ORANGE COUNTY DEPARTMENT OF PLANNING

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Edward A. Diana
County Executive

County Reply – Mandatory Review of Local Planning Action
as per NYS General Municipal Law §239-l, m, &n

Local Referring Board: Town of Newburgh Zoning Board

Referral ID #: NBT26-12M

Applicant: Nella's Nest North Corp.

Tax Map #: 60-3-24

Proposed Action: Use variance related to allowing a storage building, existing cargo container.

Local File #: 2274-12

Reason for County Review: Project Site is within 500 feet of N.Y.S Route 300.

Date of Full Statement: July 11, 2012

Comments:

County Planning is in receipt of the GML §239 referral for the above referenced Project. Based upon our review of the submitted materials, our office has found no evidence that significant inter-municipal or county-wide impacts would result from its approval. County Planning recommends that the Board act on this variance request only if the applicant satisfies the unnecessary hardship standard, as defined by New York State law. Additionally our office would like to offer the following advisory comments:

1. The Board may wish to consider, in the event approval is considered, mitigation measures to visual screen the storage container as part of an approval. This may consist of decorative fencing and/or landscaping in accordance with the *Zoning Law* and potential approval by the Planning Board.

County Recommendation: Local Determination

Date: July 17, 2012

Prepared by: Chad M. Wade, R.L.A.
             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.