 750 yards or 1,000 tons of mineral, unless the Town Planning Board determines that a different reclamation schedule is more appropriate.
 - (2) All final site drainage shall be designed, sloped, revegetated or treated by other measures so that drainage patterns, including volume and outflow points, will be the same as before the mining occurred, unless an alteration of patterns would improve drainage in the surrounding area. Measures must be specified to prevent erosion and sedimentation of wetlands, watercourses and ponds. The premining quality of any underlying aquifer must be preserved.
 - (3) No slope shall be left with a grade steeper than one foot vertical on three feet horizontal for gravel, or its normal repose slope for other minerals.
 - (4) All restoration material used in the final grading of the site shall be free from refuse or toxic contaminants and shall be compacted as much as is practical, such as by installation in layers. Stumps, boulders and nontoxic debris generated by the mining operation shall be removed from the site and disposed of, or buried and covered with a minimum of two feet of soil. All toxic debris and waste, including petroleum products, shall be removed from the mining site for proper disposal.
 - (5) Final soil depths and types shall be appropriate for the expected reuse specified in the application. Subsoil and topsoil shall be respread over the excavated area to a minimum depth of one foot: six inches of topsoil and six inches of subsoil. If the original soil depth was less than one foot, restoration shall be to a minimum of the original depth.
 - (6) All topsoil shall be stripped from the active excavation area and stockpiled on site and seeded for use in accordance with the reclamation plan. Such stockpiles shall be treated to minimize the

effects of erosion by wind or water upon public roads, streams or adjacent property.

- (7) Revegetation of the site to control dust and erosion and to restore the natural character is required. The operator shall maintain the vegetation for two growing seasons to ensure viability.
- D. Reclamation bonding for small-scale mines. The Planning Board shall require the permit holder to post a bond in an amount at least sufficient to cover the costs of the reclamation plan, and the provisions of § **180-16.2E** shall be applicable.

Climate Smart Communities



SIGN IN

Why Become Certified?

Help New York State lead the way on climate action! Certified Climate Smart Communities (CSCs) represent New York's foremost leaders in local climate action. Local governments that are designated as Certified CSCs have undergone a rigorous review process to confirm their completion of a suite of concrete actions that mitigate and adapt to climate change.

The benefits of participating in the Climate Smart Communities (CSC) Certification program include the following:

- Better scores on grant applications for some state funding programs, like [DEC's CSC Grants](#)
- State-level recognition for each community's leadership
- A robust framework to organize local climate action and highlight priorities
- Streamlined access to resources, training, tools and expert guidance
- Networking and sharing best practices with peers

By implementing certification actions, communities experience the following benefits:

- Cost savings through greater efficiency
- Greater energy independence and energy security
- Improved air quality from switching to clean energy
- Healthier, more walkable urban centers through smart growth
- Conservation of green spaces for recreation and biodiversity
- Reduction of future flood risk through climate change adaptation strategies
- Investment in an economy that supports sustainability and green businesses
- Greater engagement with residents who care about the future of their hometowns

Getting Started

The Climate Smart Communities (CSC) Certification program supports your local government in building a sustainable, balanced climate action program, one step at a time.

Step 1: Pass a Resolution: Pass the CSC pledge as a municipal resolution to join the program and become a Registered Climate Smart Community. Use the [model CSC resolution](#) as a template for drafting your local resolution. Municipalities may amend the “whereas” statements in the preamble, but all ten points of the CSC Pledge must be adopted verbatim. The final resolution document must include a signature from the municipal clerk verifying the authenticity of the resolution and indicating the date of passage.

Step 2: Register: After the resolution is adopted, designate a primary contact person to [sign up for a portal account](#), complete the online registration form, and upload the adopted municipal resolution. After your registration is reviewed, your primary contact will receive an email with information on how to access your account on the CSC certification portal. At this point, your community will be designated a Registered CSC by New York State and your community will be added to the map on this website.

Step 3: Review and Select Actions: Log in to your account to review and select [actions](#). Each action has a description that includes guidance about who should be involved, costs, resources, tools, and documentation requirements. After becoming a Registered CSC, communities can implement certification actions at their own pace. There is no time limit between adoption of the pledge and commencement of the certification process. The [mandatory and priority actions](#) are a good place to start because they are fundamental to a successful municipal climate change program. If you have questions, you can email a NYSEDA Clean Energy Communities Coordinator at cec@nyserda.ny.gov for assistance navigating the program.

Step 4: Collect Documentation: Once you identify your selected actions, review the requirements for each action and begin organizing and uploading your documentation. In the municipal dashboard, the "Action Totals" calculator on the right-hand side of your community's application will help keep track of progress

Certification Framework

The Climate Smart Communities (CSC) certification framework is organized around the ten elements of the CSC pledge. Local governments that have signed the pledge, known as Registered Climate Smart Communities, have made a commitment to addressing the ten areas described below.

1. **Build a climate-smart community.** Building a local team to foster positive change by designating a point person and creating a CSC task force with community members. Connect to larger networks by joining a regional or national climate campaign focused on reducing greenhouse gas (GHG) emissions or enhancing sustainability.
2. **Inventory emissions, set goals, and plan for climate action.** Gather data about local GHG emission sources. Develop baseline emissions inventories for government operations and the community. Develop a local action plan for reducing emissions that includes specific GHG reduction targets and strategies to achieve those targets.
3. **Decrease energy use.** Lead by example. Reduce emissions and save taxpayer dollars by reducing energy demand in public facilities, infrastructure, and vehicle fleets, and maximizing energy efficiency across municipal operations.
4. **Shift to clean, renewable energy.** Adopt a policy to power government operations with clean energy. Conduct studies to examine the feasibility of renewable energy installations on public property. Implement renewable energy projects such as solar, wind, geothermal, or small hydro.
5. **Use climate-smart materials management.** Reduce the volume of solid waste and increase

actions. Applicants achieve this by implementing advanced actions not included in the rating system or using an innovative approach to implementing an action in the rating system. Innovation bonus points are determined on a case-by-case basis.

Performance Earn additional points for demonstrating quantified reductions in GHG emissions and solid waste volume resulting from the implementation of specific actions. This requires applicants to provide relevant data with before and after measurements to confirm achievement.

Climate Smart Communities

Accessibility

Disclaimer

Privacy Policy

Tamara Harrison

From: Richard Othmer
Sent: Monday, October 21, 2019 8:33 AM
To: Kevin Owens; Lana Cappelli; Tamara Harrison; Kent Highway; Tara Flynn; Jamie McGlasson; Christopher Ruthven; Bill Huestis; William Huestis; Maureen Fleming
Subject: Putnam Drive

I just attended a traffic sign class.

NYS DOT will send a engineer down to render a professional opinion about the stop signs on Putnam.

Just let me know.

RO



Town of Kent Highway Department
Richard T. Othmer, Jr., Highway Superintendent
 62 Ludington Court
 Kent Lakes, New York 10512
 (845) 225-7172 Fax (845) 225-9464
 E-mail: rothmer@townofkentny.gov

MEMORANDUM

Date: October 11, 2019

To: Honorable Members of the Town Board

From: Richard T. Othmer Jr, Highway Superintendent

Subject: Stop Sign Request Tilly Foster Ct. and Waccabuc Road

Honorable Members of the Board;

I am denying the request for a Stop Sign to be placed at the intersection Of Tilly Foster Court and Waccabuc Road in the Lake Carmel section of Kent for the following reasons;

- 1) Does not meet the requirements (attached) for the Federal or New York State Department of Transportation "Manual on Uniform Traffic Control Devices"; "Section 2B.06 STOP Sign Applications".
- 2) Chief Owens of the Kent Police Department reports no recorded accidents at this site.
- 3) The Highway Superintendents personal periodic observation of this intersection reports practically nonexistent traffic. The sign would only apply to three houses.
- 4) Placement of the sign in this narrow road would hinder snow plowing operations both in placement of plowed snow and stopping trucks on a hill in severe weather conditions.
- 5) Additionally, possible reconfiguration of the road and cul-de-sac is pending a forensic property survey as requested in a letter by the Highway Superintendent to the Town Board dated September 30, 2019.

Sincerely,

Richard T. Othmer Jr.

Section 2B.06 STOP Sign Applications

Guidance:

- 01 At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).
- 02 The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:
 - A. The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day;
 - B. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or
 - C. Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.

Support:

- 03 The use of STOP signs at grade crossings is described in Sections 8B.04 and 8B.05.

RE: Stop sign

Richard Othmer

Thu 7/25/2019 9:15 AM

To: Nancy Nolan <nancynolan@hqipartners.com>;

Cc: Maureen Fleming <mffleming@townofkentny.gov>; Lana Cappelli <lcappelli@townofkentny.gov>; Christopher Ruthven <cruthven@townofkentny.gov>; Jamie McGlasson <jmcglasson@townofkentny.gov>; Bill Huestis <bhuestis03@yahoo.com>; William Huestis <bhuestis@townofkentny.gov>; Kevin Owens <kowens@townofkentny.gov>; ntag@hoganandrossi.com <ntag@hoganandrossi.com>; jspillane@hoganandrossi.com <jspillane@hoganandrossi.com>; Kent Highway <highwaykent@townofkentny.gov>;

Good Morning Mrs. Nolan;

The process to have an new NYS DOT Regulatory Traffic Sign installed is as follows;

You have to write a request to the Town Board asking what & where you want the sign with road intersections and a sketch.

The Town Board will then ask the Police Department to conduct a traffic study.

The Town Board will ask the Highway Department to do an analysis as to how it will affect its operations and the redirection of traffic onto alternative roads.

Once these studies are completed and presented to the Board, they may require a public hearing for all the residents in the vicinity of the proposed sign may have input.

The Town Board then votes on the request based on the data received from all parties

Thank You;

Richard T Othmer Jr.
Highway Superintendent..

From: Highway Kent
Sent: Thursday, July 25, 2019 9:04 AM
To: Rich Othmer
Subject: Stop sign

From: Nancy Nolan <nancynolan115@gmail.com>
Sent: Thursday, July 25, 2019 7:55 AM
To: Highway Kent
Subject: Stop sign

Good Morning

We do not have a Stop sign at the intersection of Tilly Foster Court and Waccabuc Court.
Could a Stop sign be installed there.

Thank you

Mrs Nolan

Sent from my iPad

From: Kevin Owens <kowens@townofkentny.gov>
Sent: Wednesday, September 18, 2019 3:49 PM
To: Maureen Fleming <mffleming@townofkentny.gov>
Subject: RE: Regulatory Sign

After speaking to Rich Othmer it seems as though a "Yield – sign" may be more appropriate for that intersection.

Chief Kevin R Owens
Town of Kent Police Department

Red Oak Tree Service Inc.
93 Chief Nimham Cir, Carmel NY 10512
(845)275-4700

Estimate

Number 377

Date 10/21/2019

Bill To

Todd *
Lake Carmel Parks Dept
85 W. Lake Shore Dr
Lake Carmel, NY, 10512
(845)225-5229

Ship To

Todd *
Lake Carmel Parks Dept
85 W. Lake Shore Dr
Lake Carmel, NY, 10512
(845)225-5229

| Description | Tax1 | Tax2 | Amount |
|---|------|------|----------|
| * Take down and remove Maple tree that snapped on top * All branches will be chipped and hauled away, all wood will be cut and hauled away, full clean up | | | \$700.00 |

Amount Paid \$0.00
Amount Due \$700.00

Discount \$0.00
Shipping Cost \$0.00
Sub Total \$700.00
Sales Tax 0.00% on \$0.00 \$0.00
City Tax 0.00% on \$0.00 \$0.00
Total \$700.00

Invoice / Proposal

Larry Reynolds Tree Service, Inc.

Established 1986

168 Tibet Drive, Carmel, New York 10512

(845) 225-7954 Cell (917) 295-3546

Fax (845) 228-5246

Page No. _____ of _____

Date 10/18/19

To: Kent Park's + Recreation
#25 - Lykili Crossing
Kent, N.Y. 10512

| |
|-----------------------------|
| JOB NAME / NO. |
| LOCATION |
| <u>% Pat</u> |
| PHONE <u>(845) 225-5229</u> |

Putnam County License # PC-443-1

Location - West Lake Shore / across house # 85

Maple - completely rotted, with broken + damaged top

Take down, chip brush, remove all wood + logs

Rake + clean

\$ 425.00

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Payable as follows: _____ dollars (\$ _____).

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance.

Authorized
Signature _____

NOTE: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance _____



Tel: (845) 878-7888

P.O. Box 1028 Carmel, NY 10512
info@SixDiamondsTreeServices.com
www.SixDiamondsTreeServices.com

Licensed & Insured: PC#1100 WST#072133 HIC#0644949

[illegible]

| | |
|--------------------------------|--------|
| SUBTOTAL: | |
| TAX (%): | |
| TOTAL: | 900.00 |

Payment: ☐ Cash ☐ Credit Card ☐ Check

☐ 100% Full payment upon completion of work. ☐ 50% Payment before work commences; And 50% immediately upon completion of work.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above and in Terms and Conditions.

Signature _____
Date of Acceptance _____

☐ FRONT LOADER ☐ EXCAVATOR ☐ PRUNING TOOLS ☐ BUCKET TRUCK ☐ LOGGING TRUCK

☐ STUMP GRINDER ☐ WOOD CHIPPER ☐ OTHERS _____

☐ CAN WE USE DRIVEWAY OR DRIVE ON LAWN? _____ ☐ SEPTIC OR OTHER _____

Dedicated to providing Quality, Professional and Reliable services since 1995.

Tamara Harrison

From: Recreation
Sent: Tuesday, October 15, 2019 12:49 PM
To: Tamara Harrison
Subject: Tree Work at Edward Ryan Memorial Park
Attachments: Tree Work Quotes.pdf

Tamara,

As per our discussions over the past few weeks, attached please find three quotes for tree cutting and pruning to be done at Edward Ryan Memorial Park. We would like to complete this work by the middle of November so I request that this item be added to the agenda for the upcoming board meeting on October 22nd.

With that said, after reviewing all of the proposals it is my recommendation that we accept that of Larry Reynolds Tree Service. Mr. Reynolds came in with the lowest price at \$1400.00 and also has done exemplary work for the Town of Kent in the past.

Should you or any of the board have any questions with respect to this job, please let me know.

Thanks,

Jared Kuczenski
Acting Director of Rec & Parks
Kent Recreation & Parks
845-531-2100

Invoice / Proposal

Larry Reynolds Tree Service, Inc.

Established 1986

168 Tibet Drive, Carmel, New York 10512

(845) 225-7954 Cell (917) 295-3546

Fax (845) 228-5246

Page No. _____ of _____

Date 10/7/19

To: Town of Kent - Parks + Recreation
#25 Lybille Crossing
Carmel, NY 10512

JOB NAME / NO.

LOCATION

PHONE

90 Chie @ / 845 1 225-1805

Putnam County License # PC-743-A

Job Location: Ryan's Field

① Take down #1 dead Black Birch - across bridge + along walking path

② Take down #1 dying Sugar maple - left side entrance up slope + road

③ Tree off to main crotch
#1 large dying Sugar Maple - upper area next to wooden walking area + side slope

Chip all brush, leave wood + logs 6' ft on ground

\$ 1,400.00

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Payable as follows:

_____ dollars (\$_____).

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance.

Authorized
Signature _____

NOTE: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance _____

Signature _____

Signature _____

Red Oak Tree Service

Estimate

Number 330

Date 9/27/2019

Bill To

Chris
Town of Kent Recreation Maint
25 Sybils Xing
43 Park Rd
Carmel, NY, 10512
(845)225-1805

Ship To

Jared
Town of Kent Recreation Maint
43 Park Rd
Carmel, NY, 10512
(845)531-2100

| Description | Tax1 | Tax2 | Amount |
|---|------|------|------------|
| * Location site, 43 Park Rd, Carmel NY 10512 | | | \$1,700.00 |
| * Cut down 3 trees | | | |
| * Cut down 1 Maple tree, wood cut to 6ft lengths and left where comes down | | | |
| * Cut down 1 Black Birch, wood cut to 6ft lengths and left where comes down | | | |
| * Cut down to just below center crotch of Oak tree, wood cut 6 ft lengths and left where comes down | | | |
| * From post located next to the Oak tree to the other post located by dumpster, trim bottom limbs off multiple trees roughly 25ft up from ground | | | |
| * All branches chipped into truck, chips will be dumped in specified area given, grounds will be blown and raked as needed, full clean up | | | |

Red Oak Tree Service

Estimate

Number 330

Date 9/27/2019

Bill To

Chris
Town of Kent Recreation Maint
25 Sybils Xing
43 Park Rd
Carmel, NY, 10512
(845)225-1805

Ship To

Jared
Town of Kent Recreation Maint
43 Park Rd
Carmel, NY, 10512
(845)531-2100

| Description | Tax1 | Tax2 | Amount |
|-------------|------|------|--------|
|-------------|------|------|--------|

| | |
|-------------|------------|
| Amount Paid | \$0.00 |
| Amount Due | \$1,700.00 |

| | |
|---------------------------|------------|
| Discount | \$0.00 |
| Shipping Cost | \$0.00 |
| Sub Total | \$1,700.00 |
| Sales Tax 0.00% on \$0.00 | \$0.00 |
| City Tax 0.00% on \$0.00 | \$0.00 |
| Total | \$1,700.00 |

PROPOSAL



P.O. Box 1028 Carmel, NY 10512 Tel: (845) 878-7888

Email: info@SixDiamondsTreeServices.com www.SixDiamondsTreeServices.com

| | | | |
|--|----------------------------|--|--------------------------------------|
| Proposal Submitted To: Town of Kent | | Date: 10/1/19 | |
| Street: 43 Park Road | City, State: Carmel, NY | Zip Code: 10512 | Phone: 845-225-1805 |
| Email: Recreation@TownofKentNY.gov | | Phone (alternate): 845-531-2100 | |
| <i>We hereby submit specifications and estimates for: THE YEAR 2019.</i> | | | |
| <ol style="list-style-type: none"> 1. Take down and remove dead Birch tree on the other side of the brook 2. Take down and remove dead Maple tree over the wood fence to the right side of the play area 3. Raise up the canopy on the right side of the parking lot 4. Take down and remove Maple tree in between the two roads of the entrance | | | \$600 1200 300 400 |
| *All related debris to be removed unless otherwise directed. Work area to be left clean. | | Tax Exempt: TOTAL: | \$000.00 \$2,500.00 |
| We propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of: Two Thousand Five Hundred Dollars ⁰⁰/₁₀₀ | | \$2,500.00 | |
| Payment to be made as follows: 100% Full payment upon completion of work. | | | |
| All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers' Compensation Insurance. | | Acceptance of Proposal The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined. Authorized Signature: Note: This proposal may be withdrawn by us if not accepted within 30 days. | |
| Date of Acceptance: _____ | | Signature _____ | |

Dedicated to providing Quality, Professional and Reliable services for over 23 years!

Tamara Harrison

From: Planning Kent
Sent: Tuesday, October 15, 2019 4:14 PM
To: Maureen Fleming; Accountant; Lana Cappelli; Christopher Ruthven
Cc: Tamara Harrison
Subject: NYCDEP Timber Harvest Ltr in Lieu of Erosion Control Bond
Attachments: NYCDEP Ltr in Lieu of EC Bond Oct 2019.pdf

This Resolution was passed at the meeting held on October 10, 2019.

We would appreciate it very much if you could add this to your agenda for the next Town Board meeting.

Thanks very much.

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

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 # 15
Year 2019

Date: October 10, 2019
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att Paul Denbaum
Bill Huestis, Deputy Supervisor Jaimie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: **Accept Letter in Lieu of an Erosion Control Bond for
NYCDEP Horsepound Ridge Forest Management Project**
TM: 333.-1-44, 45 & 33.6-1-71

Resolved: On October 10, 2019 Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to accept a Letter in Lieu of an Erosion Control Bond for the above mentioned project. The Planning Board Attorney, Jeff Battistoni of Van DeWater & Van DeWater, worked with the attorney for NYCDEP and the attached agreement is the result of their discussions.

The motion was made by Mr. Carey and seconded by Mr. Gattucci. The roll call votes were as follows:

| | |
|---------------------------|---------------|
| Phillip Tolmach, Chairman | <u>Aye</u> |
| Simon Carey | <u>Aye</u> |
| Giancarlo Gattucci | <u>Aye</u> |
| Dennis Lowes | <u>Absent</u> |
| Nisim Sachakov | <u>Absent</u> |
| Charles Sisto | <u>Absent</u> |
| Stephen Wilhelm | <u>Aye</u> |

The carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve this recommendation.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on October 10, 2019.

Dated: October 10, 2019


Vera Patterson
Planning Board Secretary



Received
mo/date/year

OCT 10 2019

October 10, 2019

Planning Department
Town of Kent

Chairman
Town of Kent Planning Board
25 Sybil's Crossing
Kent Lakes, NY 10512

Vincent Sapienza, P.E.,
Commissioner

Joseph P. Murin
Chief Financial Officer

59-17 Junction Blvd
Flushing, NY 11373
T: (718) 595-6936
F: (718) 595-3525
jmurin@dep.nyc.gov

Re: Horsepound Ridge Forest Management Project Performance Bond

The New York City Department of Environmental Protection (City) appreciates the Town of Kent Planning Board's willingness to consider this letter in lieu of an erosion control bond, to assure the completion of the Horsepound Ridge Forest Management Project in accordance with the attached Erosion Control Plan (the "Erosion Control Plan").

Please accept this letter in lieu of the aforementioned bond as the City's guarantee that all of the work described in the Erosion Control Plan will be strictly adhered to and satisfied. When the contractor was awarded the project, the City required that they provide a performance deposit in the amount of four thousand dollars (\$4,000.00) or 10% of the bid price, whichever is greater, as a guarantee to the City that all work will be completed including all best management practices associated with the project. This requirement can be found in *The City of New York Department of Environmental Protection Bid Package for the Sale of Timber and Firewood at the Horsepound Ridge Forest Management Project (Project #5098)*, Section 2, paragraph I. In the event there is a dispute between the City and the Town of Kent, and it is resolved in the Town of Kent's favor, the City will reimburse the Town's reasonable attorney fees, said fees to be at the same rate as are then charged to the Town by the attorney then serving. The City recognizes that despite the waiver of the Erosion Control Bond, the City remains responsible for the inspection fee, which covers the costs for representatives of the Town to perform site inspections.

Additionally, the City has committed to paying the cost of the stone aggregate necessary to make the improvements specified in the Erosion Control Plan, as made evident in the attached purchase order with Thallie Materials Inc.

The City of New York hereby warrants, represents and guarantees that it will perform and satisfy all of the work described in the Erosion Control Plan. This guarantee is made in lieu of placing a bond with the Town of Kent, as required in Section 66-7 of the Town Code. It is the intent of this document that the City of New York shall be fully responsible for completing said work satisfactorily. This guarantee shall be valid through and until the expiration of two years from the date on which the Town provides written confirmation of final acceptance of the work in accordance with the approved permit and all plans and specifications forming the basis of the approved permit.

Site improvements the City is performing include, but are not limited to: access road and landing improvements, the implementation of best management practices for these areas, final stabilization and restoration of disturbed areas, and the removal of temporary erosion and sediment control measures. All site improvements and erosion control measures have been developed in accordance with the *2018 New York State Forestry Voluntary Best Management Practices for Water Quality Field Guide*.

Please contact Dan Lawrence at 917-763-7109 should you have any questions or concerns regarding this project.


Thank you for your consideration in this matter.

Sincerely,



Joseph Murin
Chief Financial Officer

Approved as to form



Acting Corporation Counsel, City of New York
Date: 10/8/2019

c: Dan Lawrence, Amanda Locke, Charles Laing

3. Final payment comprising the remaining balance, FIFTY PERCENT (50%) of the lump sum bid amount, is to be paid upon completion of one-half of project work as determined by DEP FORESTER or by March 1, 2019, whichever is sooner.
- G. All payments will be in the form of a cashier's check, certified check, or money order (NO CASH) and made payable to The City of New York, Department of Environmental Protection, and hand-delivered to the DEP FORESTER.
- H. The SUCCESSFUL BIDDER will cut all of the trees and remove wood products as specified in ATTACHMENT D - HARVEST CONDITIONS, and as directed by the DEP FORESTER.
- I. Following receipt of a written Notice of Award, the SUCCESSFUL BIDDER will provide a Performance Deposit to the CITY, a penal sum that is equal to TEN percent (10%) of the total bid amount or four thousand dollars (\$4000.00), whichever is higher, to guarantee the faithful performance of the terms and conditions, herein described. The aforementioned sum shall be deposited in an account selected by DEP, at a financial institution selected by DEP, to be held in DEP's name. This Performance Deposit will not be used as credit for wood products cut and removed, but shall instead be held as security for the full and faithful performance by the SUCCESSFUL BIDDER of the terms and conditions hereof. Upon the occurrence of any Event of Default (as hereinafter defined), the CITY may, as provided in Section 9.0 of the Harvest Conditions, retain the Performance Deposit, in whole or in part, and apply the same towards the cost of curing any breach or default by the SUCCESSFUL BIDDER hereunder. Upon a determination by the DEP FORESTER that all work hereunder has been completed and the terms and conditions fulfilled, the balance of the amount in such account, less any amounts applied by the CITY pursuant to Sections 5.1 and 9.0 and any other penalties deducted pursuant to the Harvest Conditions (ATTACHMENT D) shall be returned to the SUCCESSFUL BIDDER.
- J. The Harvest Conditions attached hereto as ATTACHMENT D, contain specific conditions that apply to the *Turkey Mountain Forest Management Project*. Please read these conditions thoroughly because compliance with them will undoubtedly impact the amount of your bid. A signature on the Bid Proposal Sheet (Attachment A) constitutes acknowledgment and acceptance of the Harvest Conditions and other terms and conditions as described herein.

SECTION 3 - WOOD VOLUME

ATTACHMENT G is the Timber Volume Report listing: tree species; size class; estimated timber volume in board feet; total number of trees marked; and total number of cull trees. It is the responsibility of each prospective bidder to determine the amount of timber, firewood, pulpwood, or other wood products that are included in this sale. The CITY does not guarantee the timber volumes. Time will be given to prospective bidders at the public showings and at approved examinations thereafter to cruise the site and to make a determination of volume and value.

SECTION 4 - WORK PROJECTS & SPECIAL CONDITIONS

The SUCCESSFUL BIDDER will be required at the time of harvest, and as determined by the DEP Forester, to complete the following work projects and Best Management Practices (BMPs), locations of which are shown on the Project Map (ATTACHMENT F). BMPs must be properly installed prior to beginning work in respective work areas and maintained to be fully functional and effective according to specifications provided by DEP Forester for the duration and upon completion of this contract.

1. Entrance: Do not damage the pavement on Underhill Avenue at the entrance to the project site. Any damage to the pavement will be repaired at completion of the harvest **BY AND AT THE EXPENSE OF** the SUCCESSFUL BIDDER. The SUCCESSFUL BIDDER's Performance Deposit will be retained until any necessary road repairs are complete.
2. Access Road: Cover 120 feet of the access road entrance with at least 6 inches of NY #3 (1.25 in -1.5 in) screened stone (no fines). This section of the access road is estimated to require between 46 and 50 Tons of stone. Stone will be provided to the SUCCESSFUL BIDDER by DEP. If conditions dictate, straw wattles will be installed on either side of the road where it crosses over the perennial stream.

Tamara Harrison

From: Planning Kent
Sent: Friday, October 18, 2019 12:56 PM
To: Lana Cappelli; Accountant; Maureen Fleming
Cc: Tamara Harrison; Eileen Shin
Subject: Chen_Shin bonds TM: 32.06-1-1
Attachments: Chen_Shin Res 18 Bond Oct 2019.pdf

Please find attached copies of checks and bonds for the property noted above.

The Planning Board respectfully asks that this matter be placed on the Town Board agenda at its earliest convenience

Thanks very much.

Vera Patterson
Planning Board Secretary

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

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

RESOLUTION # 18
Year 2019

Date: October 18, 2019
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att
Bill Huestis, Deputy Supervisor
Paul Denbaum
Jaimie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: **Accepting Erosion Control Bond & Wetland Mitigation Plan from:**
Roger Chen & Eileen Shin
220 Riverside Blvd. - Apt. 3H
New York, NY 10069
For Property located at:
31 Friend Lane
Kent, NY 10512
TM: 32.06-1-1

Resolved: On October 10, 2019 the Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to take the above action. The motion was made by Simon Carey and seconded by Stephen Wilhelm. The roll call vote was as follows:


| | |
|------------------------|------------|
| Phil Tolmach, Chairman | <u>Aye</u> |
| Simon Carey | <u>Aye</u> |
| Giancarlo Gattucci | <u>Aye</u> |
| Dennis Lowes | <u>Aye</u> |
| Nisim Sachakov | <u>Aye</u> |
| Charles Sisto | <u>Aye</u> |
| Stephen Wilhelm | <u>Aye</u> |

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they accept this Wetland Mitigation Plan in the amount of \$2,000.00; Erosion Control Bond in the amount of \$1,760.00; and Inspection Fee in the amount of \$1,000.00.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on October 10, 2019.

Dated: October 18, 2019



Vera Patterson
Planning Board Secretary

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Roger Chen and Eileen Shin

220 Riverside Blvd, Apt 3H

New York, NY 10069

For Property located at:

31 Friend Lane

Kent, NY 10512

TM: 32.06-1-18-1-9

Bond given by Eileen Shin and David Chen, 220 Riverside Boulevard, Apartment 3H, New York, New York 10069, for property located at 31 Friend Lane, Carmel, NY 10512/Tax Map 32.06-1-1 ("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 October 18, 2019.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sums of: 2,000.00 for Wetland Mitigation to be held for three (3) years; \$1,760.00 for an Erosion Control Bond to be held for two (2) years; and 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 has obtained the approvals from the Obligee for land disturbance activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the Town of Kent, in connection with which erosion and sedimentation controls ("Controls") are required' and the Erosion and Sediment Control Plan documents 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 Applications, the Obligor has submitted to the Obligee, plans and specifications for the demolition of an existing house that was damaged by fire and construction of a single family residence known as known as the Chen/Shin Property ("Project Plans") and the Erosion and Sediment Control Plan, prepared by John Karell, Jr., P.E., 121 Cushman Road, Patterson, New York 12563. All these plans were reviewed on October 10, 2019 by the Obligee. A Resolution of Approval of land development activity in the nature of a Steep Slope and Erosion Control Permit of plans to construct a single family residence in an R-80 zoning district. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002.

WHEREAS, as condition to the issuance and approval of an 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.

WHEREAS, the Planning Board of the Town of Kent has granted the Erosion Control Permit subject to the posting of three checks made out to the Town of Kent, one in the amount of \$1,760.00 as a performance guarantee, \$2,000.00 for wetland mitigation to be deposited into an escrow account pending the completion of the project for which the erosion control measures are necessary; and a third check in the amount of \$1,000.00 as the final inspection fee to be held in escrow and delivered to:

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

No funds may be withdrawn from the said escrow account until a resolution has been duly made by the **Town Board of The Town of Kent**, authorizing such surrender or cashing.

Upon full completion of the work allowed pursuant to the conditions and specifications heretofore imposed by the **Planning Board of The Town of Kent**, the said escrow monies shall be returned to **Roger Chen and Eileen Shin, 220 Riverside Blvd, Apt 3H, New York, NY 10069.**

In the event the erosion control work allowed shall not have been duly completed by **ROGER CHEN AND EILEEN SHIN**, 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 **ROGER CHEN AND EILEEN SHIN**; with full use of said sums as the Town requires;

When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **ROGER CHEN AND EILEEN SHIN**, or by the **Town of Kent**, the aforesaid escrow monies (\$1,760.00 performance bond, \$2,000.00 wetland mitigation and remaining money left in the final inspection fee account of \$1,000.00) after the work has been completed shall be returned or refunded to **ROGER CHEN AND EILEEN SHIN** ;

This bond may not be assigned or transferred without the prior written approval of the **Planning Board and Town Board of The Town of Kent.**

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

Dated: Oct. 16, 2019

EILEEN SHIN

By: 

(signature)

(print/type signatory's name)

Eileen Shin

Owner/Obligee, Eileen Shin

(print/type signatory's title)

By: _____

(signature)

ROGER CHEN

(print/type signatory's name)

Roger Chen

Owner/Obligee, Roger Chen

(print/type signatory's title)

STATE OF New York)

) ss.:

COUNTY OF New York)

On the 16th day of October, 2019, before me, the undersigned, a notary public in and for said state, personally appeared Eileen Shin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC



Tamara Harrison

From: Planning Kent
Sent: Friday, October 18, 2019 2:26 PM
To: Maureen Fleming; Lana Cappelli; Accountant
Cc: Tamara Harrison
Subject: O'Mara Lhasa Ct Erosion Control Surety Bond TM: 31.9-1-6
Attachments: O Mara Lhasa Ct EC Surety Bond Oct 2019.pdf

Please find attached backup material for the above mentioned property as well as a surety bond #64813110 from Western Surety Company in the amount of \$28,150.00 and Putnam County National Bank Check 929 in the amount of \$1,000.00 for Final Inspection Fees.

On April 11, 2019 the Planning Board recommended that this matter be referred to the Town Board for them to review, and if they agree, to recommend accepting this bond agreement which we just received. The Planning Board would greatly appreciate it if the Town Board could put this on their agenda at their earliest convenience.

Thank you very much.

The Planning Board

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

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
Year 2019

Date: October 18, 2019
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att
Bill Huestis, Deputy Supervisor
Paul Denbaum
Jaimie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: **Accepting Patrick O'Mara Erosion Control Bond/Lhasa Court**
3073 Fairfield Drive
Patterson, NY 12563
For Property located at:
Lhasa Court, NY 10512
TM: 31.9-1-6

Resolved: On April 11, 2019 Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to take the above action. The motion was made by Charles Sisto and seconded by Nisim Sachakov. The roll call vote was as follows:

| | |
|------------------------|------------|
| Phil Tolmach, Chairman | <u>Aye</u> |
| Simon Carey | <u>Aye</u> |
| Giancarlo Gattucci | <u>Aye</u> |
| Dennis Lowes | <u>Aye</u> |
| Nisim Sachakov | <u>Aye</u> |
| Charles Sisto | <u>Aye</u> |
| Stephen Wilhelm | <u>Aye</u> |

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they accept this erosion control surety bond #64813110 from Western Surety Company, 101 S. Phillips Avenue, Sioux Falls, South Dakota 57104 in the amount of \$28,150.00 and Putnam County National Bank Check # 929 for a final inspection fee of \$1,000.00.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on April 11, 2019.

Dated: October 18, 2019



Vera Patterson
Planning Board Secretary

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Patrick O'Mara
Genius Development
73 Fairfield Dr.
Patterson, NY 12563
For property located at
Lhasa Court
Kent, NY 10512
Tax Map: 31.9-1-6

Surety Bond #64813110 from Western Surety Company, 101 S. Phillips Avenue, Sioux Falls, South Dakota 57104 in the amount of \$28,150.00, given by **PATRICK O'MARA**, whose property is located at Lhasa Court, Kent, NY/Tax Map: 31.9-1-6, 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 October 4, 2019.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$28,150.00, 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 "O'Mara Residence" ("Project Plans") and the Erosion and Sediment Control Plan, prepared by Jack Karell, 121 Cushman Road, Patterson, New York, 12563 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 \$28,150.00 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:

Surety bond #64813110 in the amount of \$28,150.00 from Western Surety Company and an Official Bank Check #929 drawn upon Putnam County National Bank and delivered to the Town of Kent Planning Board Clerk on October 18, 2019.

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 **Patrick O'Mara**;
4. In the event the erosion control work allowed shall not have been duly completed by **Patrick O'Mara** 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 **Patrick O'Mara** 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 **Patrick O'Mara** 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 **Patrick O'Mara**.
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 **Paatrick O'Mara**.

Dated: 10-18, 2019

PATRICK O'MARA
By: [Signature]
(signature)

PATRICK O'MARA

(print/type signatory's name)
Patrick O'Mara

Owner/Obligee
(print/type signatory's title)

STATE OF new york)
COUNTY OF Putnam) ss.:

On the 18 day of October, 2019, before me, the undersigned, a notary public in and for said state, personally appeared Patrick O'Mara, 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.

LEANNA R. FARRELL
NOTARY PUBLIC-STATE OF NEW YORK
No. 01FA6147443
Qualified in Putnam County
My Commission Expires June 05, 2022

Leanna R. Farrell
NOTARY PUBLIC

Patrick O'Mara
[Signature]
(signature)

Owner PATRICK O'MARA
(print/type signatory's title)

STATE OF _____)
COUNTY OF _____) ss.:



CODE ENFORCEMENT

10

OF THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598

October 21, 2019

From: Zoning Enforcement Officer, Town of Kent:
To: Supervisor Fleming, Town board members, Town of Kent:
Subject: Violations requiring town corrective action:

Enclosed please find violations issued by the undersigned and bids for correction.
Site owners have not responded to Notices of Violation.

Locations requiring correction and lowest bids for site:

11 HAWTHORNE ROAD \$100.00
44 TOWNERS ROAD \$100.00
9 DINGLEY ROAD \$120.00
4 LIVINGSTON ROAD \$150.00
77 CLUBHOUSE ROAD \$150.00
122 ROUTE 311 \$250.00
324 RICHARDSVILLE ROAD \$200.00


Above stated bids was submitted by JB Affordable Care Inc.

Rohna Landscapping failed to submit a bid.

Dirt and Demo Inc. failed to submit a bid.

Notices of Violation and bids are enclosed.

For your consideration and approval.


William Looney,
Zoning Enforcement Officer,
Town of Kent.

BIDDING PROPOSALS

**JAMES K. BENNETT
J.B. AFFORDABLE CARE
3 MOUNTAIN VIEW KNOLLS, APT A
FISHKILL, N.Y. 12524**

OCTOBER 21, 2019.

**TO WILLIAM LOONEY, ZONING ENFORCEMENT OFFICER, TOWN OF
KENT, PUTNAM COUNTY, NEW YORK.**

**PLEASE ACCEPT THE FOLLOWING PROPOSALS TO CORRECT THE
OVERGROWTH OF GRASS AND OR BRUSH AT THE FOLLOWING
LOCATIONS AT THE INDICATED RATES.**

**11 HAWTHORNE ROAD \$100.00
44 TOWNERS ROAD \$100.00
9 DINGLEY ROAD \$120.00
4 LIVINGSTON ROAD \$150.00
77 CLUBHOUSE ROAD \$150.00
122 ROUTE 311 \$250.00
324 RICHARDSVILLE ROAD \$200.00**

THANK YOU FOR YOUR BUSINESS,

JAMES BENNETT

OWNER

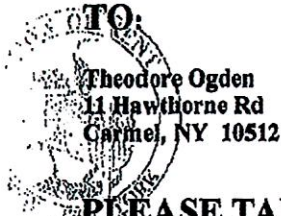


**CODE ENFORCEMENT
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598
KENTCODES@GMAIL.COM
ORDER TO REMEDY VIOLATION**

Location: 11 Hawthorne Rd Kent, NY

Map NO: 33.58-1-34

Date: 10/07/2019



PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:

Town of Kent Municipal Code\Chapter 55 A Property Maintenance Code\Section 11 Subs B-1-B Nuisances

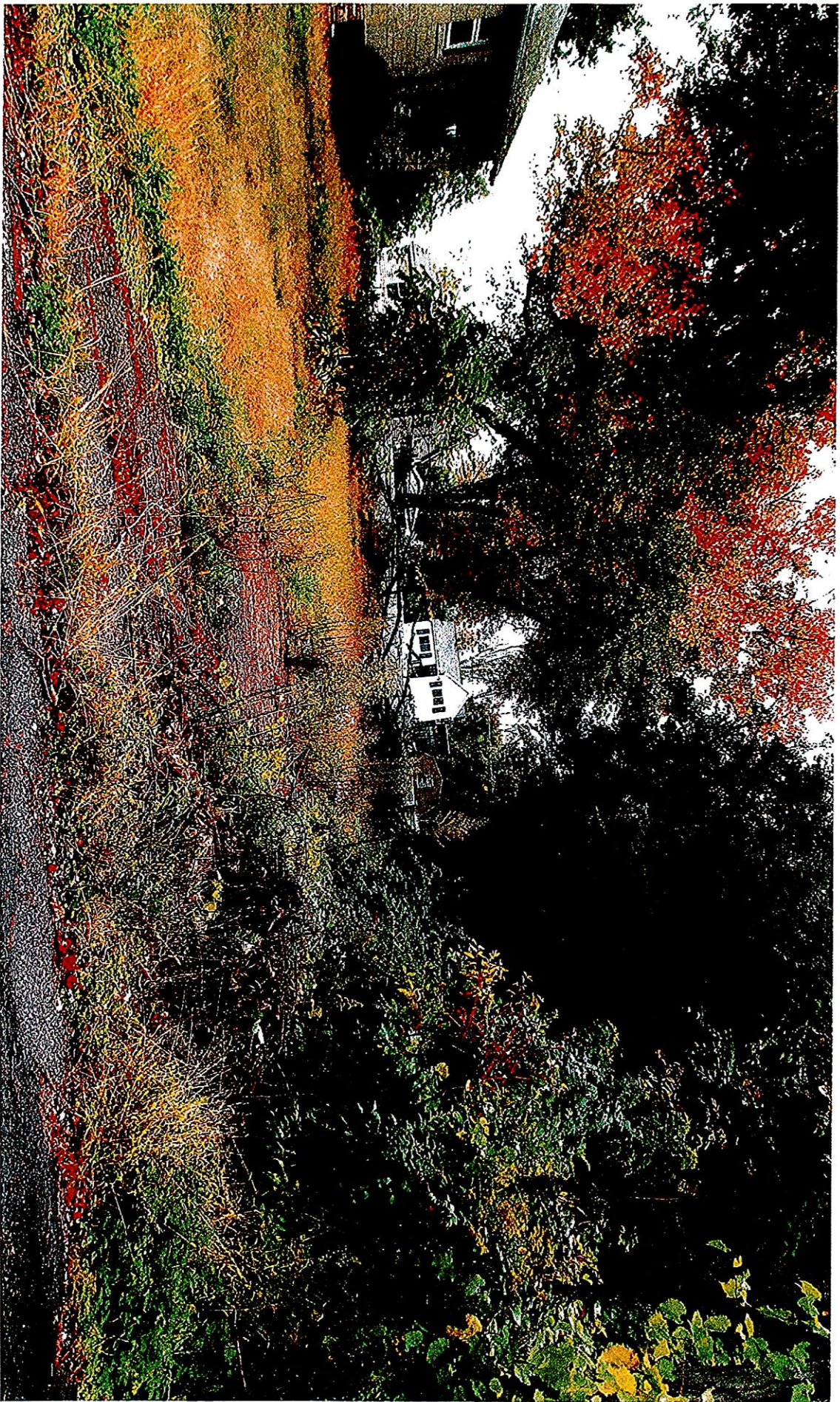
at premises hereinafter described in that:

GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS WEED/GRASS/BRUSH GROWTH.

OWNER/AGENT MUST NOTIFY THIS OFFICE WITHIN TEN DAYS OF A PROPOSAL TO REMEDY THE AFOREMENTIONED VIOLATION. IF THE REMEDY IS NOT FORTHCOMING THE TOWN OF KENT WILL CONTRACT WITH A VENDOR TO CORRECT THE VIOLATION AND THE FEE CHARGED WILL BE CHARGED TO THE HOME OWNER OR THE TAX ASSESSMENT LEVIED ON THE SITE IF NOT PAID.

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and remedy the conditions above mentioned. Failure to remedy the conditions aforesaid and to comply with the law may constitute an offense punishable by fine or imprisonment or both.


**WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT**







CODE ENFORCEMENT
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598

ORDER TO REMEDY VIOLATION

Location: 44 Towners Rd Kent, NY 10512

Map NO: 33.72-1-36

Date: 09-11-19

TO:

KA Exclusive Properties, LTD
4721 Palmetto Rd
Benton, LA 71006

PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:

Town of Kent Municipal Code\Chapter 55 A Property Maintenance Code (13/1/13)

at premises hereinafter described in that:

GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS
WEED/GRASS/BRUSH GROWTH.

OWNER/AGENT MUST NOTIFY THIS OFFICE WITHIN TEN DAYS OF A PROPOSAL
TO REMEDY THE AFOREMENTIONED VIOLATION. IF THE REMEDY IS NOT
FORTHCOMING THE TOWN OF KENT WILL CONTRACT WITH A VENDOR TO
CORRECT THE VIOLATION AND THE FEE CHARGED WILL BE CHARGED TO THE
HOME OWNER OR THE TAX ASSESSMENT LEVIED ON THE SITE.

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and
remedy the conditions above mentioned within ten days from this date. Failure to remedy
the conditions aforesaid and to comply with the law and may constitute an offense
punishable by fine or imprisonment or both.


WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT

09/11/2019





**CODE ENFORCEMENT
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598
KENTCODES@GMAIL.COM
ORDER TO REMEDY VIOLATION**

Location: 9 Dingley Rd Kent, NY

Map NO: 33.74-2-49

Date: 10/3/2019

TO:

Joseph Woods
218 Grapehollow Rd
Holmes, NY 12531

PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:

**Town of Kent Municipal Code\Chapter 55a-Property Maintenance Code\Section 11 Subs B-1-
B Nuisances**

at premises hereinafter described in that:

**GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS
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CORRECT THE VIOLATION AND THE FEE CHARGED WILL BE CHARGED TO THE
HOME OWNER OR THE TAX ASSESSMENT LEVIED ON THE SITE IF NOT PAID.**

**YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and
remedy the conditions above mentioned. Failure to remedy the conditions aforesaid and to
comply with the law may constitute an offense punishable by fine or imprisonment or both.**


**WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT**



10/01/2019

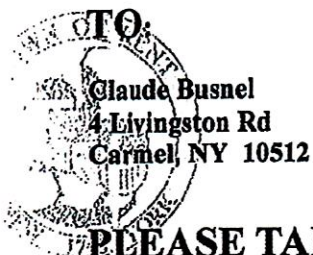


**CODE ENFORCEMENT
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598
KENTCODES@GMAIL.COM
ORDER TO REMEDY VIOLATION**

Location: 4 Livingston Rd Kent, NY 10512

Map NO: 22.50-2-2

Date: 9/12/2019



PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:

Town of Kent Municipal Code\Chapter 55 A Property Maintenance Code\Section 11 Subs B-1-B Nuisances

at premises hereinafter described in that:

GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS WEED/GRASS/BRUSH GROWTH.

OWNER/AGENT MUST NOTIFY THIS OFFICE WITHIN TEN DAYS OF A PROPOSAL TO REMEDY THE AFOREMENTIONED VIOLATION. IF THE REMEDY IS NOT FORTHCOMING THE TOWN OF KENT WILL CONTRACT WITH A VENDOR TO CORRECT THE VIOLATION AND THE FEE CHARGED WILL BE CHARGED TO THE HOME OWNER OR THE TAX ASSESSMENT LEVIED ON THE SITE IF NOT PAID.

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and remedy the conditions above mentioned. Failure to remedy the conditions aforesaid and to comply with the law may constitute an offense punishable by fine or imprisonment or both.


**WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT**



09/11/2019





CODE ENFORCEMENT
OF
TOWN OF KENT, PUTNAM COUNTY, NEW YORK
845-306-5598

ORDER TO REMEDY VIOLATION

Location: 77 CLUBHOUSE DRIVE, CARMEL, N.Y. 10512 _____

Map NO: 33.35-1-44

TO: BRIAN DALY

August 26, 2019

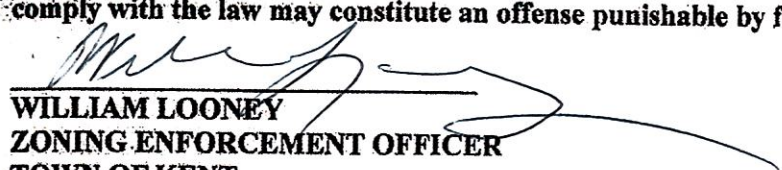
Address/Owner/Agent: 77 CLUBHOUSE DRIVE, CARMEL, N.Y. 10512

PLEASE TAKE NOTICE THERE EXISTS A VIOLATION OF:
PROPERTY MAINTENANCE FOUND IN SECTION 55A-11. SUB B. (1) (B) OF
THE TOWN ORDINANCES OF THE TOWN OF KENT.

GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS
WEED/GRASS/BRUSH GROWTH.

OWNER/AGENT MUST NOTIFY THIS OFFICE WITHIN TEN DAYS OF A PROPOSAL
TO REMEDY THE AFOREMENTIONED VIOLATION. IF THE REMEDY IS NOT
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remedy the conditions above mentioned. Failure to remedy the conditions aforesaid and to
comply with the law may constitute an offense punishable by fine or imprisonment or both.


WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT



08/26/2019



**CODE ENFORCEMENT
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598
KENTCODES@GMAIL.COM
ORDER TO REMEDY VIOLATION**

Location: 122-126 Route 311 Kent, NY

Map NO: 22.-2-15

Date: 10/17/2019

TO:

Chestnut Petroleum Dist., Inc.
536 Main St
New Paltz, NY 12561

PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:

Town of Kent Municipal Code\Chapter 55a-Property Maintenance Code\Section 11 Subs B-1-B Nuisances

at premises hereinafter described in that:

GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS WEED/GRASS/BRUSH GROWTH.

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**WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT**



**CODE ENFORCEMENT
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5598
KENTCODES@GMAIL.COM
ORDER TO REMEDY VIOLATION**

Location: 324 Richardsville Rd Kent, NY 10512

Map NO: 31.5-1-8

Date: 10/3/2019

TO:

**James Primiano
324 Richardsville Rd
Kent Lakes, NY 10512**

PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:

Town of Kent Municipal Code\Chapter 55a-Property Maintenance Code\Section 11 Subs B-1-B Nuisances

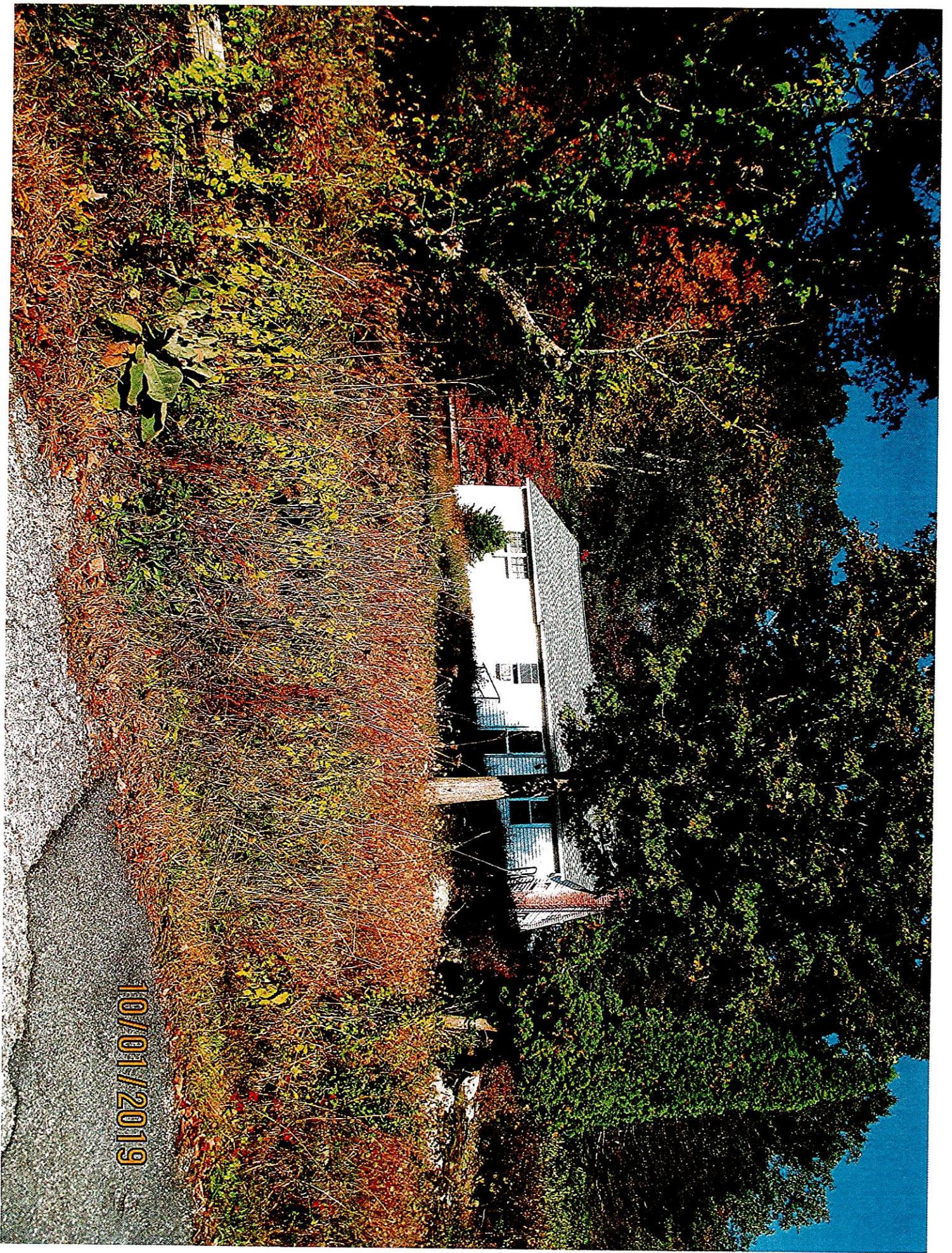
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**WILLIAM LOONEY
ZONING ENFORCEMENT OFFICER
TOWN OF KENT**



10/01/2019