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December 2nd, 2022

Village of Montgomery Planning Board
133 Clinton Street
Montgomery, NY 12549
ATTN: Kevin Conero, Chairman

**RE: W.O. # 1281.01
KSH ROUTE 211 DEVELOPMENT, LLC
UNION STREET, VILLAGE OF MONTGOMERY
COMMENT RESPONSE LETTER**

Dear Chairman Conero,

Please find 12 copies of the revised Site Plan Set. The plan set has been revised based on the comment letter prepared by Lanc & Tully Engineering & Land Surveying, PC dated January 21st, 2022. Please find a comment-by-comment response below:

Site Plans

- 1. The provided site plan shows more doors than the provided architectural plans. The plans should be revised to be consistent.**

Locations of the doors have been revised on the plan.

- 2. The provided architectural plans show “proposed office” and “proposed tenant” spaces. It was previously discussed that a portion of at least one of the warehouses was to be utilized as a showroom for playground equipment. If showroom areas will be used, they should be shown on the architectural plans to confirm compliance with Section 122-47 of the Village of Montgomery Code. §122-47.C.Warehouse.(6) – “Permitted ancillary uses. Professional offices, classrooms, conference rooms, employee break or dining areas and showrooms are allowed provided such uses do not occupy more than 20% of the total building area of the principal warehouse use.”**

As provided on the proposed architectural plans, each building is split into 3 different tenants each having a 1,000 square foot office space.

- 3. The Landscape Plan shows a proposed tree on the southwestern curb line of the entrance drive that should be corrected.**

The location of the proposed tree has been revised and is shown on sheet C-110.

- 4. The proposed Landscape Plan proposes 5 deciduous trees to be located along NYS Route 211 (Union Street) approximately 10 feet from the existing edge of pavement, there appears to be existing mature trees in portions of this area. The existing mature trees should be preserved, where possible, and supplemented where necessary to provide additional screening.**

A note has been added to the landscape plan as note #14 under "General Planting Notes". These 5 deciduous trees are to be planted to supplement the existing vegetation along NYS Route 211, locations to be determined by the Project Landscape Architect in the field.

- 5. There appears to be a tree proposed on or near the discharge of an existing drainage pipe approximately 90 feet Northeast of the proposed entrance.**

The proposed tree has been relocated to not interfere with the existing drainage pipe.

- 6. The limits of disturbance should include the proposed landscaping.**

The limits of disturbance have been revised to include the proposed landscaping.

- 7. Special permit criteria of the zoning code states "The Planning Board shall review the color, materials and design of all structures, including roof pitch, as to their conformity with surrounding structures, visibility from public roads, scenic areas, and consistency with community character. Variations in materials, facade depths and other architectural design elements shall be used to break up the visual mass of large buildings. Multiple structures on a single site should have a unified design."**

The applicant has revised their architectural design to include an additional façade color and additional windows in an attempt to break up the mass of the buildings. As discussed previously, the Planning Board has discretion to determine if the design proposed is consistent with the special permit criteria above.

The Architectural plans, elevations and photo renderings have been revised per our call with the Village's architectural consultant. Darker colors are now proposed and alternative elevations are included for 35 ft vs 45 ft buildings.

- 8. The applicant's engineer has indicated that a waiver from the NYSDEC is required for phases where the proposed disturbance exceeds 5 acres, a note indicating this should be added to the E&S Plans.**

A note has been added to sheet C-106 & C-107 indicating the applicant will request a 5 acre waiver.

- 9. Proposed silt fence linework is masked by the phasing line, the silt fence linework should be more visible.**

Linework for silt fencing has been revised.

10. Concrete washouts should be provided for each phase and a detail provided.

Concrete washout locations have been added on sheets C-106 & C-107.

11. Sizing of rock outlet protection should be provided for all proposed discharge points.

Sizing for the rock outlet protection has been added to sheet C-303.

12. The total area of disturbance should be noted on the overall plan sheet (O-100).

The total disturbance area has been added to sheet O-100 as note #16 under "General Notes".

13. The provided wetland disturbance numbers do not appear to include the temporary wetland disturbance area.

The wetland disturbance numbers have been updated.

14. The provided wetland disturbance areas on the site plan differ slightly from the provided wetland disturbance areas in the EAF.

Updates to the part 3 EAF are attached hereto this email.

15. The following notes should be added to the plans:

- a. Prior to construction the wetland boundaries in the vicinity of any proposed work shall be clearly marked in the field with construction fencing to avoid unnecessary disturbances.**

The note has been added as note #13 under "General Notes" on sheet O-100.

- b. No open storage is allowed. All items and materials shall be stored completely within the confines of the warehouse building(s).**

The note has been added as note #14 under "General Notes" on Sheet O-100.

- c. Storage of toxic, explosive, flammable or otherwise dangerous and noxious materials that are incompatible with the public health and safety or that may pose a risk to groundwater or other contamination shall be prohibited.**

The note has been added as note #15 under "General Notes" on sheet O-100.

16. The applicant has addressed all comments from the Orange County Department of Planning dated June 28, 2022.

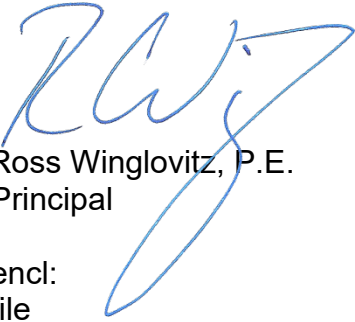
Comment Noted.

17. SHPO has provided a letter indicated that they have reviewed the Phase 1 Archaeological Survey Report prepared by Tracker Archaeology, Inc. and concur with the report's recommendation that no additional archaeological investigation is warranted.

Comment Noted.

If you have any additional questions and/or comments please don't hesitate to contact this office.

Engineering & Surveying Properties, PC



Ross Winglovitz, P.E.
Principal



Zach Szabo, E.I.T.
Project Engineer

encl:
file