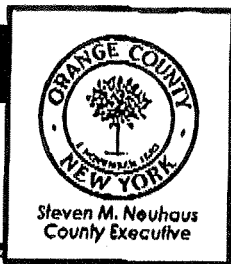


Reviewed 1/20/15 IUD



Orange County Department of Planning

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David E. Church, AICP
 Commissioner

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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: Webb Properties Inc. & Birk Realty Inc.

Referral ID #: NBT 47-14M
Tax Map #: 97-2-11.2, 13.22, 32, 35 and 43

Project Name: none provided

Local File #: none provided

Proposed Action: Area Variance for front yard setback for existing structures

Reason for County Review: Within 500 feet of NYS Route 17K

Date of Full Statement: December 23, 2014

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.

Although we received a Lead Agency request from the Town of Newburgh Planning Board in June, the proposed site plan and subdivision were never referred to this office as required under NYS General Municipal Law §239-l, m and n. While the Zoning Board of Appeals is not responsible for Planning Board referrals, we would appreciate notice being taken of this issue.

County Recommendation: **Local Determination**

Date: January 15, 2015

Prepared by: Megan Tennermann, AICP, Planner

David Church

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.