



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

David E. Church, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

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 Falcetano

Project Name: none provided

Proposed Action: Area Variance for new construction of gable roof over existing front entry within front yard setback

Reason for County Review: Municipal request

Date of Full Statement: October 22, 2015

Referral ID #: NBT 42-15M

Tax Map #: 6-3-12

Local File #: 2525-15

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 project is not located in an area in which projects are required to be referred to the County under General Municipal Law §239-l. We remind the Town that area variances, when located within 500 feet of an active agricultural operation within a County Agricultural District, need not be referred on that basis alone. As the Town referred this application to the County, County Planning has reviewed it and found that intermunicipal or countywide impacts are unlikely to result if this Board grants this application, as stated above.

County Recommendation:

Local Determination

Date: November 6, 2015

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.