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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: Cosimo J. Colandrea

Project Name: Buick GMC

Proposed Action: Area Variance for maximum allowed sign area and increased degree of nonconformity with sign regulations

Reason for County Review: Within 500 feet of NYS Route 17K

Date of Full Statement: March 31, 2016

Referral ID #: NBT 13-16M

Tax Map #: 100-5-22.2 and 37.212

Local File #: 2552-16

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.


We note that the proposed application includes a number of signage options available to the applicant. While it is for the applicant to determine the needs of his business, it is for the Town to determine whether the proposed variance, which is the second variance for the signage on this property and an increase in the degree of nonconformity over the previously approved variance, is warranted. We further note that the application makes reference to combining two lots. We will be happy to review that application when it is referred to us by the Planning Board; however, we feel that the lot combination is a separate issue from the proposed signage variance.

County Recommendation:

Local Determination

Date: April 6, 2016

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 online at www.orangecountygov.com/planning.