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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Town of Newburgh ZBA

Applicant: Michael and Constance Pendino

Project Name: none provided

Proposed Action: Area Variance for pool located within 10 feet of lot line and for increased degree of nonconformity for side yard setback

Reason for County Review: Within 500 feet of County Route 86 (Fostertown Rd)

Date of Full Statement: April 17, 2018

Referral ID #: NBT 12-18M

Tax Map #: 17-1-46

Local File #: 2665-18A&B

Comments:

The Planning Department has reviewed the submitted materials regarding the appeal for an area variance. While the Zoning Board of Appeals must weigh the local issues in balancing the needs of the appellant with the potential impacts on the surrounding area, it does not appear that intermunicipal or countywide impacts would result if the board finds that granting relief is warranted in this matter.

County Recommendation: Local Determination

Date: April 24, 2018

Prepared by: Megan Tennermann, AICP, Planner

David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.