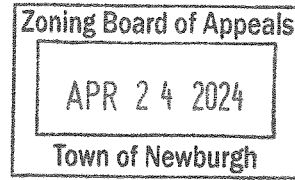


Town of Newburgh
21 Hudson Valley Professional Plaza,
Newburgh, NY 12550
Attn: Zoning Board of Appeals



April 18, 2024

Re: Jose Vasquez - 9 Innis Ave, Newburgh NY

To whom it may concern:

I am a resident who resides on Innis Avenue in the Town of Newburgh. While owning my residence, changes and updates have been made and along with these alterations permits and fees have also been required by the governing body of the town, in which I have never had an issue complying with or paying for. However, I have watched over time a neighboring property owner update, renovate add a pool and even add rentable livable space to more than double the size of his house. Never once have I seen a posted building permit, electrical permit, plumbing permit or simply any type of permit. I never gave it any real thought until a year ago when I realized the assessment on the house at 9 Innis Avenue has not moved upward in correlation to the renovations and updates in which has added to the property and significantly increases the value over the past four to five years at minimum. I have asked myself why is it okay for myself and other law-abiding property owners in this town to pay more taxes, take out permits and pay fees when others can slide by unnoticed with no increased taxes, paying any permitting fees or complying with the building code.

The legal owner of record, Mr. Jose Vasquez who actually resides at 135 Robinson Avenue, Newburgh, NY is simply a person holding the title for Mr. Felix Uyaguari who actually resides at the property and is responsible for all the property renovations. Mr. Uyaguari is an electrical contractor who knows the rules and regulations very clearly, one who also has multiple other properties locally where these same offenses have occurred. This Zoning Board of Appeals should not grant any variance to this property owner or anyone else who is knowingly breaking the Laws, then later asks for a variance to continue with their law-breaking actions, now legally.

These property owners need to be stopped, fined heavily and then make to revert the property back to the original condition. This is pure abuse to others who actually follow the rules and comply. This property owner never sought assistance before making all these violations and was not unknowingly doing a simple alteration, this is far outside of a slap on the wrist.

Does this board know the extent of the property owners' alterations? I decided to investigate this a little further on my own as I am tired of this property owner getting away with this abuse of the Town of Newburgh Law. He has converted the garage into what appears to be an apartment (1), leaving the main garage door in tact to hide the change, he added a third apartment (3) to the basement which is evident by the added overhang to the right side of the house in which after looking closer seems to be a full access point with new concrete stairs leading into the basement, all hidden behind the fence. Then most recently decided to do a full alteration to the main floor of the house, which is the main apartment (2). The pool in the rear of the house is hidden by the fence around the yard as well.

Up until June of last year when the building department was notified there were so many excess cars and people in and out of the property it was obvious that the place is being rented out in multiple segments. On any given night you can pass by this property and notice seven to eight cars parked in the

driveway which was expanded with stone for several more cars to accommodate his tenants along with four large garbage containers which seems excessive at any residence and is a clear sign of multiple residences and an overloaded house. This is not allowed within this zoning, me and all the other neighbors did not purchase our homes to comply to this zoning allowance to now live next to a small apartment building, especially one that has existed for several years illegally.

This property is within the R3 single family zoning area which does not support accessory apartments or even a three-family residence and especially without proper planning and zoning board approvals which I could not find on record within the town. Here is the current 2022 assessment which clearly shows a 210 single family house without a pool:

2 0 2 2 F I N A L A S S E S S M E N T R O L L -
T A X A B L E S E C T I O N O F T H E R O L L - 1
T A X M A P N U M B E R S E Q U E N C E
U N I P O R M P E R C E N T O F V A L U E I S 0 2 4 . 7 0

64-4-18		9 Innis Ave		64-4-18	
64-4-18	210 1 Family Res			COUNTY TAXABLE VALUE	50,000
Vasquez Jose Heleodoro	Newburgh Csd 331100	5,900		TOWN TAXABLE VALUE	50,000
9 Innis Ave	Lts 154 155 156 Pt Lt 157	50,000		SCHOOL TAXABLE VALUE	50,000
Newburgh, NY 12550	Map Dupont Park			AM010 Newburgh Ambulance	50,000 TO
	FRNT 100.00 DPTH 180.00			FD030 Orange lk fire	50,000 TO
	EAST-0611599 NRTH-0980296			LT004 Consol lt	50,000 TO
	DEED BOOK 14418 PG-1517			WD001 Consol wtr 1	50,000 TO C
	FULL MARKET VALUE	202,400		WD002 Consol wtr 2	50,000 TO C

Property information for improvements, nothing since 1983:

Municipality of Newburgh						
SWIS: 334600		Tax ID: 64-4-18				
Improvements						
Structure	Size	Grade	Condition	Year		
Pool-s/Armyl	16 x 32	Average	Normal	1970		
Porch-encd	286.00 sq ft	Average	Normal	1983		
Gar-1.0 wt	576.00 sq ft	Average	Normal	1983		

Property inventory list showing ONLY three bedrooms, one bath, and one kitchen and private sewer.

SWIS: 334600		Tax ID: 64-4-18	
Structure			
Building Style:	Ranch		
Number of Baths:	1 (Full)		
Number of Bedrooms:	3		
Number of Kitchens:	1		
Number of Fireplaces:	1		
Overall Condition:	Normal		
Overall Grade:	Average		
Porch Type:			
Porch Area:			
Year Built:	1983		
Eff Year Built:	1971		
Basement Type:	Full		
Basement Garage Cap.:	0		
Attached Garage Cap.:	576 sq. ft.		
Area			
Living Area:	1,350 sq. ft.		
First Story Area:	1,350 sq. ft.		
Second Story Area:	0 sq. ft.		
Half Story Area:	0 sq. ft.		
Additional Story Area:	0 sq. ft.		
Three-Quarter Story Area:	0 sq. ft.		
Finished Basement:	0 sq. ft.		
Finished Rec Room:	0 sq. ft.		
Finished Area Over Garage:	0 sq. ft.		
Number of Stories:	1		
Utilities			
Sewer Type:	Private		
Water Supply:	Comm/public		
Utilities:	Gas & elec		
Heat Type:	Hot wtr/rstm		
Fuel Type:	Oil		
Central Air:	No		

Why is this property owner allowed to violate the town code and reap the benefits of these illegal residences? With the prices of even a single room apartment within this town I calculate that this owner has probably hiding more that \$4k a month in revenue that is more than likely cash and untaxed for several years. I do not condone this type of action within our community and insist that the proper consequences be handed down to the property owner and removal of the illegal renovations. The Town of Newburgh needs to not old require removal of these illegal alterations but a heavy fine going back for each year of existence and usage. You can clearly see when the side entrance was added by the images available to anyone with google maps, hence an apartment in the basement and coincidentally added when the property was purchased in 2018. This would equate to at least five years of lost taxation revenue by the town and county.

Municipality of Newburgh

SWIS:	334600	Tax ID:	64-4-18
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Ownership Information

Name	Secondary Name	Address
Jose Heleodoro Vasquez		9 Innis Ave Newburgh NY 12550

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
5/31/2018	\$144,900	210 - 1 Family Res	Land & Building	Federal Home Loan Mortgage, Corporation
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	14418	1517

When looking closer on satellite imagery you can clearly see that this house also has no egress points other than what appears to be an illegally added basement entrance. If this is the case then we have a property owner who has basically renovated his complete property into an illegal three family. He has taken no permits, provided no approved architectural plans, and had no inspections for **framing, insulation, electrical, plumbing, vapor protection, fire safety devices** or more importantly in the basement and garage **egress points** along with meeting **light and ventilation** requirements, fire retardation to include proper 1hr fire rated sheetrock and **radon** testing. As well, inspections for concrete work for entrance, to include footings, drains and steel reinforcement within the forms. This house is also located near a stream which would be consistent with a wet basement and potential for mold. Was there proper drainage and water tight protection added to the walls and floor? If there is a question as to when the renovation took place, the date is easily obtained by the stamps on the wood framing within the walls as well the stamps placed on the sheetrock. My own house had a fuel oil tank in the garage when built, now you can notice one on the side yard. Does this comply with setbacks, was there proper permits taken out? Was the old one leaking and causing an environmental issue? I am sure this was done to allow for more apartment space in the garage which I am sure is not a safe habitable area.

NOTE: I believe this house has a private sewer, if this is the case then any system on this size of property would never support this many people or bedrooms at per the Board of Health and NYS Appendix-75 requirements. Did the zoning board consider researching the BOH approval for this

property? Was it in the back yard next to the pool? Was the system upgraded to allow for more additional living area? According to the Zoning Board of Appeals Notice, this property is seeking a variance for an apartment. It will need to have a new septic system designed and approved, which I am sure will not fit on this lot.

The town building code requires the following at minimum to obtain a building permit and a valid certificate of occupancy for use and occupying these spaces to now include the entire residence:

- **A BUILDING PERMIT**
- ALL APPLICATIONS MUST BE ACCOMPANIED BY A SURVEY SHOWING ALL EXISTING STRUCTURES AND SEPTIC SYSTEM.
- ONE COMPLETE SET OF PLANS & SPECIFICATIONS MUST BE FILED WITH THIS APPLICATION.
- **PROOF OF OWNERSHIP**
- **PROOF OF LIABILITY INSURANCE**, LIST TOWN OF NEWBURGH AS CERTIFICATE HOLDER. (ACORD FORM).
- **PROOF OF NYS WORKERS COMPENSATION INSURANCE** OR EXEMPTION FORM, LIST TOWN OF NEWBURGH AS CERTIFICATE HOLDER.
- **PROOF OF NYS DISABILITY INSURANCE**, IF APPLICABLE. (See workers compensation above).
- ANY CHANGES TO THE ORIGINAL PLANS MUST BE APPROVED IN WRITING BY THE BUILDING INSPECTOR.
- THE TOWN OF NEWBURGH HAS OFFICIALLY ADOPTED THE NYS **UNIFORM FIRE PREVENTION AND BUILDING CODE** AND THEREFORE ALL WORK MUST CONFORM TO THE LATEST EDITION.
- APPROPRIATE FEES ARE REQUIRED TO BE SUBMITTED WITH THE APPLICATION.

I have not been able to validate that any of the above has been provided to the town for any work at this residence. Furthermore, the addition of rental and or apartments/complete separate living areas should not be allowed. During such time I am requesting on behalf of all the neighbors within and around Innis Ave that this property owners' requests be denied and a heavy fine be assessed for these continued violations and the property be reverted back to a single-family residence and inspected for such compliance.

If these findings are in fact not investigated and corrected then the Town of Newburgh, specifically the code compliance office administration, could be held negligent and could become a criminal act, simply for not investigating this written and recorded complaint for safety and permit violations along with the request for denial of these requests by the property owner at 9 Innis Ave, Newburgh NY. These type of property owners need to be heavily fined and stopped. Contractors that perform work without permits for these home owners should be fined and licenses revoked as well. This owner should not be allowed to have any rentals on his property as it does not adhere with the town code or keeping with the design of the neighborhood, which was never intended for multi-family.

I would appreciate it if your entire Zoning Board of Appeals takes the time to review this letter and to read it aloud at the public hearing as I will not be able to attend to do such.

Thank you,

Innis Avenue Concerned Neighbors