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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: Sheri and Scott Drivanos

Project Name: none provided

Proposed Action: Area Variance for maximum allowed square footage of accessory buildings and maximum permitted vehicle storage onsite

Reason for County Review: Within 500 feet of the Orange/Ulster County boundary

Date of Full Statement: March 30, 2016

Referral ID #: NBT 14-16M

Tax Map #: 2-1-14

Local File #: 2560-16

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 a similar variance was granted in 2010 on this property, for exceeding the maximum square footage allowed for accessory buildings and for exceeding maximum allowable height for the garage. While the Town must determine whether granting relief is warranted, we caution the Town that this may be an incremental application, and that incremental applications may be used to diminish the perception of the impact resulting from the proposed development.

County Recommendation: **Local Determination**

Date: April 7, 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.