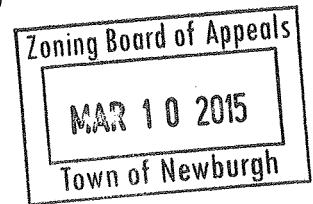


file

James B. Anderson
153 Fostertown Road
Newburgh, NY 12550
12 Feb15

Zoning Board of Appeals
Old Town Hall
308 Gardnertown Road
Newburgh, NY 12550



Re: Use Variance for 153 Fostertown Road

To Whom it Concerns:

I hereby withdraw my application which is before the Zoning Board of Appeals for a use variance pertaining to 153 Fostertown Road. This withdrawal is per discussions which took place on the record at the Board of Appeals hearing on 23 Dec 2014.

Subsequently, I am submitting application for interpretation of Town of Newburgh regulation 185-30.

Respectfully submitted,


James B. Anderson

Dickover, Donnelly & Donovan, LLP
Attorneys and Counselors at Law

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@dddablaw.com
Fax (845) 294-6553
(Not for Service of Process)

January 26, 2015

James B. Anderson
153 Fostertown Road
Newburgh, NY 12550

RE: Use Variance Application with the Town of Newburgh Zoning Board
of Appeals

Dear Mr. Anderson:

I write to you on behalf of the Town of Newburgh Zoning Board of Appeals in my capacity as the attorney for the board.

On December 23, 2014, you appeared before the Zoning Board in connection with your request for a use variance. After much discussion, you agreed to withdraw your application. The Board asked that you confirm the withdrawal of your application in writing but, as of today's date, no written confirmation has been received.

I therefore write on behalf of the Board simply to confirm the statement that you made on December 23, 2014 that your application for a use variance has been withdrawn and that there is no further action required by the Board as a result of the withdrawal of the application.

If you have any contrary understanding of the events as I have described them, please contact the Secretary of the Zoning Board of Appeals, Betty Genneralli, at 845-566-4901.

Thank you.

Very truly yours,

DAVID A. DONOVAN

cc: Grace Cardone, Chair
Town of Newburgh Zoning Board of Appeals

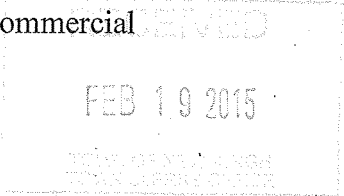
ZBA MEETING – JANUARY 22, 2015

(Time Noted – 8:56 PM)

JAMES B. ANDERSON

153 FOSTERTOWN ROAD, NBGH
(43-1-1.2) R-2 ZONE

Applicant is seeking an use variance for 185-13-E-(2) to allow the parking of a commercial vehicle (greater than 16,500 lbs.) outside of a garage or carport at the residence.



OTHER BOARD BUSINESS

Chairperson Cardone: Okay, under Other Board Business, if you recall James B. Anderson was here from 153 Fostertown Road and at that time he indicated that he would Withdraw his application and we asked to have that in writing and so far we have not received that so I would refer to our Attorney on this.

Mr. Donovan: So my suggestion is that I send him a letter just confirming the fact that his application is withdrawn and if he wants any further application...action by this Board he needs to submit a new application.

Chairperson Cardone: Okay. Is the Board in agreement with that?

Mr. Scalzo: I agree.

Mr. Maher: I agree.

Ms. Gennarelli: Do we need a vote on that...Grace?

Chairperson Cardone: Yes.

Ms. Gennarelli: Was there a first and second?

Mr. Maher: I'll first it.

Mr. McKelvey: I'll second it.

Ms. Gennarelli: Okay, okay roll call.

Richard Levin: Yes

Michael Maher: Yes

John Masten: Yes

John McKelvey: Yes

Darrin Scalzo: Yes

Grace Cardone: Yes

PRESENT ARE:

GRACE CARDONE
RICHARD LEVIN
MICHAEL MAHER
JOHN MASTEN
JOHN MC KELVEY
DARRIN SCALZO

ABSENT:

JAMES MANLEY

ALSO PRESENT:

DAVID A. DONOVAN, ESQ.
BETTY GENNARELLI, ZBA SECRETARY
GERALD CANFIELD, CODE COMPLIANCE

(Time Noted – 8:58 PM)

Handwritten signature and date: 4/19/15