

**LANC & TULLY**  
**ENGINEERING AND SURVEYING, P.C.**

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Arthur R. Tully, P.E.

November 9, 2021

Town of Goshen Planning Board  
41 Webster Avenue  
Goshen, New York 10924

Re: Kipp Road 2-lot Subdivision

Chairman Bergus and Planning Board members;

Attached herewith are revised subdivision plans for the above referenced project. The proposal involves the subdivision of Town of Goshen Tax Parcel 3 – 1 – 3.2, consisting of 33.53 acres, into two lots; Lot 1 will continue to be a commercial horse farm and Lot 2 will contain a residence and a commercial horse farm as primary uses. No development or site disturbance is proposed. Easements for access will be provided under separate cover.

The site is located in the Town of Goshen Rural (RU) Zoning District and AQ-6 Overlay. Plans have been revised based on comments received from the board and its consultants. Specifically the following responses are provided in response to Sean Hoffman, PE letter dated October 29, 2021:

- 1.a. Note #8 has been added to the subdivision plans regarding the maximum number of lots for a small-scale subdivision as requested.
- 1.b. The property is currently consistent with the definition of a commercial horse boarding operation in the Town of Goshen Zoning Code by boarding more than 10 horses and generating revenue in excess of \$10,000 annually (see attached letter from the property owner). The newly subdivided lots will each remain consistent with these criteria.
- 1.c. See response to 1.b.
- 1.d. No response needed.
- 1.e. General notes have been revised. As discussed at the Planning Board meeting, Lot 2 does have street frontage on an approved street. A note has been added to the bulk table to clarify the lot's frontage is located in the Town of Hamptonburgh. Reduced street frontage, or access to the lot via "a narrow access strip" is permitted by 97-19F of the zoning code. This has been interpreted

to only apply to residential lots and therefore the plan has been revised so that both the residence and the horse farm are primary uses on Lot 2. This provision also stipulates the minimum lot size be three times the standard 2 acre minimum. The bulk table has been revised to confirm Lot 2 meets this larger minimum lot area requirement for both residential and a commercial horse farm as primary uses.

1.f Environmental control formal calculations have been provided on the plans.

1.g. No development or disturbance is occurring on the site. No plan revisions needed.

2. Access to a lot via easement is permitted by Section 97-19F of the zoning code. The applicant is requesting a waiver of the code's prohibition of common driveways (Subdivision Regulations Section 83-15.D.(1)) to allow use of the existing driveway in the same configuration and for the same purposes as it is currently. Such a waiver is authorized under Section 83-32 where the Planning Board finds the specific requirement may be in conflict with the environmental, agricultural, scenic or historic resource protection purposes of Chapter 97. Section 97-41.A specifically recommends the retention and reuse of *"existing old farms roads and lanes rather than constructing new roads or driveways. This minimizes clearing and disruption of the landscape and takes advantage of the attractive way that old lanes are often lined with trees and stone walls."*

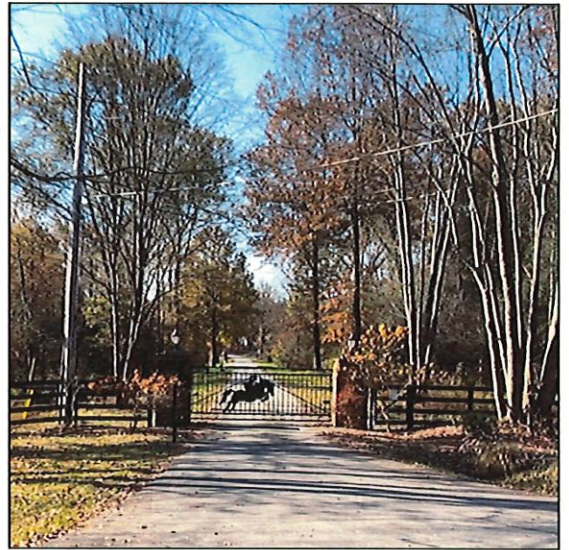


Photo: Existing Kipp Road Frontage

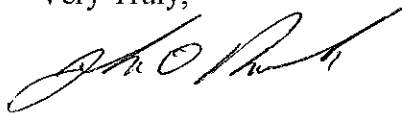
3. A letter from TAM Enterprises, Inc. dated September 21, 2021 has been provided confirming dye testing was performed at the Project Site.

4. Based on the presence of existing vegetation along the frontage at the Project Site, the applicant is requesting a waiver from the requirement for planting street trees. Note #7 has been added to the plan regarding fence height.

5. The Project Site contains a small pond which is considered Federal wetlands based on available online mapping. As no site disturbance is proposed, no impacts to this pond will occur. As no trees are proposed to be removed from the site, no impacts to Indiana Bats will occur. As stated above, the floodplain is shown on the plan.

If you require anything further or have any questions please feel free to contact our office.

Very Truly,

A handwritten signature in black ink, appearing to read "John O'Rourke". The signature is fluid and cursive, with a prominent initial "J" and "O".

John O'Rourke, PE

LANC & TULLY, PC

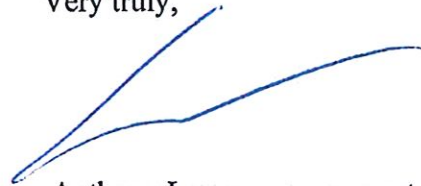
November 8, 2021

Town of Goshen Planning Board  
41 Webster Avenue  
Goshen, NY 10924

Re: Kipp Road subdivision

The subject property (Tax Lot 3-1-3.2 within the Town of Goshen) currently consists of 33.53 acres, is located in Orange County Ag District #1 and is currently consistent with the definition of a commercial horse boarding operation in the Town of Goshen Zoning Code by boarding more than 10 horses and generating revenue in excess of \$10,000 annually. The newly subdivided lots will each remain consistent with these criteria.

Very truly,



Anthony Lasaponara, property owner



114 Hartley Road  
Goshen, NY 10924  
Phone (845)294-8882  
Fax: (845)294-8883

September 21, 2021

Anthony Lasaponara  
114 Hartley Rd  
Goshen, NY 10924

Mr Lasaponara,

TAM Enterprises performed a dye test of the existing Sewage Disposal System's (SDS) at 23 Kipp Rd Goshen, NY 10924. There are 2 systems in operation at this address, the main barn and the existing dwelling. Both systems were found to be in satisfactory operating condition.

Sincerely,



Brian W Cutler