

From: Jeannine Rogers
Sent: Wednesday, April 14, 2021 11:40 AM
To: zoningboard@townofnewburgh.org
Subject:

Dear Zoning Board Members

I live at 19 Smith Ave, Walden, NY 12586. I do not have any objections to the variance that Frank Loves
@ 215 First St 32-3-13.1

Thank you.

Sincerely

Jeannine P Rogers

From: Sandy
Sent: Tuesday, April 20, 2021 7:48 PM
To: zoningboard@townofnewburgh.org
Subject: Meeting ID: 896 8606 0377 - Sener Yiacoup

To: Zoning Board of Appeals, Town of Newburgh, NY 12550

Re: Notice of Public Hearing - Meeting ID: 896 8606 0377 - Sener Yiacoup, scheduled April 22, 2021, at 7:00 p.m.

Application: Sener Yiacoup, for an area variance to install a 20' x 40' inground pool in the front yard (River Road). Location, 32 Sloane Rd 43-5-49.1 R1 Zone

We, *Sandra M. Haight, and William H. Haight, Jr., of 15 Francis Street, Newburgh, NY 12550, do approve that this variance be granted to Sener Yiacoup.

The location where he wants to install the pool is the back yard, not the front yard. The front yard faces Sloan Road.

***Sandra's father, Joseph S. Trifilo, built that house in 1960, on his property that stretched from Sloane Road to River Road. The house was built with the front facing Sloane Road, and the back facing River Road and the Hudson River. Sloane Road has remained being the front yard for all the succeeding owners, with the back yard facing River Road.**

Therefore, we approve of Sener Yiacoup building his inground pool in the back yard (facing River Road and overlooking the river) at his residence on 32 Sloane Road, Newburgh, NY 12550.

Sincerely,

**William H. Haight, Jr.
Sandra M. Haight**

From: John Ewasutyn
Sent: Thursday, April 22, 2021 10:00 AM
To: Mary Murphy
Cc: zoningboard@townofnewburgh.org
Subject: Re: Application of Sener Yiacoup for area variance to install a 20' x 40' pool

Mary - forwarded your email as needed.
Thank you
John
Sent from my iPhone

On Apr 22, 2021, at 9:25 AM, Mary Murphy <mmurphy@goldsgymhv.com> wrote:

I am Sener Yiacoup's next door neighbor (28 Sloane Road) and wish to advise the Board that I support his application for a variance to install a 20' x 40' pool on his property.

Thank you.
Mary Murphy

<image002.png>

MARY B. MURPHY
MANAGING PARTNER

GOLD'S GYM NEWBURGH
15 Racquet Rd.
Newburgh, NY 12550
T (845) 564-7500
www.GoldsGym.com/NewburghNY

Follow us:

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Leslie Lupi (LE)
62 Mill St
Wallkill NY 12589

Matteo Lupi
58 Mill St
Wallkill NY 12589

April 16, 2021

Zoning Variance for Junchen Shang
87 Mill St Wallkill NY 12589

I Leslie Lupi have been a property owner & resident @ 62 Mill St, for 44 years....I came here when this immediate area was remote, wooded & traffic free... a peaceful environment, since there have been many changes, mostly negative.....

Fortunately I'm not an abuter of Mr. Shang's property, but I am within ear shot of any type of noise coming from that property.... Both my son, who lives at 58 Mill St. & myself are animal lovers, so this weighs heavily on our decision....Barking dogs 24/7 is unacceptable, then another significant issue is, when does 20 dogs become 30 dogs? & who will monitor the care given to these dogs?

I see Mr Shang is a new resident & have seen improvements to the property...along with this is the enthusiasm for his passion for his dogs...My concern is, this a flash in the pan? With lost interest down the road? We have all seen on TV when passion, hording, & the consequences of time takes over.

My intent is not to deny the opportunity for Mr. Shang's desire. The location of the structure on his property, sound proofing provisions to his structure & the security of the confinement of the dogs have not been addressed on the noticed I received....I have not done any research on the size of his property, but know that parts of that property was was sold to Kenyon Nott, his abuter, prior to the purchase by Mr. Shang thus reducing wooded area's.

I'm sorry I cannot render a definitive approval or disapproval until I know all the facts & primarily the location of his canine structure on his property.....

Sincerely Leslie Lupi

94 Mill Street
Wallkill, NY 12589
April 19, 2021

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

Re: Zoning variances for 87 Mill Street, Wallkill, NY 12589

Dear Town of Newburgh Zoning Board of Appeals,

We are writing to you about our concerns for the proposed zoning variances at 87 Mill Street, Wallkill, NY 12589. It is our understanding that the present landowner is wishing to build a kennel for housing/boarding up to 20 dogs and "accessory" buildings. In addition, we understand that just up the road from this address there is already a boarding facility for dogs. Do you understand just how much noise and potential health hazards are caused by the introduction of the boarding facilities? We already are exposed to constant noise from the NYS Thruway. In addition, when the homeowners up the road from our house got permission for a dog boarding/grooming variance business, we were additionally subjected to constant dog barking regardless of the day or night. Both are a form of noise pollution and potential environmental hazards.

We would like to bring to your attention the following information that we researched with respect to the potential for dog boarding/kennels that 87 Mill Street is proposing:

According to www.animallaw.info with respect to dog kennels housing +/- 20 dogs, humans are subjected to "noise pollution and zoonotic parasite spread to people, neighboring pets and wildlife (there are several houses in the vicinity of the proposed site as well as a myriad of wildlife and flora in the area that may be susceptible to diseases caused by canine waste). A Bureau of Dog Law Enforcement would be necessary with a toll-free tip line to allow concerned citizens to provide confidential tips to be followed up on by dog wardens and USDA inspections. In addition, poor waste management can have a negative impact on the environment through improper waste handling as well as soil and water contamination according to the CDC (Centers for Disease Control), including for example, cryptosporidium, roundworms, ringworms, hookworms, whipworms, and other fungal/parasite infections. The cryptosporidium oocyst (the outer shell) is resistant to standard disinfecting techniques and some filtration systems.

It is well established that animals that appear healthy often shed pathogens that contaminate the environment and if the kennel operator is unable to determine which dogs are sick, then disposal of waste by acceptable methods can still lead to contamination of the soil and local water supplies. Disposal of animal waste by composting, incinerating or burying may not always get rid of potentially dangerous 182 organisms in the environment which can persist and cause infections in humans months later. A facility must have a proper long-term plan for domestic animal waste management.

To fill the environmental link in legislation and provide an additional layer of regulatory supervision, facilities should be characterized as animal feeding operations (AFOs) or concentrated animal feeding operations (CAFOs) under Environmental Protection Agency (EPA) regulations. Classification as a CAFO would require qualifying kennels to apply for Clean Water Act permits through the National Pollution Discharge Elimination System (NPDES) and maintain proper waste management and application procedures by creating a Nutrient Management Plan (NMP). Application of the NPDES System to CAFOs would involve the inspection and supervisory powers of the EPA and state authorities as well as further improve the environment for kennel dogs and e surrounding community”.

Classification of a kennel as a CAFO would depend on the number of dogs at the facility as well as 184 certain physical characteristics of the facility and its current discharges, such as its proximity to a local water supply (the Quassaic Creek empties into Chadwick Lake which is the Town of Newburgh water supply and eventually into the Hudson River which is a protected watershed).

According to the Michigan State University Animal Legal and Historical Center College of Law “Something Stinks: The Need for Environmental Regulation of Puppy Mills” by Melissa Towsey 2010 Villanova University 21 Vill. Env’tl. LJ.159 (2010), “Household dog waste is a significant source of environmental pollution and a public health concern according to CDC.

The primary goal of the Clean Water Act (CWA) at its inception was to regulate and eventually eliminate all discharges of pollutants into the navigable waters of the United States”.

In addition, as per www.epa.sa.gov.au, “Rain falling outside the kennel area should be directed away from yard areas and the kennel effluent system. Air emissions, noise, site contamination, storm water and waste need to be managed to prevent impacts on nearby land uses and the natural environment.

The relevant authority may require a construction environmental management plan (CEMP) from the proponent which would describe how activities undertaken during the construction phase of development would be managed to avoid or mitigate negative environmental impacts onsite and how the environmental management requirements will be implemented”.

From the Environmental Assessment Guideline Assessment of Dog Keeping and Dog Kennels 9/2017, “for information on the impacts of construction activities and preparing a CEMP refer to the EPA’s guideline Construction Environmental Management Plans”.

As a final thought, as per <https://apps.dtic.mil>, federal example for public viewing of “Final Environmental Assessment for the Expansion and Renovation of Dog Kennels Wright-Patterson Air Force Base, Ohio” December 2006, “United States Fish and Wildlife Service could be consulted to ensure no federal candidate species would be impacted by kennel construction and occupancy”.

Thank you for your consideration regarding our concerns. We await your advices.

Regards,
The Nodops

94 Mill Street
Wallkill, NY 12589
April 19, 2021

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

Re: Zoning variances at 87 Mill Street, Wallkill, NY 12589 and other areas on Mill Street, Wallkill, NY 12589

Dear OCWA, the Quassaic Creek Watershed Alliance, and the Town of Newburgh Zoning Board,

I am writing to you as a concerned citizen regarding the proposed sale and development of acreage on Mill Street in Wallkill, NY 12589. I have been a resident of the area for over twenty years and my oldest neighbors have been living in the area for over forty years and we have seen and experienced many changes in the area, most notably a dramatic change in the water levels and surrounding terrain, including the wetlands in and around the Quassaic Creek, and none of it has been for the better.

In order to understand what is going on around the Quassaic Creek on and near Mill Street, you must understand what is going on in the surrounding ecosystem of the area. When I first moved to the area in the mid-90s, the area was still considered "rural suburbia". There were houses and businesses in the area, and there was the Leptondale Elementary School on Mill Street. However, Mountainview Avenue, which connects to Mill Street, had orchards, traffic was much less than it is today, and there were not as many houses on Heinsman Road or on Old Mill Road as there are today. There was also a diversity of flora and fauna in the area, including coyotes that roamed the area in addition to the brown bears that do come around and the deer and other myriad of wildlife that call that area home. Since then, I have seen houses being built in areas that should never have been built on, unbelievable amounts of trash that have accumulated from peoples' carelessness and have landed in and around the waterways. The coyotes ceased their existence in the area. The orchards were sold and cleared for more housing. A housing development was built on Old Mill Road. Terrain that was able to support the people and fauna has come under increasing and unrelenting stress and has given way. Wells that once flowed for houses have dried up and have had to be drilled ever deeper to accommodate the households. Roads that were relatively level or gently curving are now "washboards" or are actually crumbling, and these roads are relatively new (Mill Street itself just got paved a few years ago and now the shoulders are crumbling every year more and more to the point that the white lines in some places are cracked as well). Every house that is on the downhill side of Mountainview Avenue has had major erosion of their yards and now are undulating to an alarming degree. In addition, almost every house that borders Mill Street from the area where the Quassaic Creek Watershed Alliance planted trees this past October to just before Heinsman Lane has had to have soil put in the yards to replenish the terrain. Unfortunately, the soil is still washing away at an alarming speed due to the runoff from the hill, and we cannot stop it. We have major flooding in areas that never used to flood once we get a moderate rainfall or snowmelt. The water literally flows down Richmond Lane in addition to the drainage ditch that is there as well and floods Mill Street from one side of the road to the other side. The Town of Newburgh Highway

Department attempted to fix the problem three years ago, but only exacerbated the problem because they didn't address the concerns and issues that the homeowners in the area and the terrain itself presented to properly drain the water. In too many places on Mill Street, there literally is no shoulder, just a sheer drop off in terrain, especially on the side that is designated as wetland, and the bordering lands to the wetlands. We have a lot more vehicular and pedestrian traffic on the road, especially from Spring to Fall. The speed limit posted on Mill Street is 30 miles per hour. Next to no one is obeying the speed limit since the road is a pass-through road to a number of other roads and the Thruway rest stops. Without fail, vehicles are doing 45 miles per hour, even 50. That is extremely dangerous since there are four partially blind curves on Mill Street. People have to cross the street in order to access mailboxes, and we're running the risk every day of maybe getting hit by a vehicle since we cannot hear or see them until they pass the curve and are almost on top of us. We have had wildlife get hit in front of our houses on Mill Street countless times. The stretch of Mill Street between Mountainview Avenue and the bridge over the Quassaic Creek is a wildlife "superhighway" and has been forever. We have begged the Town of Newburgh as well as the highway department to install a wildlife sign. We even offered to pay for one to no avail.

In the early 2000s, the landowner who owned the 30+ acres of land (at 87 Mill Street) that is across from Mountainview Ave, including the land behind the two houses nearest to Heinsman Lane and all the way past Leptondale Elementary School and the land which the Quassaic Creek flows through, wanted to subdivide the land and build on wetlands that is designated as wetland for the Quassaic Creek Watershed. The proposed zoning change was presented to the Town of Newburgh. At that time, the zoning change was blocked due to the outpouring of dissent by the homeowners affected by the change. This past summer, the entire 30+ acres of land was bought by a developer who fully intends to subdivide the land and build on it. The land CANNOT SUSTAIN any more development. Every parcel of the land the developer bought that doesn't already have a building on it is surrounded by water. You need only to take a nice stroll along Mill Street to see the water. Another ecological change that was experienced this past summer was the drying up of the Quassaic Creek to puddles and the subsequent extremely low water level of Chadwick Lake. Never in all my years of living here have I seen such record low water levels.

I understand that the populations from Westchester, New York City and Rockland counties are looking for places much more affordable. That is why the population and building up of the surrounding counties has exploded. I also understand that Orange, Ulster, and Dutchess governments are constantly looking for more revenue to handle the demands of the increased population. However, we have all seen the results of the wanton disregard for the warnings of the concerned groups who reside in and around areas that affect them and the populations around them. Washington Lake is a clear example of the heedless warnings. The Town of Newburgh is on the same path. If the land on Mill Street is allowed to be sold and developed, the Quassaic Creek is going to become the water supply for the potential houses and businesses that are built, and it will cease being a major water supplier for the Town of Newburgh. This isn't a matter of "if" anymore. The damages have already occurred. My proposal to you and the Town of Newburgh is to preserve the water supply for the population downstream from Chadwick Lake and declare the areas that have not already been built up on Mill Street as wetland areas or just exempt from zoning for housing or business. It would be greatly beneficial to the population surrounding Chadwick Lake and the Town of Newburgh, the wildlife that the Quassaic Creek sustains,

the terrain that supports the houses that are already established in the area, and still somewhat protect pedestrians that walk Mill Street.

Thank you for your consideration.

Kind regards,
N. Nodop

From: & Tom McBride
Sent: Wednesday, April 21, 2021 4:07 PM
To: Zoningboard@townofnewburgh.org
Subject: Raymond Weston Variance Application

Dear Zoning Board Members,

I would like to request that the variance requested by Mr. Raymond Weston for a 24'x 24' attached garage at 77 Meadow Hill Rd. be denied for several reasons.

- Mr. Weston does not have a good track record with this construction project. There is currently a Stop Work order in place because permits were not obtained prior to starting construction on the house. Nor have any inspections been done of the rushed construction work that was done prior to the Stop Work order.

- My family lives at 79 Meadow Hill Rd. and would be most directly affected by this variance. It would leave only a 2.5 - 3 foot distance to the property line and is likely that the neighbor would encroach further on my property due to the narrow space left in order to get to the backyard. (I have already experienced this with the original neighbors who owned the home.)

- Watching the original structure engulfed in flames and witnessing how rapidly the flames spread from the garage, to the debris along side, to the fence and to our bushes a 15 foot minimum set back for a structure is more than appropriate.

- The property is approximately one acre and there is plenty of space to locate a garage elsewhere on the lot within current zoning guidelines. The original property consisted of a breezeway, a single car garage and a work/storage area, all at different levels and made of different concretes. So a new slab would have to be poured for the proposed garage, and since this is "new" construction it should have to meet with current zoning rules and regulations.

- This will not be Mr. Weston's home, he is simply flipping it for a quick profit.

Thank you for your considerations.
Kristin Billington & Tom McBride

Sent from my iPad

April 20, 2021

To: The Town of Newburgh Zoning Board,

In regards to the application of Raymond Weston for a variance of the side yard to build a 24'x24' attached garage at 77 Meadow Hill Rd. (56-2-4 R2 Zone).

We believe the variance should be denied and the current zoning code set back maintained. The property size is more than adequate for a garage to be built within the current zoning codes.

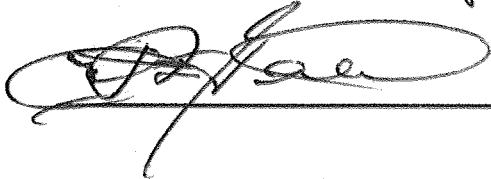
Also Mr. Weston currently has a stop work order for construction done without permits and therefore has not shown himself to be an upstanding contractor.

Thank you.

Luis Vega / Luis Vega 81 Meadow Hill Rd / Newburgh - NY

Lucila, Gilbert Salcedo & Paces 91 Newburgh NY

Arnaud Casanova 114 Meadow Hill Rd. Newburgh
NY 12550

 118 Meadow Hill Rd, Newburgh, 12552

From: JMW
Sent: Thursday, April 15, 2021 1:23 PM
To: zoningboard@townofnewburgh.org
Subject: 61 South Plank rd

I would like to address my concerns for the amount of people and parking issues that occur each weekend during the spring/summer and into the fall when there is nice weather at 61 South Plank Rd.

The amount of cars and trucks that arrive and park on any available grassy area is outrageous. Not to mention the number of times, the people have pulled out on to 52 without regard to oncoming traffic. It is dangerous and I myself have had to wait for someone to park themselves on the lawn.

Along with this, people are crossing 52 late at night in the dark with children in tow when they park in Habitat Restore. Very dangerous for them and oncoming traffic.

Also the crowd issue, What happened to the rules of Covid? They can not say 100/200 people live there.

They are turning the private residence into a weekend retreat and this should not be allowed.

Algonquin and Cronomer Hill parks are only a short distant away and should be utilized for this kind of thing.

Maybe the town can invest in some volleyball courts or replace a tennis court.

Thank you for your time.
Jacqueline Waite
70 South Plank rd.

From: CJE F
Sent: Wednesday, April 21, 2021 7:06 PM
To: zoningboard@townofnewburgh.org
Subject: 61 South Plank Rd

Please do not approve the plans for 61 South Plank Rd. We have garbage blowing into our yards on Brookside Ave, and loud, possibly drunk, people around our family friendly culdesac.