

ACEVEDO  
954 RTE. 32  
WALLKILL NY 12589  
SBL: 2-2-8.11

6-18-2014

TIME LINE

**2012**

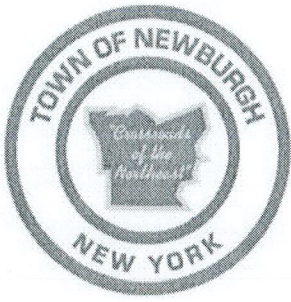
APRIL 20, 2012	Original complaint filed by the assessor's office. ( # 12-61 )
APRIL 23, 2012	Complaint processed by Code Compliance
MAY 2, 2012	Letter sent to owner-Undelivered-returned to Code Compliance.
MAY 18, 2012	Owner picked up Building Permit Applications.
JUNE 29, 2012	Order to Remedies issued. ( # 12-87 & # 12-61 )
JUNE 29, 2012	Owner promised to drop off application.
NOVEMBER 30, 2012	Registered letter sent. Returned unclaimed.

**2013**

JANUARY 10, 2013	Owner said he would send in three Building Permits for three sheds.
JANUARY 22, 2013	Bldg Permit Appl's submitted for 3 prior built accessory buildings.
JANUARY 25, 2013	Bldg Permit Appl's reviewed - Must go to the ZBA for variance approvals.
FEBRUARY 4, 2013	Applications referred to the ZBA.
FEBRUARY 14, 2013	ZBA Disapproval Notices sent to Mr. Acevedo.
MARCH 3, 2013	Owner stated he will stop in to Bldg Dept on 3/5/13 to make good on bounced checks submitted for Building Permit Applications.
AUGUST 9, 2013	Fees submitted to the Town Clerks Ofc for ZBA Hearing (\$400). ZBA Appl's incomplete said he would return - he did not return.
DECEMBER 6, 2013	Complaint reissued in the new Code Compliance computer system (#13-0308 )
DECEMBER 31, 2013	Site visit - structures still here.

**2014**

JANUARY 6, 2014	Order to remedy issued. ( #13-0308 )
JANUARY 8, 2014	Received call from Mr. Acevedo. Said he was having financial difficulty but if he cannot keep chickens he will just tear down sheds.
JANUARY 31, 2014	Site visit - still in violation. Sheds not removed.
APRIL 14, 2014	Appearance Ticket issued ( #13-0308 )
MAY 5, 2014	Original court date, adjourned till July 28, 2014 as Mr. Acevedo claimed financial difficulty for ZBA Fees in front of Judge.
MAY 6, 2014	Revised Disapproval letter sent from the ZBA.
MAY 6, 2014	Duplicate of receipt obtained from the Town Clerk by ZBA Office .
MAY 7, 2014	Informed Mr. Acevedo that he has already paid the required fee's August 9, 2013 and gave copy of receipt to him.
JULY 28, 2014	Next court date.



# TOWN OF NEWBURGH

*~Crossroads of the Northeast~*

**CODE COMPLIANCE DEPARTMENT**  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

TELEPHONE 845-564-7801  
FAX LINE 845-564-7802

## HISTORY OF A COMPLAINT

**COMP #:** 13-0308

**DATE REPORTED:** 05/23/12

**S-B-L:** 2-2-8.11

**LOCN:** 954 Route 32

**BY:**

**PHONE:**

**AGNST:**

**OWNER:** Michael Acevedo  
73 Carpenter Ave  
Newburgh, NY 12550  
**PHONE:**

**PHONE:**

### COMPLAINT:

Owner has built three (3) sheds in the rear of his property without the required BUILDING PERMITS.

**Follow Up Complaint conducted on 12/31/2013 at 3:32**

No changes and no further permits requested., John Terry

**Follow Up Complaint conducted on 01/06/2014 at 4:02**

1/6/14 - Issued an OTR., John Terry

**Follow Up Complaint conducted on 01/08/2014 at 12:45**

1/8/14 - At sometime in the afternoon, perhaps at 12:45 PM or so I received a call from Mr. Acevedo and he said that the reason he did not follow through with the 3 sheds is due to financial reasons.

I explained that this still needs to be addressed and also mentioned that his purpose for the three sheds was for turkeys which he corrected me on and said that they were chickens.

However, I told him that the Town does not allow chickens for a residential property. Further, while he could possibly get a variance for the sheds, the chickens are an entirely different matter.

His reply was that the sheds are for the chickens. If he can not keep his chickens then he might as well tear down the sheds as it is not worth all the trouble.

He further stated that he was going to the paper as this law which states he cannot



have chickens is ridiculous.

As a further note, he did state that he understood that this is just a job requirement and that if it is the law, well in fact it is the way it is. But still felt this was all so totally ridiculous.

\*\* OTR was sent on the 6th - perhaps mailed on the 7th. Continue with follow up date on OTR. 2/6/14.. Then issue an appearance ticket if necessary., John Terry

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**Follow Up Complaint conducted on 01/31/2014 at 12:09**

Stopped by property and chicken sheds are still standing and not being torn down as Mr. Acevedo had previously stated he would remove.

Took Pictures from highway (Rte 32) as well as from top of him on road which swings behind his property.

See images in image program this system IPS.

It appears that it will be necessary to issue an Appearance Ticket.

Issue Appearance ticket on 2/7/14., John Terry

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**Follow Up Complaint conducted on 04/14/2014 at 3:54**

Mailed Appearance Ticked for May 5, 2014 = See images., John Terry

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**Follow Up Complaint conducted on 05/05/2014 at 11:40**

Court appearance - Mr. Acevedo arrived and he advised the Judge that he just could not afford at this time the fee required which he claimed was \$ 900.00.

This was adjourned till July 28, 2014., John Terry

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**Follow Up Complaint conducted on 05/06/2014 at 11:46**

After speaking with Zoning Secretary I discovered that there are no fee's to pay. Owner just needs to submit application(s) and do mailings. All other fee's appear to be paid., John Terry

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**Follow Up Complaint conducted on 05/07/2014 at 10:01**

I called Mr. Acevedo at around 9:50 AM on this date and informed him that he does not have to pay the \$ 900.00 he thought he owed and that the zoning board secretary sent him a packet with instructions on how to proceed.

He stated to me that this was some sort of conspiracy because the town is against his chickens.

I stated that this is simply that he built structures without permits and that is all there is to it.

I further stated to him that the zoning board secretary went out of her way to create packets for each shed. She did this as a courtesy so that it was not all lumped

together. Giving him the possibility that the whole thing would not be thrown out but making it possible for the board to consider each shed separately.

Follow up court on July 28, 2014., John Terry

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