

*Mailed 2/23/16 nrb*

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County Executive

## Orange County Department of Planning

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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:** Maho Bay Realty LLC

**Project Name:** none provided

**Proposed Action:** Area Variance for two front yard setbacks, minimum lot width and minimum lot area for renovation of existing building for reuse as pediatric dentist

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

**Date of Full Statement:** February 11, 2016

**Referral ID #:** NBT 07-16M

**Tax Map #:** 80-6-7

**Local File #:** PB Refl

#### 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.

The appellant has made no changes to the overall site plan that was submitted to this office in December 2015. The appellant had previously proposed to use the third floor of the building as a medical office and now proposes to use it for storage purposes. This change decreases the number of parking spaces required to be developed at this time. The Town may wish to have all the previously proposed parking developed at this time, in the event that the medical office on the third floor may be developed in the near future.

**County Recommendation:**                      **Local Determination**

**Date:** February 22, 2016

**Prepared by:** Megan Tennermann, AICP, Planner

*David Church*  
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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 online at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).