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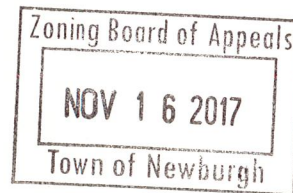
(ALSO ADMITTED IN)

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November 16, 2017

Via Hand Delivery (13 sets)

Town of Newburgh Zoning Board of Appeals
Newburgh Town Hall
Old Town Hall
308 Gardnertown Road
Newburgh, New York 12550
Attn: Betty Gennarelli, Zoning Board Secretary



RE: Rinaldo-22 Windwood Drive (90-5-11) (the "Property")
Area Variance Application(s)
Our File No.: 14488-64463

Dear Chairman Manley and Members of the Zoning Board of Appeals:

Our office represents Richard and Lisa Rinaldo ("Applicants") in connection with the above-mentioned area variance applications for their Property. Attached are multiple photos and a location map of numerous similar sized sheds and detached structures within the surrounding Colden Park Community, in response to the ZBA's concerns about potential negative community character impacts due to the size of the shed.

In short, there are photos of large sheds with windows and garage doors as well as properties with multiple sheds. All structures are visible from the road. We have also attached a location map indicating the approximate location of each of the properties the Applicant's photographed. These photos prove that the applicant's proposal will NOT create an undesirable change in the character of the neighborhood, or detriment to nearby properties. As with all of the existing large scaled accessory structures, the Applicant's proposal will blend in with the

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surrounding neighborhood. As previously stated, it will be set back approximately 25 feet from Flamingo Drive and screened by an existing six (6) foot fence and a large tree to the rear.

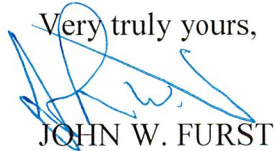
In addition, it should be noted that the size of the shed is not at issue. Indeed, it complies with the Town's size restrictions for accessory structures. The only issue is the location of the shed on this corner lot; and the slight increase in pre-existing legal non-conformities with respect to Lot Surface Coverage and Building Coverage. However, the photos submitted herewith clearly show that the neighborhood already has many other existing sheds of similar size visible from the road. Until recently, these existing sheds were never even noticed by the Applicants.

Finally, in response to the two or three opposing neighbors with the generalized community objections, we had also included a copy of the applicant's filing receipt in connection with the dissolution of Rich's Superior Landscaping, Inc.

Conclusion

The balancing of equities weighs profoundly in favor of granting the variances. As shown above, Applicants have provided substantial evidence showing that the five (5) factors set forth in Town Law Section 267-b.3 weigh heavily in their favor. The minor variances will not cause any detriment to the health, safety and welfare of the residential neighborhood and community.

Very truly yours,



JOHN W. FURST

JWF/mjt/1428105

Enclosures

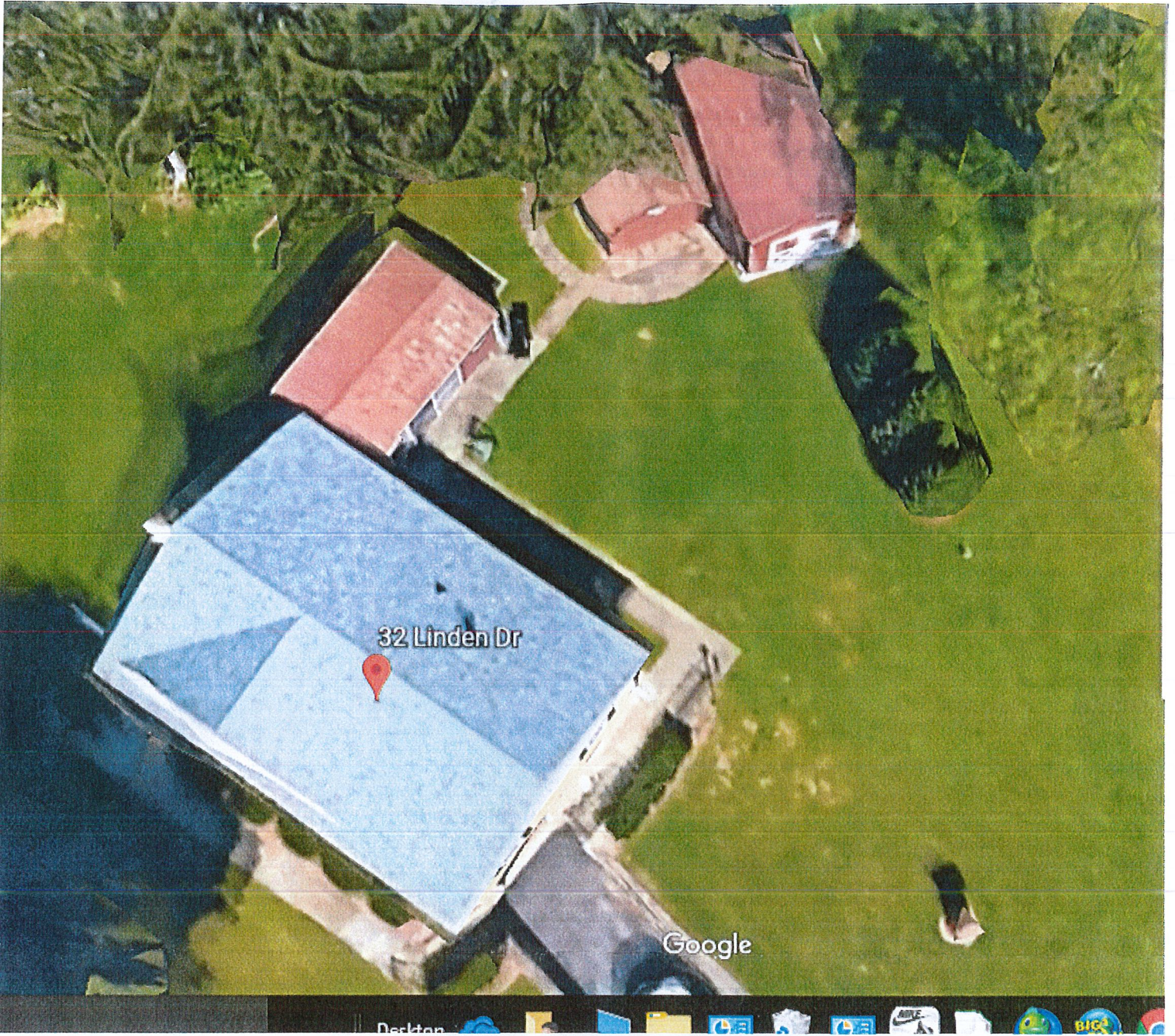
Cc Richard and Lisa Rinaldo (via e-mail only)

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.

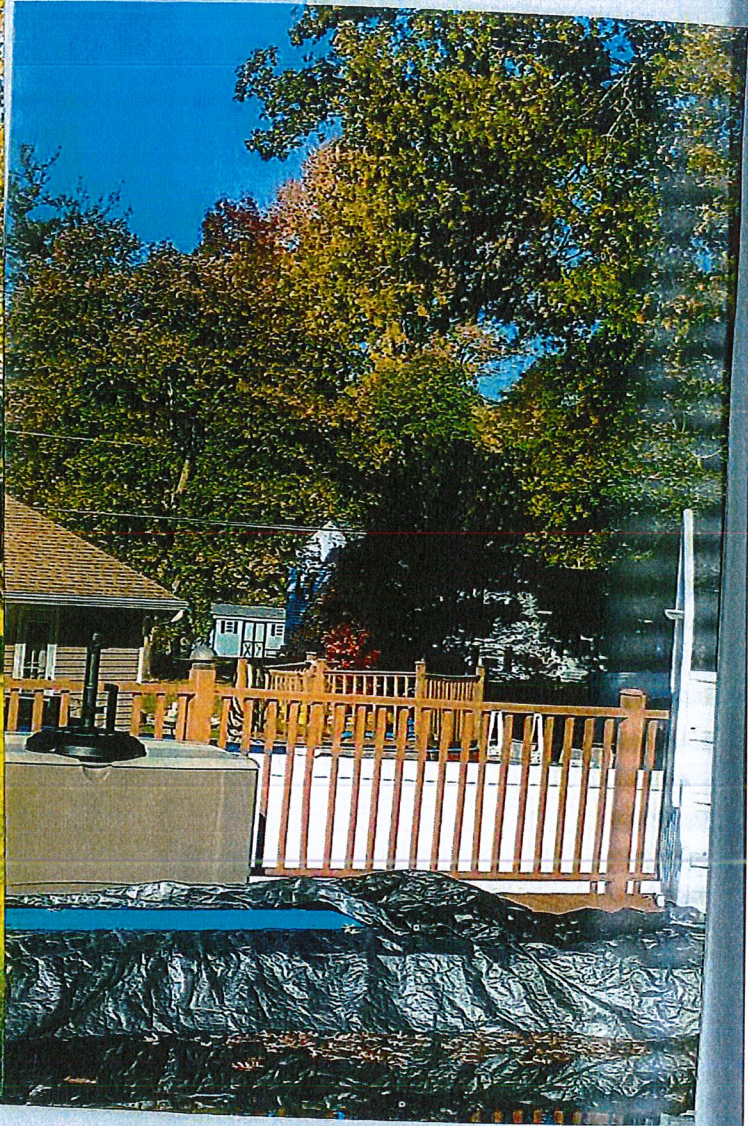
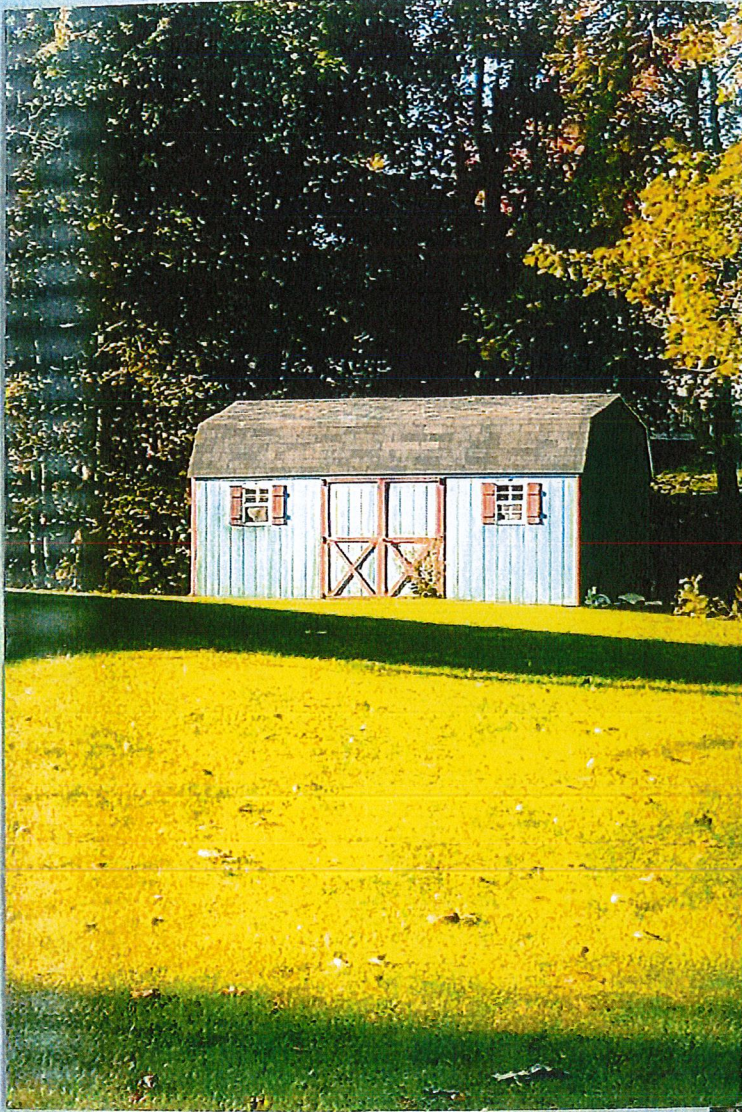
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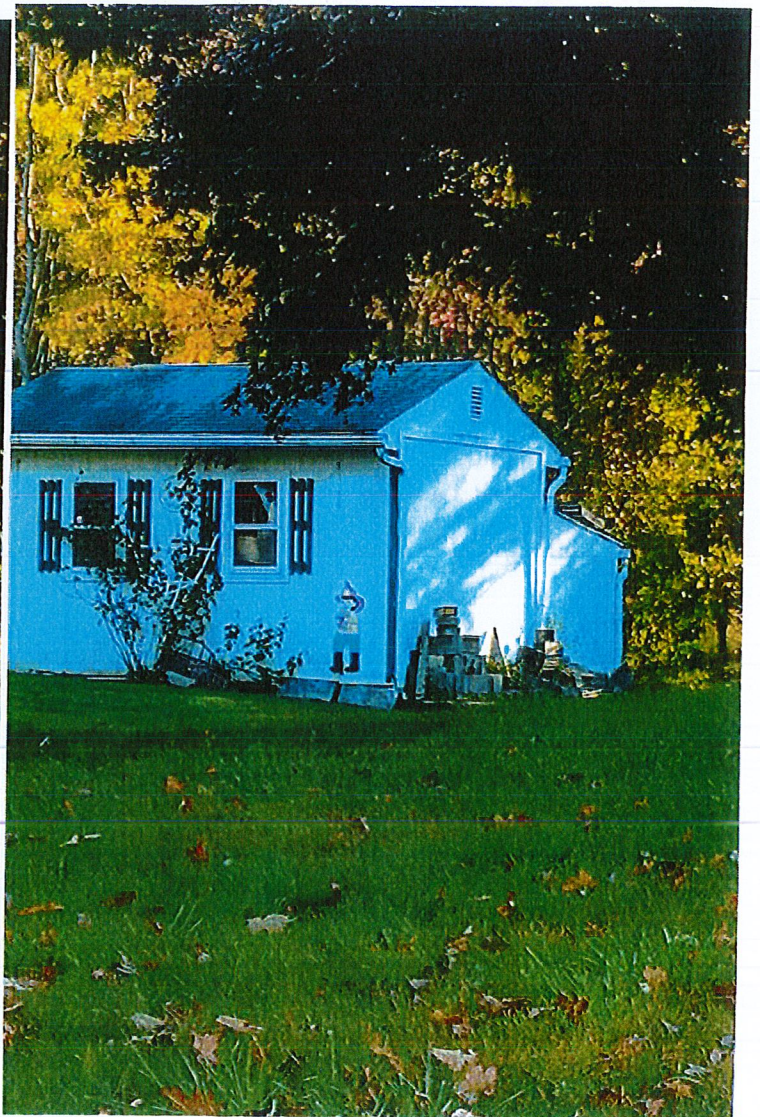
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8 Flamingo Drive



43 Windwood Drive



43 Windwood Drive



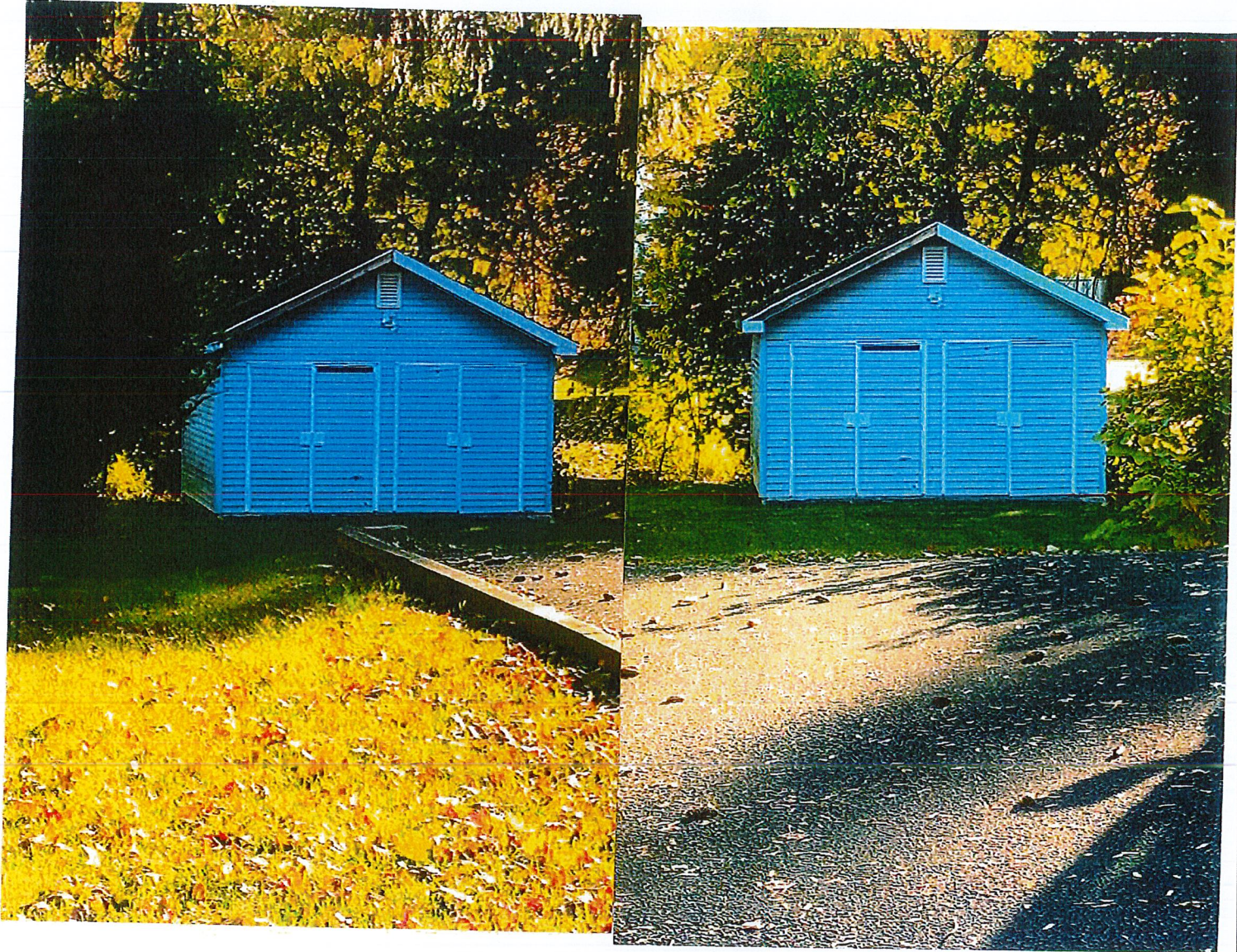
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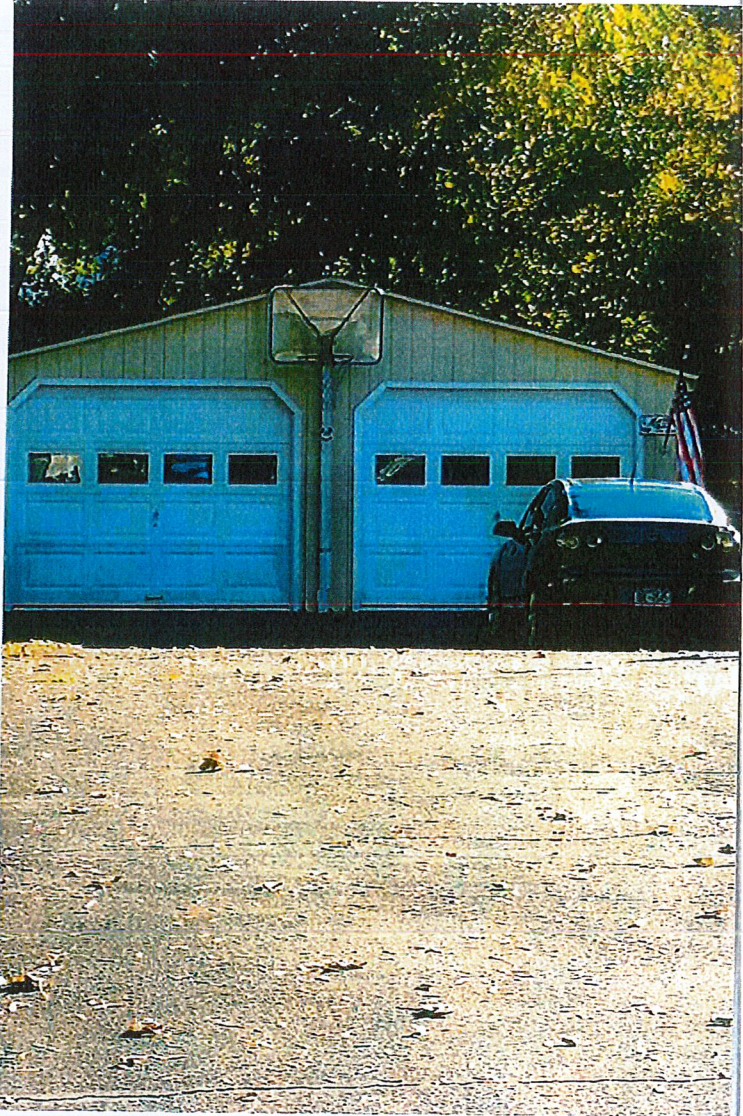
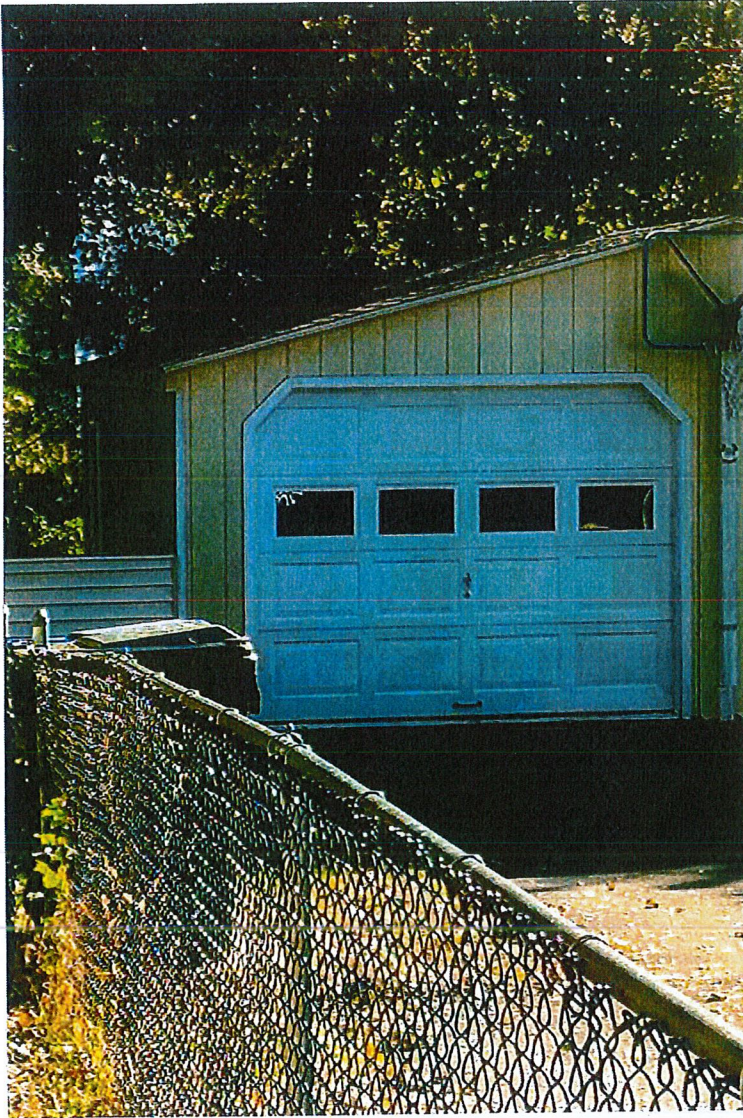
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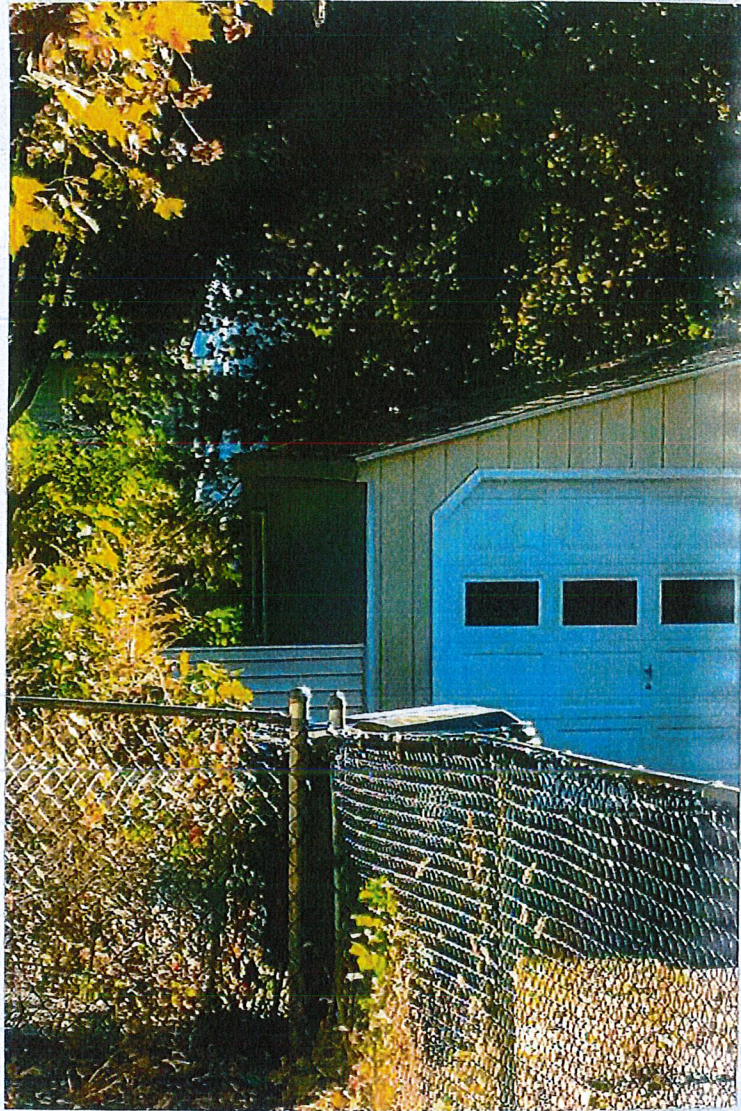
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7 Linden Drive



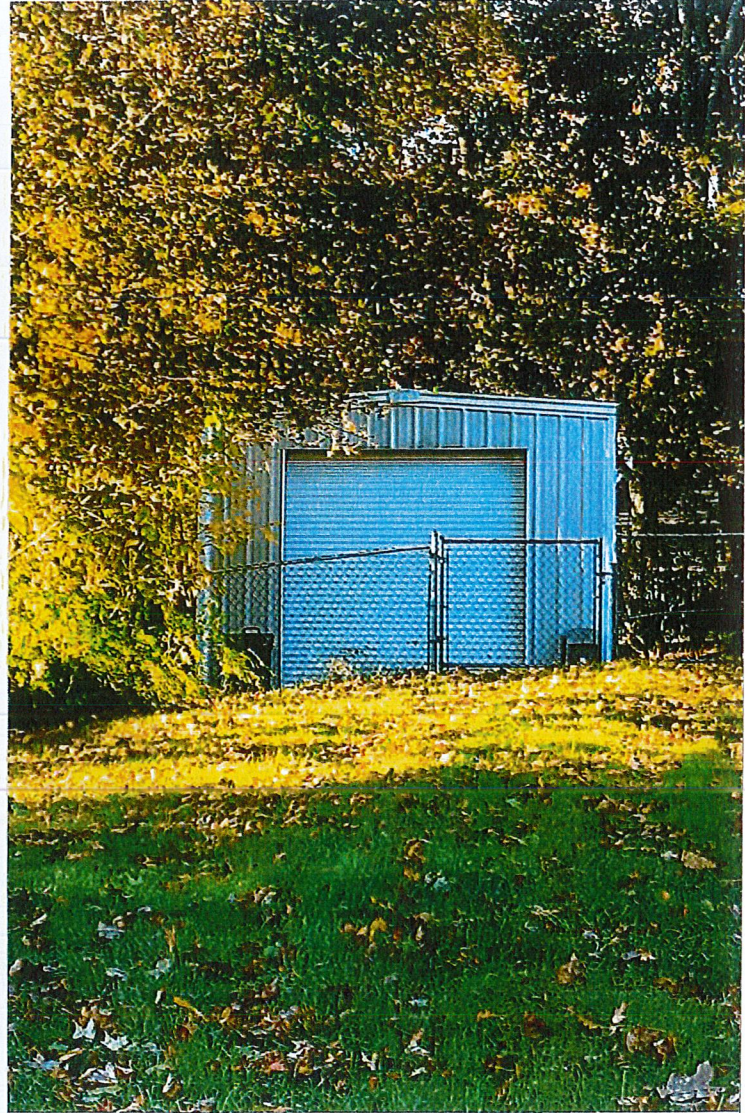
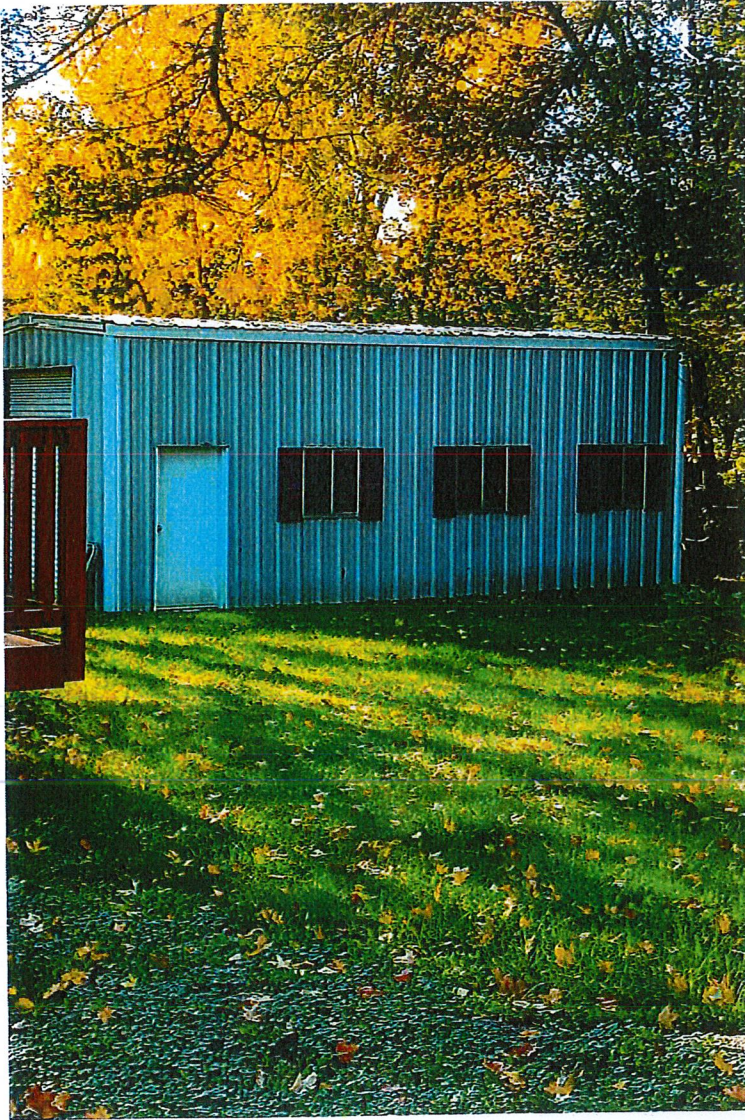
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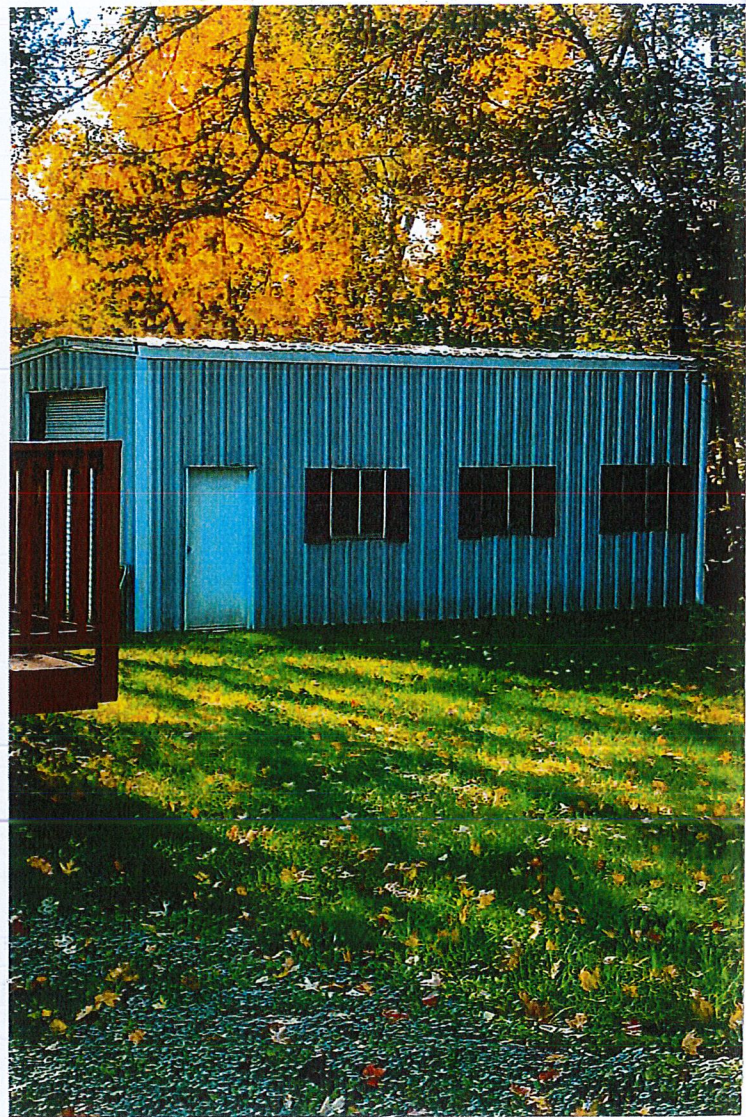
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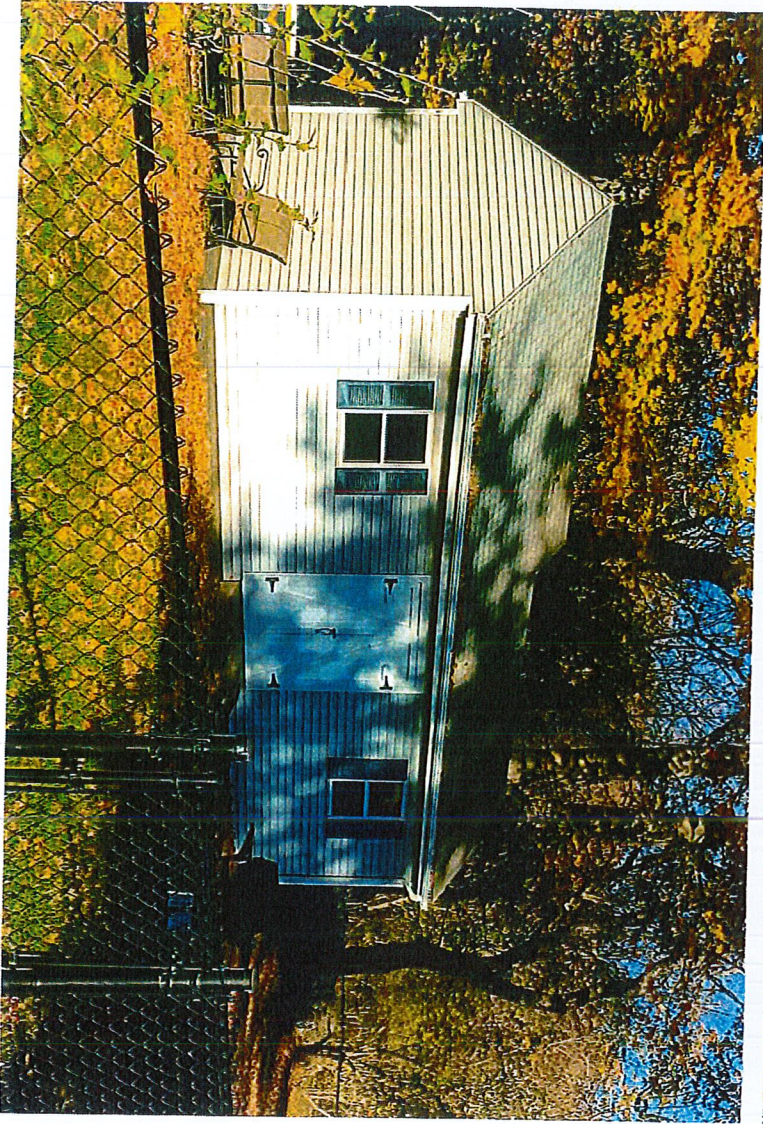
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3 Sandalwood Drive



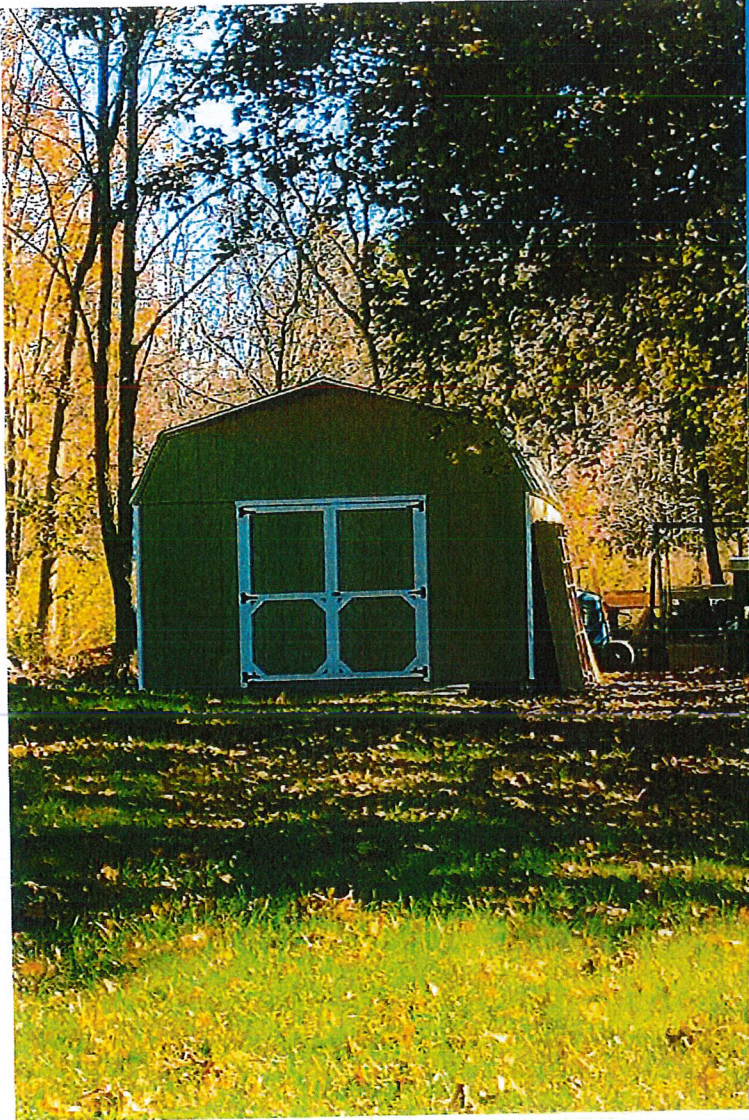
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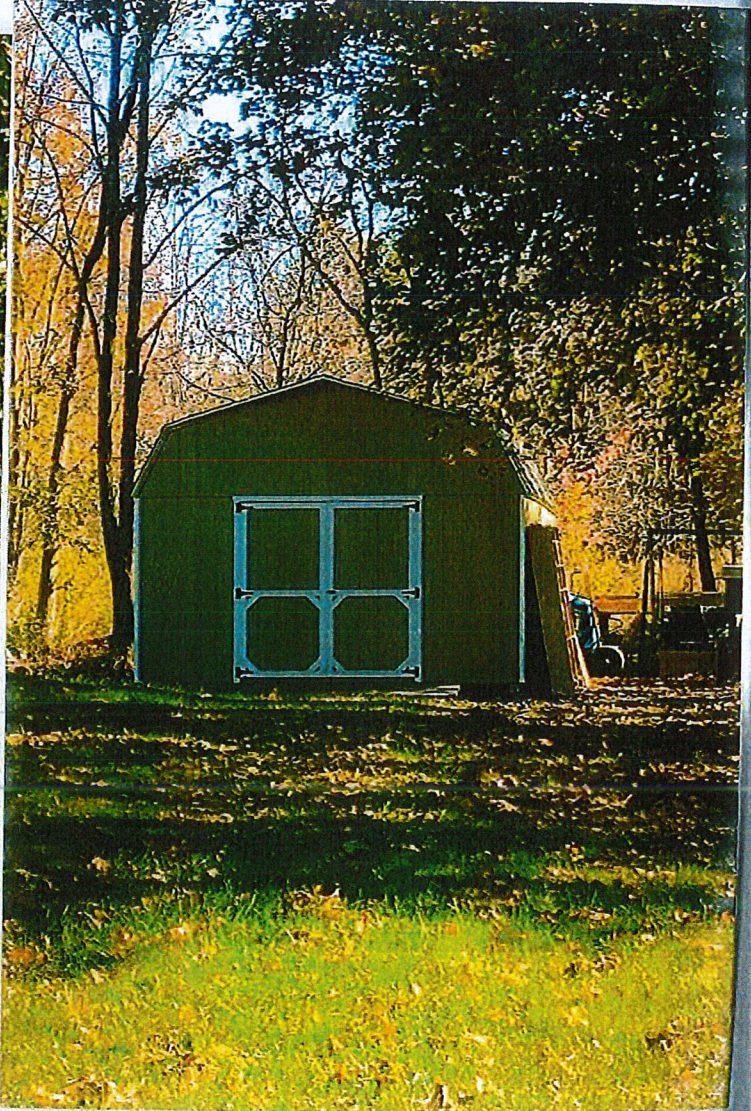
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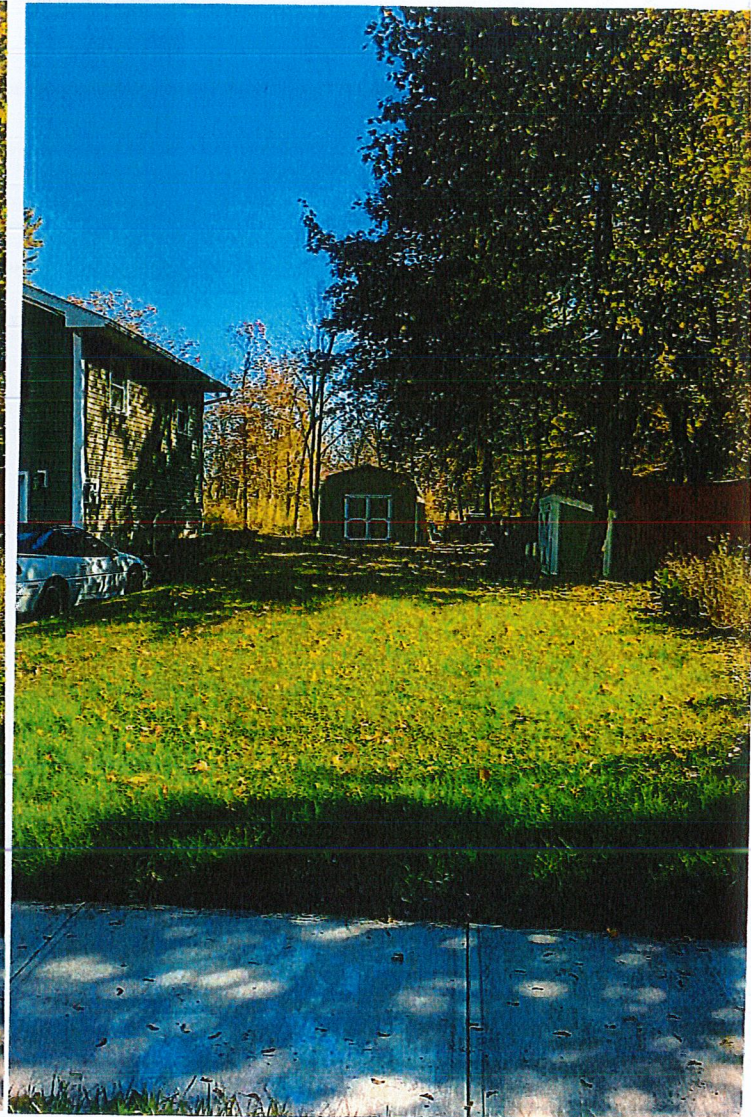
5 Arbor Drive



5 Arbor Drive



5 Arbor Drive



FILING RECEIPT

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ENTITY NAME: RICH'S SUPERIOR LANDSCAPING INC.

DOCUMENT TYPE: DISSOLUTION (DOMESTIC)

COUNTY: ORAN

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FILED:10/10/2017 DURATION:***** CASH#:171010000098 FILM #:171010000092

FILER:

RICHARD RINALDO
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NEWBURGH, NY 12550

ADDRESS FOR PROCESS:

REGISTERED AGENT:

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SERVICE COMPANY: ** NO SERVICE COMPANY **

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