

HISTORY OF A COMPLAINT

COMP #: 12-219 DATE REPORTED: 10/25/2012 S-B-L: 70-3-1.

LOCN: 2 CHEVY STREET

BY: TOWN POLICE DEPARTMENT

PHONE:

CODE
COMPLIANCE
FILES

AGNST: JORG UWE FRISCHKNECHT
2 OAK RIDGE DRIVE
NEW WINDSOR, NY 12553
PHONE:

OWNER: JORG UWE FRISCHKNECHT
2 OAK RIDGE DRIVE
NEW WINDSOR NY 12553
PHONE:

COMPLNT:

VIOLATION: POLICE MADE AN ARREST AT THIS ADDRESS.
8 TO TEN PEOPLE LIVING IN THE HOME.
ALL ROOMS ARE BEING RENTED OUT.

NO INSPECTIONS FOUND

NOTICE OF VIOLATION ISSUED

OTR #12-220

HISTORY OF INSPECTIONS OF ORDER TO REMEDY

VIOL #: 12-220 DATE REPORTED: 12/07/12 S-B-L: 70-3-1.

LOCN: 2 Chevy Street

TO: Jorg Uwe Frischknecht
2 Oak Ridge Drive
New Windsor, NY 12553

COMPLNT: Single family home being utilized as a "boardinghouse".



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 #: 14-0174

DATE REPORTED: 05/19/14

S-B-L: 70-3-1

LOCN: 2 Chevy St

BY:

PHONE: 845-401-5134

AGNST:

OWNER: Jorg Uwe Frischknecht

2 Oak Ridge Dr
New Windsor, NY 12553

PHONE:

PHONE:

COMPLAINT:

7 Cars on the Property, Believes they are running a Boarding House

Follow Up Complaint conducted on 05/26/2015 at 10:10

INSPECTION: A phone call was made to Mr. Frischknecht to find out the status of re-converting of the house to a single family dwelling. Mr Frischknecht noted that to complete the final step, making an opening from the lower level to the stairwell, required the removal of the tenants. They are supposed to vacate the premises the last day of this month, May 2015. He noted he would need a week to get all the work completed.

RE-INSPECTION IS SCHEDULED FOR 06/12/2015.

, Barry LaPierre

Follow Up Complaint conducted on 04/24/2015 at 9:30

IN OFFICE INSPECTION FOLLOW Up 04/24/2015: A call was made to and received by Mr. Frischknecht. He noted that the re-conversion to a single family is in progress. Mr. Frischknecht stated he had purchased and will be installing a door that will allow passage from the second floor stairwell to the first floor living space. It will be required that cooking appliances in the second floor apartment. Living, cooking and bathing facility in one area constitutes a separate dwelling unit.

RE-INSPECTION SCHEDULED FOR 05/26/2015

, Barry LaPierre

Follow Up Complaint conducted on 03/24/2015 at 10:30

INSPECTION: A phone call was made to Mr. Frischknect to see where his follow up pursuit of reconverting 2 Chevy St. back into a single family house had progressed to. Mr Frischknect noted that he had within the past week dropped off more information to Mr. Ewasutyn. He also noted he is only a few weeks out from completing the conversion.

RE-INSPECTION OR OFFICE FOLLOW UP SCHEDULED FOR 04/24/2015.

, Barry LaPierre

Follow Up Complaint conducted on 02/24/2015 at 9:35

INSPECTION OF VIOLATION: A call was placed to Mr. Frischknecht to find out the status of his bid to go before the Planning Board to have 2 Chevy St. converted to a legal (2) family house as it is currently being used for. He returned the call shortly afterward and provided the following information. Mr. Frischknecht noted: (1.) He was advised by his engineer not pursue this avenue as it would be unlikely the Planning Board would grant a variance for this use as the property itself is non-conforming. (2) He would likely just remove the barrier separating the first floor apartment from the stairwell to the second floor and make it back to a single family residence. Then rent it as such. I told him we would set up another inspection or phone communication for March or April to check out this process.

RE- INSPECTION SCHEDULED FOR 03/24/2015.

, Barry LaPierre

Follow Up Complaint conducted on 01/09/2015 at 4:09

INSPECTION: A call was made to Mr. Frischnecht to see if there have been any further developments in the variance process. Mr. Frischnecht fielded the call from me and he was under the impression his engineer has dropped of the plans to the planning Board Chairman as part of the application requirments.He thought the planning board chairman was working on putting the application together at this time.

RE-INSPECTION FOR FURTHER DEVELOPMENTS IS SCHEDULED FOR 02/24/2015

, Barry LaPierre

Follow Up Complaint conducted on 12/23/2014 at 11:45

INSPECTION: A call was made to Mr. Frischknecht for a follow up report as to where he stood in the process of appearing before the planning board. His purpose is to have the house deemed a legal (2) family so it may be occupied as such. The current zoning contains provisions that allow for an accessory apartment in any residential zone. However, the apartment in this residence exceeds the allowable square footage and therefore the residence is classified as a (2) family, which is not allowed. Mr. Frischknecht noted he has completed the survey , a planning board requirement for the application. He also noted several delays attributed to the time of year and holidays but his resolve is to seek a legal (2) family status.

A RE-INSPECTION FOR CONTINUING THE PROCESS IS SCHEDULED FOR 01/09/2015

, Barry LaPierre

Follow Up Complaint conducted on 11/14/2014 at 10:50

INSPECTION OF VIOLATION: The scheduled inspection was performed in office and a call was placed to Mr. Fricshknelcht as the part of the follow up with the

complaint. Mr. Frischknelcht provided information about the process he is following in accordance to what he's been told needs to be done before he can appear before the planning board. An older survey map of the property was inadequate to provide enough parcel detail to be used as part of the necessary information for the application. Therefore Mr. Frischknelcht has secured a P.E. to perform an up to date survey and they are in the process of completing such. Added information was that the first floor tenant that caused the discord with neighbors is leaving the premises. RE-INSPECTION OR IN HOUSE FOLLOW UP FOR PROGRESS WILL BE PERFORMED 12/23/2014

, Barry LaPierre

Follow Up Complaint conducted on 10/17/2014 at 5:22

INSPECTION: An in Office inspection was performed by making phone contact with Mr. Frischknecht . The purpose was to verify that he was pursuing the required action through the Town of Newburgh planning Board to make the residence (2 Chevy St.) a legal (2) family. Mr. Frischknecht noted that he is securing a survey map that was requested as part of the application process. He asked questions about the usefulness of an old bank survey, I referred him to Mr. Ewasutyn, the planning Board Chairman who could answer questions of this nature. He noted that as his pool business winds down with the season, he will devote the required time to complete the application process.

RE-INSPECTION FOR CONTINUED PROGRESS FOR HIS PLANNING APPLICATION WILL BE PERFORMED 11/14/2014.

, Barry LaPierre

Follow Up Complaint conducted on 09/30/2014 at 9:30

INSPECTION: Mr. Frischknecht is not on the agenda to appear before the Planning Board. A call was made from the office today and a message left on his voicemail to find out exactly where Mr. Frischknecht is in the process. If Code Compliance does not hear from Mr. Frischknecht an Order to Remedy will be issued after a new inspection to be performed on 10/17/2014. In order to keep the complaint from becoming a violation, Mr. Frischknecht must continue the process of getting approval from the planning Board.

RE-INSPECTION IS SCHEDULED FOR 10/17/2014. (LAST INSPECTION PRIOR TO ISSUANCE OF AN ORDER TO REMEDY)

, Barry LaPierre

Follow Up Complaint conducted on 09/02/2014 at 2:36

INSPECTION: A review of in office permit application tracking found that Mr. Frischknecht's permit application was disapproved; therefore he must pursue compliance through the Planning Board approval process. Mr. Mattina provided a copy of a memorandum that he gave to the planning board chairman, Mr. Ewasutyn. I provided Mr. Frischknecht's phone number. A review for continued progress towards compliance and Planning Board approval will be performed in the office. RE-INSPECTION SCHEDULED FOR 09/30/2014.

, Barry LaPierre

Follow Up Complaint conducted on 08/08/2014 at 2:27

INSPECTION: An in office inspection resulting with (2) calls to Mr. Frischknecht

found that he was mailed a notice about his application and the sketch of the floor plan he made. His drawing was not detailed enough and he lacked some other application requirements such as survey. Mr. Frischknecht said he did not receive the list that the cover page Mr. Mattina sent him was included. Or, perhaps he was not aware of what the sheet is. In a second call in the afternoon, Mr. Frischknecht said that he would have to pursue making the location a legal 2 family since, regardless of the size, it is not owner occupied. I suggested he review the list and bring down as much of the required filing criteria as he could, this included the parcel's survey map. Once had this together he was advised to call the office and arrange to review the information and missing requirements with Mr. Joe Mattina. INSPECTION FOR FILING CRITERIA AND FOLLOW UP SCHEDULED FOR 09/02/2014

, Barry LaPierre

Follow Up Complaint conducted on 07/18/2014 at 5:58

INSPECTION: Code Officials within the office noted that Mr. Frischknecht dropped off an application with drawings. The drawing and permit application lacked information required for the processing of such. Mr. Mattina has drafted a letter that will be mailed to Mr. Frischknecht outlining what is needed to complete the application process.

RE-INSPECTION WITH A SEARCH IN THE APPLICATION TRACKING AND FOLLOWED UP WITH A CALL TO THE OWNER IS SCHEDULED FOR 08/08/2014.

, Barry LaPierre

Follow Up Complaint conducted on 06/20/2014 at 11:00

INSPECTION: Met with owner, Mr. Frischknecht, at 2 Chevy St. for the scheduled "Definite Appointment" at 11:00 am on 06/20/2014. Mr. Frischknecht was cooperative and allowed access to the all interior building locations. He also stated prior to entry that the house had been divided into (2) separate living spaces prior to him purchasing the property. He also noted that each space had a kitchen. This was observed during the inspection. It was explained that the division of the space and presence of (2) kitchens changes the classification from either a residence with an accessory apartment, typically owner occupied, or a valid (2) family house. The current classification is 210, or single family dwelling. Mr. Frischknecht was willing to go through process for compliance. There is a different course to proceed with depending on the size of the "as built" apartment. If the sq. footage of the upstairs apartment is between 450 and 700 sq. ft. he can apply for an accessory apartment. If the living space is greater than 700 sq. ft. he must follow the step for a two family house.

Mr. Frischknecht must prepare a floor plan of the apartment that depicts all the living, bedroom and bathroom space. Each room or space must be dimensioned accurately so the sq. footage can be determined. Once this information is known the owner can be advised of the required permit application process.

THE OWNER IS EXPECTED TO SUBMIT THE DRAWING BY THE SCHEDULED RE-INSPECTION DATE OF 07/18/2014.

, Barry LaPierre

Follow Up Complaint conducted on 05/23/2014 at 10:08

INSPECTION: The nature of this complaint will require an interior inspection. The complainant alleges possible multi-family occupancy. The assessment sheet indicates the occupancy as a single family dwelling. There are notes on the sheet that indicate that this may be being used as a two family. At the time of the

inspection there were only (2) vehicles. Will send this inspection notice for a scheduled walk through of the interior to inspect all living space.

IT IS IMPORTANT THAT A PROPERTY REPRESENTATIVE BE PRESENT TO ALLOW ACCESS TO ALL HABITABLE PORTION OF THIS HOUSE.

A DEFINITE APPOINTMENT IS SCHEDULED FOR 06/20/2014 AT 11:30 AM. YOU MUST CONTACT THE CODE COMPLIANCE OFFICE IF THIS DATE OR TIME MUST BE RE-SCHEDULED.

, Barry LaPierre
