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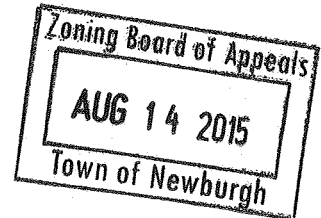
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August 11, 2015

**VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED
AND REGULAR MAIL**



Town of Newburgh Zoning Board of Appeals
Town Hall
1496 Route 300
Newburgh, NY 12550

Re: Extension of Prior ZBA Approval for Jin Kanjanakirtumrong-Grabek ("Applicant")
Area Variance for 349 Meadow Avenue (S-B-L: 66-2-3)
Our File Number: 13851-62407

Dear Chairperson Cardone and Members of the Zoning Board of Appeals,

We represent the Applicant in the above referenced matter wherein the Applicant obtained multiple area variances (one side yard setback, the combined side yards setback, the minimum lot width, the minimum lot area, and the setback for accessory structures) to convert an existing single family dwelling into a hair salon on property located within the Town's I/B Zone (the "Determination"). The Determination was unanimously approved by all the ZBA members and filed on February 19, 2005. Unfortunately, construction has not yet commenced.

Pursuant to Section 185-55.D, the Applicant now seeks a six (6) month extension of the ZBA's Determination. After the ZBA's Determination, the Applicant obtained site plan approval from the Planning Board. The Applicant is now working with the Town's Building Department and its contractor in order to finalize the plans which reflect the necessary

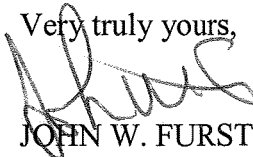
Town of Newburgh Zoning Board of Appeals

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modifications to convert the structure from a single family dwelling to a hair salon. The Applicant plans to submit these plans shortly.

Therefore, the Applicant respectfully requests a six (6) month extension of its area variances so that they now expire on February 19, 2016. There has been no change in circumstances or environmental conditions surrounding the ZBA's prior approval. Feel free to contact me with any questions or comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "John W. Furst", written over the typed name.

JOHN W. FURST

JWF/dd/1110044

cc Jin Grabek (via regular mail only)

David Donovan, Esq. (via regular mail only)

Pursuant to IRS Regulations, any tax advice contained in this communication or attachments is not intended to be used and cannot be used for purposes of avoiding penalties imposed by the Internal Revenue Code or promoting, marketing or recommending to another person any tax related matter.

RECEIVED
AUG 12 2015
TOWN OF NEWBURGH
TOWN CLERKS OFFICE

RESOLUTION OF APPROVAL

SITE PLAN

ARB

FOR

JIN KANJANAKIRITUMRONG

PROJECT # 2014-08

Nature of Application

Jin Kanjanakiritumrong has applied for approval of a Site Plan permitting the use of the property identified herein for a hair salon and for approval of architectural renderings by the Planning Board sitting as the Architectural Review Board.

Property Involved

The property affected by this resolution is shown on the Tax Maps of the Town of Newburgh as parcel(s) 66-2-3.

Zoning District

The property affected by this resolution is located in the IB zoning district of the Town of Newburgh.

Plans

The Site Plan materials considered consist of the following:

1. Completed application form and Environmental

Assessment Form.

- Plans prepared for Jin Kanjanakiritumrong as follows:

<u>Author</u>	<u>Title</u>	<u>Last Revision Date</u>
Vincent J. Doce Associates	Site Plan	February 19, 2015

History

DATE OF APPLICATION

The application was filed with the Planning Board on May 5, 2014.

PUBLIC HEARING

A public hearing on this application was convened on waived and closed on .

SEQRA

Type of Action:

This matter constitutes a Type II action under the State Environmental Quality Review Act inasmuch as the project embraces construction or expansion of a nonresidential structure or facility involving less than 4,000 square feet of gross floor area [6 NYCRR §617.5(c)(7)]. As such, this project is not subject to review under the State Environmental Quality Review Act.

GML 239 Referral

This application has been referred to the Orange County Planning Department for review and report. The Planning Department has reported that this matter is one for local determination, there being no significant inter-municipal or countywide considerations found to exist.

Findings

The Planning Board has determined that approval of the Site Plan will

substantially serve the public convenience, safety and welfare; and will not otherwise be unduly detrimental to the public health, safety, comfort convenience or welfare, subject to compliance in full with conditions hereinafter imposed pursuant to Section 185-57 (H).

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve this Site Plan as said proposal is depicted on the plans identified above and to grant ARB approval, all upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

Specific Conditions

1. All conditions attached to a grant of variance issued by the Town of Newburgh Zoning Board of Appeals on January 22, 2015 (copy attached hereto) are made a part of this approval and this approval is subject to the same as if those conditions were set forth herein at length.

Architectural Review Board Approval

2. No building permit shall be issued authorizing construction of structures inconsistent with the architectural renderings submitted to, and approved by, the Architectural Review Board as part of this approval, nor shall any certificate of occupancy be issued for any structures constructed except in conformance with such renderings. Karen Arent, the Town's Landscape Architect, shall review the building plans when submitted to the Building Department in order to insure compliance with the approved architectural renderings. Karen Arent, the Town's Landscape Architect, shall also inspect the work before a certificate of occupancy is issued to insure compliance with the ap-

proved architectural renderings.

Outdoor Fixtures & Amenities

3. This site plan approval allows construction of only that which is shown on the plans identified above. No outdoor amenities or accessory structures or outdoor fixtures—including but not limited to exterior walls, mechanical units, dumpsters, etc.—may be constructed, placed or erected except as shown on the approved site plan. Architectural drawings shall carry a certification that what is shown thereon is fully consistent with the approved site plan.

General Conditions

This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, including mylars when required, to the Town of Newburgh Building Department. A full set of the plans to be signed shall simultaneously be submitted to the Planning Board Engineer. The plans shall not be signed until the Planning Board Engineer has reported to the Chair that all conditions of this resolution required to be satisfied before the plans can be signed have, in fact, been satisfied.

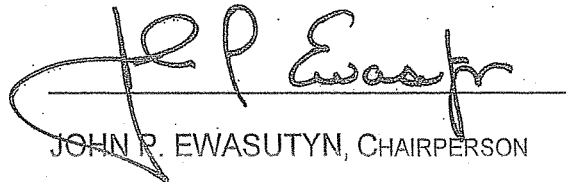
This approval is further conditioned upon the applicant delivering (prior to signing of the plans) proof, in writing, that all fees—engineering, planning, legal and otherwise—in regard to this project have been fully paid. The applicant shall also be required to deliver proof that all required Public Improvement, Erosion Control and Landscaping inspection fees and escrow have been deposited with the Town. The plans shall not be signed until proof, satisfactory to the Chair, has been presented showing that all fees have been paid and escrow deposits made.

Approval of the final site plan shall, pursuant to Section 185-58 (E) of the Zoning Ordinance, be valid for two years from the date this resolution is filed in the office of the Town Clerk, after which time this approval shall be null and void unless a building permit has been issued. If no building permit has been issued within that time, the plan must be resubmitted to the Planning Board for approval.

A FAILURE to comply with the general condition immediately above in a timely manner shall result, without further action, in a lapsing of this approval.

In Favor 6 Against 0 Abstain Absent 1

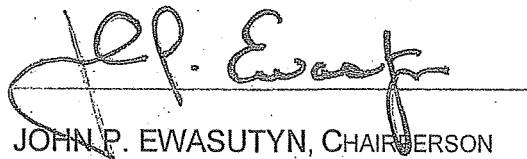
Dated: March 19, 2015

A handwritten signature in black ink, appearing to read "John P. Ewasutyn", is written over a horizontal line.

JOHN P. EWASUTYN, CHAIRPERSON
TOWN OF NEWBURGH PLANNING BOARD

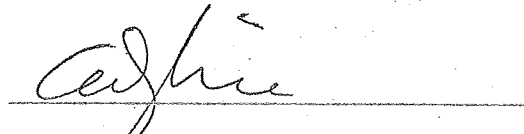
STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

I, JOHN P. EWASUTYN, Chairman of the Planning Board of the Town of Newburgh, do hereby certify that the foregoing is a true and exact copy of a Resolution maintained in the office of the Town of Newburgh Planning Board, said resulting from a vote having been taken by the Planning Board at a meeting of said Board held on March 19, 2015.



JOHN P. EWASUTYN, CHAIRPERSON
TOWN OF NEWBURGH PLANNING BOARD

I, ANDREW J. ZARUTSKIE, Clerk of the Town of Newburgh, do hereby certify that the foregoing Resolution was filed in the Office of the Town Clerk on AUG 12 2015.



ANDREW J. ZARUTSKIE, CLERK
TOWN OF NEWBURGH