



TOWN OF NEWBURGH
~Crossroads of the Northeast~

#6 150 10/27/2014
CALL 1 LOCAL REG.

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

FLU 12/02/2014

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

5/6 10/27/2014

NOTICE OF INSPECTION

DATE: 10/24/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE, an inspection has been made regarding the complaint registered against the location described above, pertaining to:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE HEREBY INFORMED that an inspection was performed as follows:

Follow Up Complaint conducted on 10/24/14 at 10:30

Inspection Results: In Progress - INSPECTION: An in office search and inspection for information found that Mr. Anderson is scheduled to appear before the Zoning Board of Appeals on November the 25, 2014. Zoning Board Secretary Betty Gennarelli noted that his mailing list is in the office. Mr. Anderson will come in and pick up the information, the receipts and other information must be into the Zoning Board 10 days prior to the meeting.

RE-INSPECTION SCHEDULED FOR 12/02/2014.


Barry LaPierre, Code Compliance

#6 5/6 10/27/2014



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT

308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

#5 150 09/19/2014
11 LOCA REC J

FLU 10/24/2014

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

09/19/2014

NOTICE OF INSPECTION

INS 10/24/2014 10:30 AM

1) MR. ANDERSON IS SCHEDULED TO GO BEFORE ZBA ON 11/25/2014 LETTER & MAILING INFO IS READY FOR PICK-UP.

DATE: 09/19/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE, an inspection has been made regarding the complaint registered against the location described above, pertaining to:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE HEREBY INFORMED that an inspection was performed as follows:

Follow Up Complaint conducted on 09/19/14 at 10:00

Inspection Results: In Progress - **INSPECTION:** Mr. Anderson called the Code Compliance Office and left a message. I returned the call and spoke with him. He noted that his variance application is complete but he had just received the list of certified mailings for neighbor notification, this is required by the Zoning Board of Appeals prior to and appearance for a request. Mr. Anderson needed more time for the mailing and associated replies. After discussing the ZBA's schedule, we noted a an October 24 follow up inspection.

INSPECTION SCHEDULED FOR 10/24/2014.

10
COMPLETED ON
5/10 COPY

Barry LaPierre, Code Compliance

#5 510 09/19/2014

#5



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

#4 INS SLA 8/27/2014
FLU 09/19/2014

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

SLA 8/27/2014

NOTICE OF INSPECTION

DATE: 08/26/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE, an inspection has been made regarding the complaint registered against the location described above, pertaining to:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE HEREBY INFORMED that an inspection was performed as follows:

Follow Up Complaint conducted on 08/26/14 at 2:50

Inspection Results: In Progress - INSPECTION: A call was placed to Mr. Anderson from the Code Compliance Office in the morning to see if he was in receipt of the information mailed to by the Zoning Board Secretary. She had indicated the application for his hearing and the instructions were mailed out on the 08/19/2014. Mr. Anderson responded to the call and stated he did receive the packet had not yet begun to fill out the application, but was intent on doing so. I was decided that I would again reach out to him to see if the application is filed in approximately 2-3 weeks. In house inspection for the application and follow up phone call are; RE-INSPECTION SCHEDULED FOR 09/19/2014.


Barry LaPierre, Code Compliance

#4 SLA 8/27/2014

#4



TOWN OF NEWBURGH
~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

#3 1125 7/25/2013
#2150
Per App. 5/11 7/29/2014
11 Luca Reg

Flu 08/26/2014
TELEPHONE 845-564-7801
FAX LINE 845-564-7802

510
7/29/2014

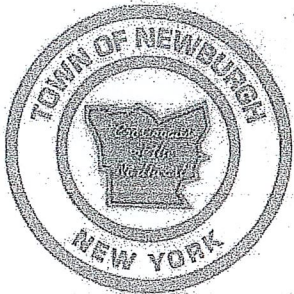
NOTICE OF INSPECTION

8/26/2014 12:00 PM
1.1 SPOKE W BETTY, SENT HIS APPLICATION
AND INSTRUCTIONS TO HSM 8/19/2014

DATE: 07/29/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

PUT OUT 3 WLS



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

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

Date: 08/15/2014

Application No. 14-0514

To: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

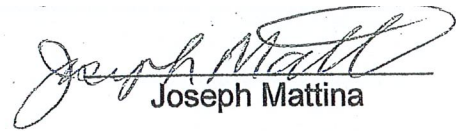
SBL: 43-1-1.2
ADDRESS: 153 Fostertown Rd

ZONE: R2

PI FASE TAKE NOTICE that your application dated 07/21/2014 for permit to

#3 56 7/29/2014

#3


Joseph Mattina

Cc: Town Clerk & Assessor (500')
File

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE, an inspection has been made regarding the complaint registered against the location described above, pertaining to:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE HEREBY INFORMED that an inspection was performed as follows:

Police Department conducted on 07/25/14 at 9:30

Inspection Results: In Progress - **INSPECTION:** The in office check of the application tracking system and with code compliance personnel found the following pertinent information. Mr. Andersen had followed through with the submission of an application (#14-0514) on 07/21/2014.

The application was reviewed by Mr. Mattina in the Code Compliance. Mr. Mattina reviewed the application and submitted a letter to Mr. Andersen indicating that required information and a plot plan were not submitted. The letter from the office also indicated that all materials should be submitted at the same time.

RE-INSPECTION SCHEDULED FOR 08/26/2014


Barry LaPierre, Code Compliance

#3 sb 7/29/2014



APPLICATION SUMMARY

TOWN OF NEWBURGH
308 GARDNER TOWN ROAD
NEWBURGH, NY 12550

Application No: 14-0514

File Date: 07/21/2014

SEC-BLK-LOT: 43-1-1.2

Location: 153 Fostertown Rd

Acreage: **Zoned:** R2

Application for:

Seeking Approval to Park Tractor Trailer Along side Existing Barn.

Type: 437

Owner : James Anderson

Address: 153 Fostertown Rd Newburgh, NY 12550

Phone: 845-562-1977

Notify: James

Phone: 845-562-1977

Receipt(s):

#3



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT

308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

#2 150 7/21/2014
E MAIL SO
{E MAIL PER. AAP}
7/01/2014 }
S/O I LOCA REC
F/U 07/25/2014
TELEPHONE 845-564-7801
FAX LINE 845-564-7802

NOTICE OF INSPECTION

DATE: 07/01/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY12550

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE an inspection has been made regarding the complaint registered against the

Barry:
FYI

153 FOSTERTOWN RD
Application # 14-0514

Name: JAMES ANDERSON
Mailing Address: 153 FOSTERTOWN RD NEWBURGH NY 12550
Phone Number: 562-1977
Project: TRUCK PARKING
Contractor: N/A
SBL: 43-1-1.2
Date: 7-21-2014

SUBMIT ALL ITEMS @ THE SAME TIME

WHEN INTERIOR ALTERATIONS OCCUR ALL SMOKE & CO DETECTORS MUST BE UPGRADED.

1. Submit a survey or detailed plot plan. As you are aware a use variance will be required for Town of Newburgh Municipal Code section 185-13-E-(2) not contained within a carport or garage. Section 185-30-A-(2) requires vehicles and trailers setbacks of 50' from a side or rear lot line. The survey will show if this variance is needed.
2. Section 185-13-D-(7) requires parking surfaces to be of oil/stone, asphalt or concrete. What type of surface will this vehicle be stored on?
3. List the contents of the trailer? Are there or will there be any combustible, flammable, corrosive or other hazardous, toxic chemicals or materials?

Joseph Mattina
Joseph Mattina
Code Compliance

PLEASE TAKE NOTICE, an inspection has been made regarding the complaint registered against the location described above, pertaining to:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE HEREBY INFORMED that an inspection was performed as follows:

Follow Up Complaint conducted on 07/01/14 at 10:30

Inspection Results: In Progress - INSPECTION: Met with Mr. Anderson on the scheduled appointment as planned. A review of the property history showed that Mr. Anderson appeared before the ZBA and received a variance for the accessory metal building. Mr. Anderson noted that he cannot fit the tractor with the trailer attached. He stated that he had moved the gas tanker off premise. He came into the code compliance office and picked an application for a use variance but not the correct one. I stated that I would scan and e-mail that document to him. Mr. Andersen further explained he would again appear before the ZBA based on the permit denial. He would like to be able to park the rig outside. I informed to take plenty of pictures of the property and parking location.

AN IN-HOUSE SEARCH OF APPLICATION TRACKING SYSTEM WILL BE PERFORMED TO FOLLOW UP WITH FILING OF THAT APPLICATION. THE PROPERTY IS CONSIDERED IN VIOLATION UNTIL THE APPROVAL OF THAT VARIANCE: INSPECTION SCHEDULED FOR 07/25/2014

510 7/2/2014


Barry LaPierre, Code Compliance

#2

Barry Lapierre

From: Barry Lapierre <lapierre-bldgdept@townofnewburg.org>
Sent: Tuesday, July 01, 2014 2:25 PM
To: 'jbanders0n@aol.com'
Subject: Permit Applicaton Form
Attachments: Permit Anderson 153 Fostertown.pdf; Barry LaPierre.vcf

Mr. Anderson,

Please find the attached PDF that contains the application you need for the variance process. They are available for pick up in the Code Compliance Office if you cannot print this out.

Sincerely,

Barry LaPierre

Town of Newburgh Code Compliance
Code Enforcement Official

(845) 564-7801 Work

(845) 564-7802 Fax

lapierre-bldgdept@townofnewburgh.org

308 Gardnertown Road
Newburgh NY 12550

7012 2210 0000 5978 2783

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here: BFR 6/11/14

Sent To: JAMES ANDERSON
Street, Apt. No., or PO Box No.: 153 FOSTERTOWN Rd
City, State, ZIP+4: 12550

PS Form 3811, February 2004 Domestic Return Receipt

PS Form 3800, August 2006 See Reverse for Instructions

SECTION ON DELIVERY

Printed Name: Anderson
C. Date of Delivery: 6/11/14

Address: 153 FOSTERTOWN Rd

Address different from item 1? Yes No

Delivery address below: Yes No

Express Mail
 Return Receipt for Merchandise
 C.O.D.
 Yes No

7B 2783

102595-02-M-1540

#2



TOWN OF NEWBURGH

~Crossroads of the Northeast~

CODE COMPLIANCE DEPARTMENT

308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

#1 150 6/11/2014
(2) 150

(1) LOCA REG & (CENT)

FLU 07/01/2014

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

510 6/11/2014

NOTICE OF INSPECTION

#2 INS 10:30.
TALKED W DAVEN
2. NEEDED CLARENCE

DATE: 06/10/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE, an inspection has been made regarding the complaint registered against the location described above, pertaining to:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE HEREBY INFORMED that an inspection was performed as follows:

Follow Up Complaint conducted on 06/06/14 at 3:05

Inspection Results: Fail -

INSPECTION: On the inspection it was observed there was a commercial tractor trailer semi and what appeared to be an LP tank trailer parked on the premises. The complainant alleges a possible business being conducted but this could not be verified. There was no one home at the time of the inspection to field questions. The only violation was the parking of commercial vehicles in a residential zone. There appeared to be garage large enough to house at least on vehicle commercial vehicles. This is an R-1 Zone and you can park commercial vehicles in residential zones provided the vehicles are completely enclosed in a carport or garage.

That statute is as follows: 185-13- E.

Off-street parking of commercial and recreation vehicles in all residential districts. Commercial vehicles may be parked off street in residential districts, provided that: [Amended 9-23-1998 by L.L. No. 10-1998]

- (1) The vehicle is engaged in the provision of service, delivery or pickup at a residence.
- (2) The vehicle is on a private lot, other than those cited in Subsection E(1) above, and

#1 510 6/11/2014

#1

is operated by an occupant of the principal building and the commercial vehicle is totally contained within a garage or carport.

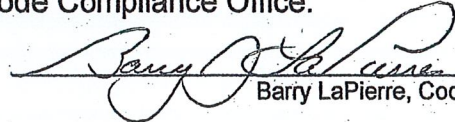
(3)

Farm and agriculturally related commercial vehicles located on agricultural residential parcels are exempt from these regulations.

(4)

Campers or recreational vehicles, camper trailers and utility trailers may not be parked in a residential district in a required front yard nor between the street line and the principal building. In no event shall such parked vehicles be used for residential purposes.

A RE-INSPECTION IS SCHEDULED FOR 07/01/2014. AT THIS TIME THERE SHOULD NOT BE ANY COMMERCIAL VEHICLES PARKED IN THE REAL LOT AREA. If you wish to be there for the inspection or would like a specific time during the day booked for definite appointment please call the Code Compliance Office.


Barry LaPierre, Code Compliance

#1



#1



#1



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

NOTICE OF COMPLAINT

#1 INS 6/6/2014 @ 3:05
1-2 COMMERCIAL VEHICLES
PARKED IN REAR

DATE: 06/05/2014

TO: James Anderson
153 Fostertown Rd
Newburgh, NY 12550

SEC-BLK-LOT: 43-1-1.2

COMPLAINT NO: 14-0196

LOCATION: 153 Fostertown Rd, Newburgh, NY 12550

PLEASE TAKE NOTICE, a complaint has been registered against the location described above, in that the above named individual(s) did commit or permit to occur the following offense:

Possibly Business being Conducted out of house, there are trucks going and coming all day.

YOU ARE THEREFORE DIRECTED AND ORDERED to contact this office immediately to arrange for an inspection of the above described condition.

Failure to promptly comply with this directive may result in a fine or imprisonment or both.

Barry LaPierre, Code Compliance

TOWN OF NEWBURGH
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

GERALD F. CANFIELD
CODE COMPLIANCE SUPERVISOR
TELEPHONE: (845) 564-7801
FAX LINE: (845) 564-7802

Permit No: 0-9570

File Date: 02/03/1992
Expire Date: 08/05/1993

BUILDING PERMIT

SEC-BLK-LOT: 43-1-1.2

Permit Fee: \$85.00
C.O. Fee: \$0.00

A permit is hereby given by the Building Department, TOWN OF NEWBURGH, ORANGE COUNTY, N.Y., for the structure described herein:

Owner's Name: ANDERSON, JAMES B. (914)-565-1413
Address: 97 FOSTERTOWN ROAD NEWBURGH, NY 12550

Architect's Name: JERRY M. CHRISTENSEN (914)-635-1933
Address: W. SIDE OFFICE PARK, WEST ROAD, PLESANT VALLEY NY

Builder's Name: MORTON BUILDING, INC. (914)-635-1933
Address: W. SIDE OFFICE PARK, WEST ROAD, PLESANT VALLEY NY

Location of Structure: FOSTERTOWN ROAD #97

Material: FRAME/POLE No. Stories: 1.0 No. Families: 0

Dim. of Stru.: 36'X45' No. Bedrooms: 0 No. Toilets: 0

Use of Stru.: GARAGE/STORAGE Dim. of Lot: 200' X 300'

Census Code: 438 No. Bathrooms: 0.0 Heating Plant: N/A

Remarks: RECEIPT #10545 ZBA APPROVED FOR THE HEIGHT 19'6"

Appx. Cost: \$17000.00

1. I am familiar with the Zoning and Building Ordinance of the TOWN OF NEWBURGH, and do hereby agree to abide by them.
2. The information stated above is correct and accurate.

Signature of Applicant

CODE COMPLIANCE DEPARTMENT

IMPORTANT

1. A permit under which no work has commenced within six (6) months after issuance, shall expire by limitation, and a new permit must be secured before work can begin.
2. It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.

SEPTIC PERMIT:

Permit No: 0-9570

1620

RECEIVED
2-5-92

TOWN OF NEWBURGH
ZONING BOARD OF APPEALS

IN THE APPLICATION OF JAMES B. ANDERSON

Section 43
Block 1
Lot 1.2

DECISION AND RESOLUTION

The application of JAMES B. ANDERSON seeks an area variance to permit the construction of an accessory building upon premises located at 97 Fostertown Road, an R2 Zoning District in the Town of Newburgh.

The Applicants, having submitted this application, paid the required fees, provided a true copy of the property description, submitted a plot plan and list of property owners within three hundred feet, the matter having been properly noticed for public hearing and caused to be published by the Chairman of the Board; and the hearing having been conducted, the Board thereupon entered into deliberative session and does find as follows:

1. That the procedural requirements of the General Municipal Law and the Town Law of the State of New York, the Zoning Law of the Town of Newburgh and the regulations of this Board have been complied with in all respects.

2. The Applicant, JAMES B. ANDERSON appeared and testified that this application is to construct a garage on his property exceeding the fifteen foot height requirement

set forth in the Zoning Law of the Town of Newburgh for a building in such an area.

3. Mr. Anderson explained that he is the owner of a number of motor vehicles including a tractor which he uses in the course of his business. A nonconforming building previously located on the property which was used to house this tractor was destroyed by a falling tree. Thereafter, Mr. Anderson demolished various other nonconforming buildings on his property.

4. The applicant now seeks to construct a garage to house all of these vehicles including the tractor.

5. He had testified that because the height of the tractor the garage in which it is stored must be 19 1/2 feet in height.

6. The Board has found that the garage meets the requirements of the Zoning Law of the Town of Newburgh in all other aspects.

7. That by reason of the foregoing, the Board finds that the applicant has demonstrated economical difficulties sufficient to grant the variance.

THERE BEING NO FURTHER FINDINGS,
this application is approved.

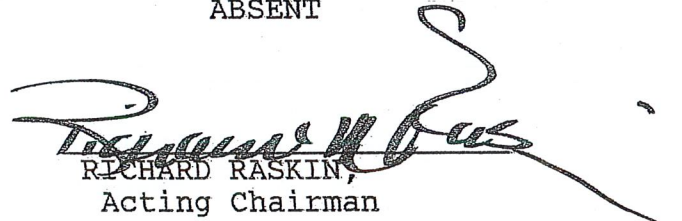
Dated: Newburgh, New York


RICHARD RASKIN,
Acting Chairman

VOTING ON THE APPLICATION OF

James B. Anderson

MEMBER	VOTE	
	YES	NO
PAUL BLANCHARD	X	
GRACE CARDONE	X	
DOUGLAS W. CARLE		ABSENT
JOHN DELESSIO		ABSENT
RICHARD RASKIN	X	
LOUIS SCALFARI	X	
RALPH L. HOLT		ABSENT


RICHARD RASKIN,
Acting Chairman

January 23, 1992

Minutes

RECEIVED
1-25-92

PRESENT

:

Ralph L. Holt (Absent)
Debbie Evans, Secretary
Jeffrey Shapiro, Attorney
Richard Raskin
Paul Blanchard
Grace Cardone
Louis Scalfari
John DeLessio
Douglas Carle (Absent)

Application Of : James B. Anderson

Application of James B. Anderson is seeking an Area Variance to erect an accessory building which exceeds the height requirement by 4½ feet.

All mailings were in order.

Mr. Anderson stated to the board that he is replacing the accessory building that he had on his property but had collapsed by a fallen tree.

The building (garage) will be approximately 19½ feet tall, in which he needs to be able to fit his Peter Built Tractor.

The side yard set backs are in compliance, he needs the additional four and a half feet in height.

Mr. Raskin asked if there was any other purpose for the garage except the storage of the tractor.

Mr. Anderson stated that the building will also be used for storage of his lawn equipment.

Mr. Raskin asked if this were a one story garage.

Mr. Anderson stated this building has a second floor (pole building), uninsulated.

Mr. Raskin asked if the building would be sixty-two feet from the house.

Mr. Anderson stated yes.

Mr. Raskin asked if the tractor was used for business.

Mr. Anderson stated yes.

Mr. Raskin asked if this building could hold the tractor too.

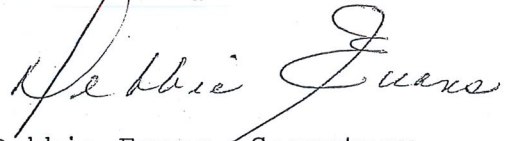
Mr. Anderson stated no.

Mr. Raskin asked if there were any exterior lights to be placed on the building.

Mr. Anderson stated no.

There were no further questions, hearing was closed.

Submitted by:

A handwritten signature in cursive script that reads "Debbie Evans". The signature is written in dark ink and is positioned above the typed name.

Debbie Evans, Secretary
Zoning Board of Appeals