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October 4, 2016

James E. Manley, Jr., Chairman
Town of Newburgh Zoning Board of Appeals
308 Gardnertown Road
Newburgh, NY 12550

RE: Cumberland Farms Variances
Section 86, Block 1, Lot 14/ & 15
Our File: 7457-1

Dear Mr. Manley:

This office represent Cumberland Farms which obtained from your Board variances for the development of its site plan currently pending before the Town of Newburgh Planning Board. Your Board granted the variances following the June 23, 2016 public hearing which decision was filed with the Town of Newburgh Clerk on September 23, 2016.

I hereby advise that since that hearing our client has diligently pursued site plan approval and now will attend its public hearing on the site plan application before the Town of Newburgh Planning Board on October 6, 2016. We believe that we are in compliance with the notice requirements to your Board as set forth in that decision and that the proceedings before the Planning Board will not be calculated in the expiration period of §185-55 D of the Town of Newburgh Zoning Code.

If you need anything further please advise.

Very truly yours,

MCCABE & MACK LLP

RICHARD J. OLSON

RJO/me

cc: David A. Donovan, Esq.