

Jacobowitz & Associates Law Firm, LLP

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February 14, 2024

Hon. Chairman and Board Members
Town of Newburgh ZBA
Town Hall
1496 NY 300
Newburgh, New York 12550



RE: July 4 Ever

Dear Chairman and Board Members:

We have provided a great deal of information as to the history and current circumstances of the July 4 Ever property and business. This letter is to focus and crystalize the request to your Board.

There are three (3) open items.

We have applied for the interpretations since the Building Department expressed the need for clarification of the property use and its compliances we read from the transcript.

As we delved into the facts, the necessary request to your Board became clearer and specific.

We do not object to modification of the first requested interpretation that reflects the evidence submitted and considered.

As to the structure originally approved as an office, an interpretation that the structure can be converted to a residence use since a residence is a permitted use in the R zone. The compliance with request to any building codes is a matter for the Building Department, with whom we will cooperate.

As to the use of cargo containers and trailers they are a necessary, usual and reasonable accessory use to the business use, provided they are confined to designated specific areas. Section 185-15.1.

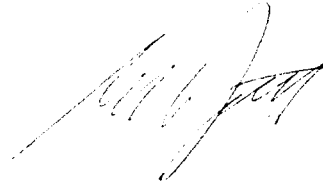
As to the off street parking of vehicles, that is a necessary, usual and reasonable accessory use to the business use provided they are confined to designated specific areas. Section 185-13.

As to both of the above accessory uses, each is consistent with the use variance and not an inconsistent extension of the use granted.

To establish the designated specific areas to allow reasonable enforcement of such accessory uses by the Building Department the Applicant has provided a detailed as built location plan to be made part of the record of this proceeding.

We trust the above are constructive and helpful standards for use of the property and to facilitate enforcement by the Building Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gerald N. Jacobowitz", written in a cursive style.

Gerald N. Jacobowitz

I hereby join in and consent to the above representations.

JULY 4 EVER, LLC
CASTLE USA CORP.

BY: _____
Vincent Esposito, President

Jacobowitz & Associates Law Firm, LLP

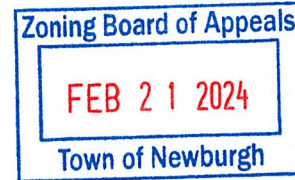
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February 21, 2024

Hon. Chairman and Board Members
Town of Newburgh ZBA
Town Hall
1496 NY 300
Newburgh, New York 12550



RE: July 4 Ever

Dear Chairman and Board Members:

Below are the requests for interpretation we will propose.

Compliance matter number 1. Can the use of the "office" structure be converted to a Residence as a permitted use in the R-1 Zone, reserving the building code matters to be addressed by the building department?

Answer: Yes .

Compliance matter number 5. Can the business use include as usual and customary the reasonable placement of trailers and cargo containers as accessory use limited to the area depicted on the plan S-1 dated 12/19/23?

Answer: Yes.

Compliance matter number 6. Can the business use include as usual and customary the reasonable parking off street of motor vehicles as accessory use limited to the area depicted on the plan S-1 dated 12/19/23?

Answer: Yes .

Very truly yours,

A handwritten signature in black ink, appearing to read "Gerald N. Jacobowitz".

Gerald N. Jacobowitz

cc: David Donovan, Esq. Via Email: David.donovan@dddllplaw.com