



Steven M. Neuhaus
County Executive

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 Zoning Board of Appeals

Referral ID #: NBT44-13N

Applicant: Ronald Bittner

Tax Map #: 1-1-32.22

Proposed Action: Use variance for an addition to an existing photovoltaic solar system.

Local File #: 2388

Reason for County Review: The real property parcels involved in the proposed action are within 500 feet of County Route 23.

Date of Full Statement: December 27, 2013

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 make a decision only after ensuring the Applicant has adequately demonstrated to the Board an unnecessary hardship. Our office would like to include the following as advisory comments:

1. County Planning recommends the Board determine if the Applicant needs to receive Planning Board approval related to the solar array. In the event Planning Board approval is not necessary and although the Solar array is being proposed in the side yard of the residence, our office recommends that the board determine if screening is warranted to minimize visual impacts to adjoining properties without impacting the collection of solar energy.

County Recommendation: Local Determination

Date: January 7, 2014

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.