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June 23, 2022

Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924
ATTN: Lee Bergus, Chairperson

**RE: W.O. # 1845.01
11 GURDA LANE
SITE PLAN APPLICATION (19-1-124.1)
RESPONSE**

Dear Chairperson Bergus,

Please find attached 11 copies of the revised site plans for the above referenced project. The plans have been revised to address comments from the May 27, 2022 letter from Hoffman Engineering. Please find below a comment-by-comment response to the Hoffman Engineering comment letter.

1. ZONING

- a) **Use** – We await Neals opinion that buildings 1, 2 and 4 are accessory uses to the principal use of the property. In regard to the farm labor housing, we are proposing to abandon the use.
- b) **Public Hearing** – Comment noted.
- c) **Special Permit** – A letter addressing specific criteria listed in the Code including a list of nuisances, traffic and emergency service access, etc.is attached with this submission for the Town Code’s section 97-50 regarding Environmental. As for section 97-73B regarding findings for special permits and major project criteria:
 - o To our knowledge this project complies with all land use district, overlay district, and other specific requirements of this chapter.
 - o As the operation of the site for the change of use will be consistent with current operation, and no excessive off-premises noise, dust, odors, solid waste, or glare exist the proposed use will not create any of these public or private nuisances.
 - o As the operation of the site for the change of use will be consistent with the current operation and no significant traffic congestion, impair pedestrian safety, overload existing roads, etc. has occurred none is expected.

- The project is accessible to fire, police, and other emergency vehicles with two access points from Maple Avenue, easy access to all buildings on site, and large areas for maneuvering vehicles.
 - The site is not connected to public utilities and will therefore not overload any public water, drainage, sewer, or any other municipal facility as their drainage, water, and septic are all private on site facilities.
 - Operation of the site will remain similar so the change of use will not materially degrade any watercourse or other natural resource or ecosystem or degrade the water quality or quantity of an aquifer.
 - The site's characteristics and existing use as a agricultural warehousing site should simplify the transition of non-agricultural warehousing and storage.
 - There are no proposed improvements to the site and any non-complying zoning or buffer issues are in our opinion pre-existing non-conforming due to the use remaining nonresidential.
 - The project does not propose strip commercial development. The use will remain similar in warehousing and storage, and we believe the lack of a 200' landscaped buffer between nonresidential uses and a Residential District is a pre-existing non-conforming condition as the buffer applies to all non-residential uses.
 - The project will not impact the availability of affordable housing in the Town.
 - The project will comply with applicable site plan criteria in section 97-75D.
 - The project is not located in a residential district.
- d) **Floodplain Overlay** – There are no proposed modifications or improvements to the buildings within the floodplain. As per the owner, building 1 and building 2 have had no issues regarding flooding. The tanks within the floodplain will be removed. The well locations have been clarified with the owner. There are only two wells: the well in building 5, and the well to the right of building 6. There is no well within the floodplain overlay.
- e) **Stream Corridor Overlay** – The Stream Corridor & Reservoir Watershed Overlay (SC) District boundary, which extends 150 feet from the mean high-water line of all stream segments, has been added to the plan.
- f) **Dimensional Regulations** –
- We believe the 106 feet of road frontage to be a pre-existing non-conforming condition as per Town of Goshen Code 97-13F which states that all non-residential uses and buildings in the AI District shall meet the following bulk regulations:
 - Minimum area of 2 acres
 - Minimum frontage of 200 feet
 - Minimum front setback of 50 feet

- Minimum side and rear setback of 50 feet.
- Maximum impervious coverage of 50%.
- Maximum building height of 45 feet.
- Maintain a suitably landscaped 200-foot buffer strip from any nonresidential use or building to any lot line abutting the RU District boundary.

Although the site's use is changing, the existing and proposed use are both non-residential so we believe this condition is pre-existing nonconforming.

- We believe the side yard setback is also a pre-existing non-conforming condition as per the code above.
 - The existing rear yard setback has been corrected. We also believe this to be a pre-existing non-conforming condition as per the code above.
 - The impervious coverage calculation has been revised to exclude wetlands, watercourses, and floodplains from the total land area.
 - As with the previous zoning comments, this 200-foot landscaped buffer is required of any non-residential use in the AI district. As the current use is non-residential, we believe this to be a pre-existing non-conforming condition as well. The line type has been revised to appear clearly on the plan.
- g) Parking – Parking for the site has been updated to show two parking areas: one parking area containing 58 spaces including 3 accessible spaces and a parking area in front of the office with 4 spaces including one accessible space. The parking calculations have been provided on the plan.

2. SITE PLAN

- a) **Site Access** – The intent of the 1998 map that created Gurda Lane was for the parcel to be over the existing road. Our goal is to correct it and have the easement centered on Gurda Lane. There are no improvements proposed, so truck traffic and fire apparatus will continue to use the site as it is currently being used. A turning analysis for delivery trucks has been provided.
- b) **Circulation** – The loading docks are existing, and no change proposed in relation to the way the site is being used.
- c) **Utilities**
- a. Water – We have submitted a well testing protocol for the existing wells and will submit results after the wells have been tested.

We have provided a letter from the architectural firm retained by our client regarding sprinkler systems.

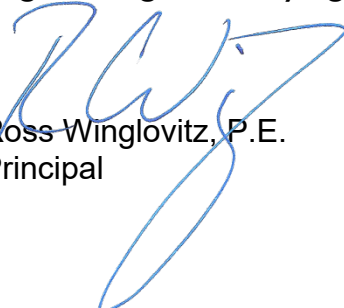
- b. Wastewater Disposal – Approximate locations of existing septic systems on the site will be verified and dye testing of the systems has been scheduled.

- c. Stormwater – Comment noted.
- d) **Lighting** – There is no proposed change in the way the site is being used, so the lighting will remain the same and will continue to function as it currently does. Approximate locations of existing light fixtures have been added to the Site Plan.
- e) **Miscellaneous**
 - a. Signs – Signage has been provided on the plan.
 - b. Traffic – Traffic has been addressed in the previously mentioned letter addressing specific criteria in the town code.
 - c. Agricultural Data Statement – Notices of the public hearing will also be sent to the owners of land identified in the Agricultural Data Statement.


3. SEQRA – Comment Noted.

I look forward to discussing this project with the Town at the next meeting.

Sincerely,
Engineering & Surveying Properties, PC



Ross Winglovitz, P.E.
Principal



James Martinez, EIT
Staff Engineer