



Steven M. Neuhaus  
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## 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:** Newburgh Park Associates

**Project Name:** none provided

**Proposed Action:** Area Variance for front yard and side yard setback for new construction of gas station and convenient store

**Reason for County Review:** Within 500 feet of Interstate 84

**Date of Full Statement:** September 14, 2017

**Referral ID #:** NBT 27-17M

**Tax Map #:** 89-1-19.22, 80.1, 80.2

**Local File #:** Pl Bd Refl

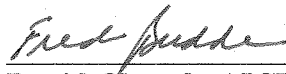
#### Comments:

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. We further have no objection to a 280(a) variance, should the Town Attorney or Zoning Board Attorney determine that such variance is necessary.

**County Recommendation:** Local Determination

**Date:** September 29, 2017

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

  
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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 on-line at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).