

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 **Referral ID #:** NBT 30-17M

Applicant: Lake Creek Properties LLC/Lingo Associates LLC **Tax Map #:** 26-1-1.1

Project Name: McDonald's Restaurant

Proposed Action: Area Variance for maximum allowed signage, minimum front yard setback, minimum separation between parking lot and intersection, minimum off-street loading spaces, and access for drive-thru aisle directly to state highway for demolition of existing and new construction of fast-food restaurant

Reason for County Review: Within 500 feet of NYS Route 32

Date of Full Statement: December 14, 2017

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 inter-municipal or countywide impacts would result if the board finds that granting relief is warranted in this matter.

We remind the Town of Newburgh Zoning Board of Appeals that New York State General Municipal Law Section 239, paragraphs l, m, and n gives the County a review period of thirty days from submittal of a full statement, or a period extending to two days before the public hearing, whichever is longer. The ZBA has on multiple occasions this year alone submitted applications and requested expedited review to accommodate scheduled public meetings. In the future, please schedule your public meetings after our thirty-day referral period has concluded.

County Recommendation: **Local Determination**

Date: December 19, 2017

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