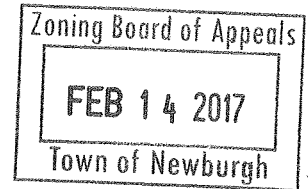


Lawrence S. Vandemark

17 Forest Road
Wallkill, NY 12589
February 11, 2017

Town of Newburgh ZBA
308 Gardnertown Road
Newburgh, NY 12550



Dear Members:

I am writing to you concerning the application requesting an interpretation of the original Use Variance granted to William Conklin and WCC Tank located next to my property. I own two parcels that border this business and have lived in my home 59 years. I truly take exception that the Town of Newburgh is seeking an opinion to determine if this new business is part of the original decision and resolution of the ZBA in 1982. It is clear from reading this original decision that William Conklin only mentioned tank lining and that all work was done off premises. He also testified that it was a small family run business. Never was any hydrovac operation or excavation mentioned in this decision. This operation is completely different and unrelated and it is a new operation. My neighbors and I have been subjected to live next to a full blown industrial/commercial operation that has and continues to violate many sections of the Town Code. These violations have been brought to the attention of the Town of Newburgh Code Department on multiple occasions. In addition, these violations would not have existed if this new business had not moved onto the property. This new business has significantly impacted our neighborhood with dumping all hours of the day and night. Noises from commercial/industrial activities on-sight at all hours and the ability to even sit outside in the nice weather with the noise, dust and smell of diesel fumes. This unapproved new business has significantly changed the character of our

neighborhood which is not acceptable to me and my neighbors. The only conclusion that the ZBA can make is that this new business is not part of the original decision of the ZBA in 1982. If the ZBA ruled otherwise, it would set a precedent that would allow this business to expand unchecked and without any review as was designed by the Use Variance process set in State Law. It is for this reason that myself and many of my neighbors will be at the February 23rd Hearing to provide support against granting any interpretation that allows this new business to fall under the original Use Variance.

Yours truly,

A handwritten signature in cursive script, appearing to read "Lawrence S. Vandemark". The signature is fluid and somewhat stylized, with a large initial 'L' and a long, sweeping underline.

Lawrence S. Vandemark