



Siobhan Jablesnik <zoningboard@townofnewburgh.org>

DiLemme /Zoning Board July 23

Camille Reid <camillereid@yahoo.com>

Thu, Jul 16, 2026 at 11:28 AM

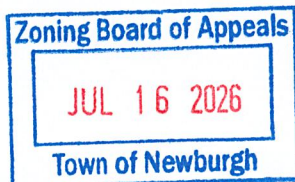
Reply-To: Camille Reid <camillereid@yahoo.com>

To: Siobhan Jablesnik <zoningboard@townofnewburgh.org>

I received your notice of hearing on the above referenced appeal.
I am Camille Reid and live at [413 Strawridge Road, Wallkill, NY](#).
I have absolutely no objection to allowing the request.
Historically the DiLemme & Sons have been respectful of their
neighbors and the neighborhood.
I am sorry I could not physically attend the meeting. I hope this
suffices. If not, please let me know .

Respectfully,

Camille Reid [Mail: Search, Organize, Conquer](#)



Dr. Ann Lathan Kerzner
7 Arcadia Dr.
Wallkill, NY 12589

arlkerzner@gmail.com
845-895-2617

July 23, 2026

Town of Newburgh Zoning Board
308 Gardnertown Rd, Newburgh, NY 12550

Re: DiLemme & Sons, Inc. 2201 Route 300 Wallkill, NY

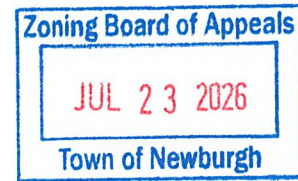
Dear Members of the Zoning Board:

During the January 22 Zoning Board meeting, counsel representing DiLemme & Sons, Inc. explained the limitations of the current zoning approval. Specifically, they stated that the property located at 2201 Route 300 in Wallkill serves primarily as an **administrative location where vehicles are parked, that no commercial work is performed on-site, and that cranes are not permitted under the existing ordinance.**

However, the evidence presented to the Board directly contradicts those representations. Prior to the January 22 meeting, and again during the meeting itself, neighboring residents played video recordings and presented photos documenting commercial activity occurring on the property. **The evidence includes videos of rebar being cut, loud construction-related operations, and the storage of a large crane on the premises. Additional photos and videos submitted by neighboring property owners further demonstrate that outdoor commercial work is regularly taking place.**

This evidence is significant because it establishes that **the property is being used in a manner inconsistent with the limitations described by their attorneys during the January 22 meeting and, therefore, inconsistent with the existing zoning approval.** The issue before the Board is not whether the business is well regarded within the community, but whether the property is being operated in compliance with the conditions under which it was approved.

Equally concerning is **the substantial expansion of DiLemme & Sons, Inc. since the original zoning approval in 1980.** While historical aerial imagery is not available from



that period, the aerial photographs from 2006 through 2025 that were submitted to the Board clearly document significant business growth. **Those images show increased storage areas, more heavy equipment, and a substantially larger commercial footprint.**

Growth of this nature represents more than physical expansion. It necessarily results in **increased truck traffic, additional employees, more equipment, greater operational activity, and increased impacts on the surrounding residential neighborhood.** The documented increase in the intensity of use demonstrates that **the operation today is materially different from what existed decades ago.**

This documented pattern of expansion raises legitimate concerns regarding future growth if the applicable zoning standards are not enforced. Decisions made by this Board establish precedents for future zoning matters and should therefore be based upon clear legal authority and documented evidence rather than convenience or popularity. **Residents should be able to trust that zoning ordinances will be applied consistently and uniformly to every property owner.**

Throughout these proceedings, considerable attention has been given to the number of neighbors affected by the operation. Attorneys for DiLemme & Sons, Inc stated "We're here because two folks complained." Respectfully, that should not be the determining factor. **Zoning regulations exist to protect the rights of every property owner. Whether a violation impacts two neighboring homes or two hundred does not change whether the ordinance is being followed.** When the Board evaluates a proposed use or considers whether a property complies with the zoning ordinance, the central question is whether the use satisfies the requirements of the law—not how many neighboring property owners may ultimately be impacted. **If the same type of business were proposed today in this zoning district, the ordinance would not become more or less applicable depending on whether one neighboring family objected, or five, or twelve. The standards themselves do not change based on the number of residents affected, and neither should their enforcement.**

Questions have also been raised regarding the documentation supporting the original zoning approval. **If the legal basis for the original approval cannot be clearly established, I respectfully submit that the Board should evaluate the property based upon the ordinances currently in effect and the actual use of the property as it exists today.**

The evidence submitted to the Board documents larger buildings, additional equipment, more vehicles, expanded operational areas, and active commercial work being

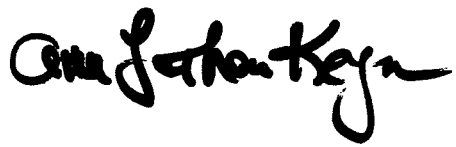
performed on-site. Videos show rebar being cut and construction-related activity occurring in a residential neighborhood where children board and exit school buses, residents walk their dogs, and homeowners reasonably expect peace and quiet, particularly during the early morning hours. **Even individuals who spoke in support of DiLemme & Sons, Inc. acknowledged during the January 22 meeting that trucks are loaded with construction materials and routinely enter and leave the property in the very early morning hours.**

Finally, numerous letters have been submitted praising DiLemme & Sons, Inc. and their contributions to the community. Those comments speak to the character of the individuals involved, but they should not determine the outcome of this zoning matter. Zoning decisions must be based upon ordinances, documented evidence, and the consistent application of the law. **The question before the Board is not whether DiLemme & Sons, Inc. are "good guys, great folks" in the words of their attorneys, but simply whether the current operation complies with the zoning regulations governing this property.**

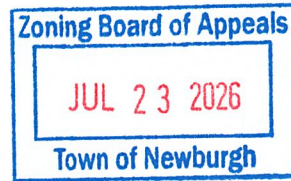
I respectfully ask the Board to consider one final question. **If a new applicant sought approval today to establish a business in this zoning district that stored large cranes, operated heavy equipment, cut rebar outdoors, and generated early-morning truck traffic in a residential neighborhood, would that application be approved under the current zoning ordinance?** If the answer is no, then the same standards should be applied here. Equal enforcement of zoning laws is essential to preserving both the integrity of the Board's decisions and the rights of every resident in the Town of Newburgh.

Ultimately, this case is about more than one property or one business. It is about the integrity of the Town's zoning process and the public's confidence that its laws will be applied fairly and consistently. **Every homeowner and business owner should have the assurance that zoning ordinances are enforced equally, regardless of who owns the property, how well liked they are, or how many residents are affected. Consistent enforcement protects not only individual neighborhoods, but also the credibility of the Board and the rights of every property owner in the Town of Newburgh.** I respectfully ask the Board to apply the ordinance based on the documented evidence before it and to ensure that the same standards are applied here as they would be to any other applicant today.

Respectfully,

A handwritten signature in black ink, reading "Ann Lathan Kerzner". The signature is written in a cursive, flowing style with a prominent initial "A" and a long, sweeping underline.

Dr. Ann Lathan Kerzner



July 23, 2026

Good afternoon,

My name is Kimberly Behrens, and I reside at 12 Grandview Terrace, Wallkill, NY.

I am writing as follow-up to my previous correspondence regarding the ongoing hearings involving DiLemme & Sons, Inc. Although I was unable to attend the hearing, I wanted to reiterate several important points that I respectfully ask the Board to consider.

First and foremost, I believe everyone in our community agrees that the DiLemme family are wonderful, hardworking, and well-respected people. They have built strong relationships over many years, and I do not believe anyone is questioning their character or integrity. However, being kind, respected members of the community does not exempt anyone from complying with our Town's zoning laws. These hearings should not be about personalities or popularity—they should be about the consistent application of the law.

During the hearing, there was discussion regarding the relocation of some equipment from the property. While I appreciate any effort to reduce the impact on the neighborhood, it raises an important question: if some equipment can be moved, why not all of it? Partial measures do not resolve the underlying issue that the business has grown beyond what is appropriate for a residentially zoned property.

Additionally, the fact that this business has operated for more than 40 years does not, in itself, make it exempt from the Town's zoning regulations. Longevity should not be viewed as a substitute for compliance. If a business has outgrown what the zoning laws permit, the appropriate solution is to relocate those operations to a properly zoned commercial property, as countless other businesses have done.

I also heard discussion suggesting that only a small number of residents have expressed concerns. Whether there are two residents or fifty residents who have come forward is ultimately beside the point. The fact remains that residents have raised legitimate concerns regarding the impact this business has on the surrounding neighborhood. Those concerns deserve thoughtful consideration regardless of how many people have spoken.

Finally, I ask the Board to carefully consider the ongoing impact that commercial operations have on Strawridge Road and the surrounding residential community. Strawridge Road is a narrow, heavily traveled residential roadway that was not designed to accommodate frequent commercial vehicles exceeding the intended gross vehicle weight. The continued use of these larger vehicles contributes to deterioration of the roadway, creates congestion during business hours, and impacts the safety and quality

of life for the families who live there. Residents should not be expected to bear these consequences simply because a business has operated in the area for many years.

This matter is not about preventing a successful local business from thriving. I support small businesses and understand the hard work required to build one. However, when a business reaches the point where its operations exceed what is appropriate for a residential neighborhood, the zoning laws exist to protect both the business owner and the surrounding community.

I respectfully ask the Board to base its decision solely on the applicable zoning laws, the evidence presented, and the long-term interests of the residential community—not on the popularity, longevity, or reputation of the applicant.

The integrity of our zoning regulations depends upon their consistent and impartial enforcement. Granting exceptions based on longevity, popularity or personal reputation undermines the purpose of those regulations and creates an unfair precedent for every other property owner and business that has complied with the Town's zoning requirements.

Thank you for your continued time, consideration, and service to our community.

Respectfully,

Kimberly Behrens
12 Grandview Terrace
Wallkill, NY