



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 Chester Planning Board

Applicant: Lewis Sign Co

Project Name: Digital and Static Billboards

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 Routes 17 and 17M; within 500 feet of Goosepond Mountain State Park

Date of Full Statement: November 9, 2016

Referral ID #: CHT 10-16M

Tax Map #: 3-1-13

Local File #: none provided

Comments: The Department has received the above referenced site plan and has found evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following 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. The Planning Board will need to determine whether the reconstruction of the billboards in their present location means that the signs are pre-existing or otherwise. If they determine otherwise, 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 and close to and potentially visible from NYS Route 17M. 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 Routes 17 and 17M as well as pedestrians and bicyclists on the Heritage Trail and hikers in Goosepond Mountain. 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 officially adopted the County Open Space Plan in 2004 as an addendum to the County Comprehensive Plan. This site and corridor is referenced in that document, and in the previous scenic preservation plan officially adopted by the County in 1988, as a Special Scenic Area, specifically as part of the Oxford Depot meadowlands as seen from Route 17. Therefore we advise the Town that this proposed project is inconsistent with the Orange County Comprehensive Plan.

See reverse side

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 and other programming. The Town should consider a program to either, or both, reduce the number of billboards in this scenic area, or to work with the billboard owners to amortize and advance a substantially reduced number over a set number of years..

County Recommendation: Disapproval

Date: November 10, 2016

Prepared by: Megan Tennermann, AICP, 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.