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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: Garage Sales Unlimited LLC

Project Name: none provided

Proposed Action: Area Variance for front yard setback to State road and side yard setback for change of use for existing building

Reason for County Review: Within 500 feet of NYS Route 52

Date of Full Statement: August 18, 2017

Referral ID #: NBT 22-17M

Tax Map #: 52-7-1

Local File #: 2631-17A

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 existing parking area is located partially on the property to the east of the subject parcel. The applicant may wish at some point to consider a lot line adjustment with the neighboring property in order to acquire that portion.

County Recommendation: **Local Determination**

Date: September 5, 2017

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 on-line at www.orangecountygov.com/planning.