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November 3, 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 August 11, 2022 letter from Hoffman Engineering and the August 12, 2022 Letter from Kimley-Horn Engineering, Please find below a comment-by-comment response to the comment letters.

HOFFMAN ENGINEERING

1. ZONING

- a) **Use** – Building Nos. 1 and 2 have been revised to remain as agricultural uses.
- b) **Public Hearing** – Public Hearing was opened and closed on August 18, 2022 with no input from the public.
- c) **Special Permit** – No response required.
- d) **Floodplain Overlay** – The site plan has been revised to show Building Nos. 1 and 2 to remain as agricultural uses, which will allow them to remain within the floodplain per Building Inspector Leva's interpretation dated October 7, 2022.
- e) **Stream Corridor Overlay** – The site plan has been revised to show Building Nos. 1 and 2 to remain as agricultural uses, which will allow them to remain per Building Inspector Leva's interpretation dated October 7, 2022.
- f) **Dimensional Regulations** –
 - Frontage: The existing frontage is pre-existing non-conforming as the creation of the lot was permitted on Filed Map 52-07 filed on February 9, 2007.
 - Side yard setback: The site plan has been revised to denote Building No.1 to remain as an agricultural use, so setbacks will not apply to this building per code section 97-47E(2) and per Building Inspector Leva's interpretation dated October 7, 2022.

- Rear yard setback: The site plan has been revised to denote Building No.1 to remain as an agricultural use, so setbacks will not apply to this building per code section 97-47E(2) and per Building Inspector Leva's interpretation dated October 7, 2022.
 - 200' Landscape Buffer: Per §97-13F(2) above, the existing and proposed use of the site are both non-residential so this condition has always applied to this site. This has been interpreted as a pre-existing non-conforming condition per Building Inspector Leva's supplemental interpretation dated October 25, 2022.
- g) **Parking** – The parking calculations provided combined both employee criteria for building 6a and 6b and use criteria for buildings 4, 5a, and 5b because the employee count for building 6a and 6b is known while the other buildings are speculative. Per the previous meeting, a guiderail between the stormwater management pond and the parking area has been proposed on the site plan.
- The structure between the 16 stall and 2 parking stall is a small storage shed. It has been called out on the site plan and is proposed to be removed.
 - The dashed markings along the parking area are existing curb stops for the existing parking area.
 - A Details sheet has been provided which include striping details and dimensions as well as signage details.

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. We have provided a response to Engineer Canning's letter regarding traffic and transportation in the latter half of this response letter.
- b) **Circulation** – The loading docks are existing, and no change proposed in relation to the way the site is being used. This was discussed previously at the meetings and the Board agreed that there would be no visual impact from Cedar Swamp Road.
- c) **Utilities**
- a. Water – After reviewing Appendix C of the Town Code regarding Water Testing Protocols, we are unsure how our plans trigger compliance with these protocols.

In Section A, it is stated that these protocols are for *“Well Installation, Testing and Reporting of Private Well Supplies for Subdivisions.”* We do not believe we fall under this category. Further into the Introduction paragraph, it states: *“...all subdivisions involving three or more lots, which include lots with on-site private water wells, must perform a hydrogeological study and associated testing to confirm the availability of reliable on-site water and minimal impact on adjacent parcels.”* And before it gets into the procedures, the protocol states, *“The purpose of this document is to provide guidance to landowners who are planning*

to install private wells in the Town of Goshen to serve new residential subdivisions.”

Section B’s protocols are stated as *“Protocols for Well Installation, Testing and Reporting – Community Water Supplies.”* We also believe that we do not fall under the category of a Community Water Supply, and that we would be considered a Non-Transient Non-Community Water System. Further into this section, it states that the protocols are intended *“to provide guidance to landowners who are planning to install water production wells in the Town of Goshen to serve new residential or commercial development.”* This site is not new and has had the two existing wells functioning for the site’s uses.

When received, we will provide an updated building code review from the Project Architect which utilizes the same building numbering system as shown on the plans.

- b. Wastewater Disposal – We believe that an active, current, SPDES permit for the site is satisfactory to address wastewater concerns as discussed at the last meeting. We are also projected to have less flow from the site than what the permit allows. Attached is the septic inspection that was performed for the applicant.
- c. Stormwater – No response required.
- d) **Lighting** – A note has been added to the site plan that lights are to include timers and/or motion detectors to reduce lighting at night.
- e) **Miscellaneous**
 - a. Signs – A sign prohibiting left turns for trucks has been added near the exit via Gurda Lane. The existing sign for Gurda Gardens is also proposed to be removed to allow for better visibility leaving the site.
 - b. Agricultural Data Statement – The Agricultural Data Statement was previously submitted to the Town.

3. SEQRA – No response required.

KIMLEY-HORN ENGINEERING

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. Currently, the Gurda Lane access is a separate parcel (Tax Map ID 19-1-95.222) owned by Gurda Gardens Ltd. The proposed access easement has been revised to be centered on Gurda Lane, and the ownership for use and maintenance of the proposed easement is listed in Note #10 under General Notes on the site plan.

Sight Distance – We understand there is a sight distance concern due to the crest in the hill to the east of the Gurda Lane/Maple Avenue Intersection which could pose a problem for truck turning and traffic flow. A sign prohibiting left turns for trucks out of Gurda Lane has been added to the plan. Additionally, the signage that is in the middle of the driveway is to be removed to allow for better visibility to the northwest along Maple Avenue. Figures showing a left-turning truck from Maple Avenue onto Gurda have been included with this submission.

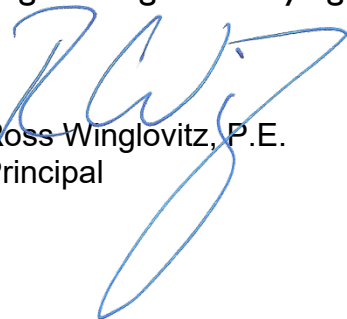
Circulation – Truck turning templates for Building No. 5a have been provided. Truck turning templates for a fire truck have been provided.

Parking – No response required.


Traffic – No response required.

We 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