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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 Chester Planning Board

Applicant: Rock City Media/Doug Barthel

Project Name: Sign Pole and Digital

Proposed Action: Site Plan for replacement of two existing billboards onsite, one with a new double-sided static sign and one with a new double-sided electronic sign

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

Date of Full Statement: September 3, 2015

Referral ID #: CHT 08-15M

Tax Map #: 3-1-72

Local File #: none provided

Comments: The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:

Existing Regulations: We advise the Town Board to ensure that the proposed billboards conform to the regulations of the Town of Chester Code §98-21.H regulating billboards. The proposed signs are closer together than 1,000 feet, and are closer than 75 feet to the property line adjacent to the highway. The applicant may need to request an area variance.

State Regulations: The proposed billboards are adjacent to NYS Route 17, in the process of being converted to Interstate 86. As such, they are subject to the New York State Department of Transportation regulations for offsite commercial signs. DOT typically requires local approval for a billboard project prior to issuing a permit; we advise the Town to contact DOT following the decision for this project, to ensure that the Town's concerns are addressed in the State permit.

Safety: The location of the proposed billboards as well as the constantly updating content of the proposed electronic billboard could potentially pose a safety hazard for traffic on NYS Route 17 as well as pedestrians and bicyclists on the Heritage Trail. We advise the Town to ensure that the proposed signs are designed and installed in accordance with the state laws regulating billboards, including the criteria for regulating off-premises commercial electronic variable message signs and with §98-21.H of the Town of Chester Code.

Open Space Plan: Orange County adopted the County Open Space Plan in 2004 as an addendum to the County Comprehensive Plan. This site is referenced in that document, and in the previous scenic preservation plan adopted in 1988, as a Special Scenic Area, specifically as part of the Oxford Depot meadowlands as seen from Route 17. Billboards and other signage, particularly electronic signage, are inconsistent with the principles of scenic viewshed preservation as espoused by New York State in their creation of Scenic Byways. Therefore we advise the Town that this proposed project is inconsistent with the Orange County Comprehensive Plan.

County Recommendation: Local Determination

Date: October 6, 2015

Prepared by: Megan Tennermann, AICP, Planner

A handwritten signature in black ink, consisting of two distinct, stylized loops followed by a horizontal line.

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.