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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-1, m, &n

Local Referring Board: Town of Newburgh ZBA

Applicant: James Anderson

Project Name: none provided

Proposed Action: Area Variance for parking of commercial vehicle on residential property

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

Date of Full Statement: March 20, 2015

Referral ID #: NBT 17-15M

Tax Map #: 43-1-1.2

Local File #: 2448-14

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.

The applicant has requested an interpretation of Town of Newburgh Code §185-30. Outdoor Storage. It is the opinion of the planning department that the parking of this vehicle is consistent with the intent of §185-30; however, the County makes no recommendation as to the approval or denial of this use.

County Recommendation: Local Determination

Date: April 2, 2015

Prepared by: Megan Tennermann, AICP, Planner


for **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 online at www.orangecountygov.com/planning.