

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

**Building Inspector  
Summary Report  
February 2015**

**1. Building Permit:**

- a. CC Road Tuxedo Park, LLC – Construction of a single family home with attached three car garage.

**2. Inspections/Correspondence:**

- a. Tuxedo Club Squash Court – Interior plan mostly completed. Waiting for completion of storm water drainage plan.
- b. Darby, Tower Hill Loop – Notified contractor and property owner that Building Permit should have been applied for after a structure fire had occurred.
- c. Chuey, Crow's Nest Road – Issued Certificate of Occupancy.
- d. Mahan, Ridge Road – Sheetrock interior completed. Currently painting interior.
- e. Gilligan, Clubhouse Road – Removed 550 gal. underground oil ground tank, replaced above ground 275 gal. oil tank. Performed inspection for Certificate of Occupancy. C/O was issued.
- f. Diem, Summit Road – Received receipt from Orange County Clerk for the recording of a lot line change between the two parcels owned by Mary Diem.
- g. Orange & Rockland Utilities. Replaced inoperative street lights throughout the Park.
- h. VTP Water Plant, Chastellux Lane. Received reimbursement from Village insurance carrier in the amount of \$11,407 due to electrical panel damaged.
- i. El-Rayess, Crow's Nest Road – Met to discuss issues surrounding walls constructed along Crow's Nest Road. Plan to meet on site once snow melts to address non conformance with the Village Code.
- j. VTP Lakes Emergency Action Plan – Sent to Town Police Chief for signature. Was advised by Sheri Brooks, Town Supervisor's Clerk, that the Town Emergency Management Officer is going to review the plan.
- k. Wang, West Lake Road – Received plans for BAR review involving exterior changes to the façade.
- l. Sent letter to DEC, John O'Mara, inquiring about the status of oil tank spill numbers. Received reply indicating that the Dyne matter was closed. The Zoe Ministries project is nearing completion and the McKenna spill has not been resolved. Also, advised Ed Moore at the DEC of concerns regarding unregistered oil tanks. DEC will send violation notices to any property that may have unregistered oil tanks. All oil tanks larger than 1100 gallons must be registered with the DEC.
- m. DPW – Assisted in the preparation of a Hazardous Materials Response Plan for the DPW as required by the NYS Dept. of Labor.
- n. Bewlay, Clubhouse Rd. Ext. – Responded to letter regarding code issues on neighboring owners property. Storage trailer was removed as per my request last month.

INCORPORATED 1952  
(845) 351-4745 (Voice)  
(845) 351-2668 (Fax)  
Website: tuxedopark-ny.gov

VILLAGE BOARD MEETING  
FOURTH TUESDAY OF EACH MONTH

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

February 4, 2015

S&B Total Home Care  
P.O. Box 437  
Tuxedo, NY 10987

Attn.: Bill Fairclough

**Re: Acknowledgement of Fire  
74 Tower Hill Loop**

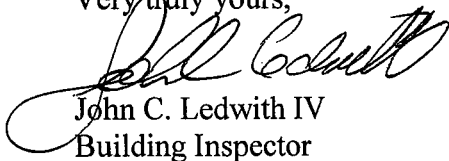
Dear Mr. Fairclough:

As you have indicated to me that you were involved in making the necessary repairs at 74 Tower Hill Loop, Tuxedo Park, NY 10987 after a structure fire, please supply to me in writing what repairs were made and how the repairs will prevent a fire from occurring in the future.

Please be advised that in the future a building permit should have been applied for in advance of making any repairs.

Thank you for your cooperation in closing this matter.

Very truly yours,

  
John C. Ledwith IV  
Building Inspector

cc: Lawrence Darby

Enc.

Town Of Tuxedo  
Acknowledgment of Fire

Resident: Lawrence Darby Date: 12-19-14  
Address: 74 Tower Hill loop Telephone: 351-5724

In accordance with the following sections of the New York State Uniform Fire Prevention and Building Code, The Fire Department is required to make notification to the Code Enforcement Official.

...."if a fire should occur in any chimney, smokestack, flue, gas vent, smoke pipe or connector, then that item shall be inspected for damage by the Code Enforcement Official before any further use". Section 1163.9e

Section 1197.1c " The Fire Chief shall notify the Code Enforcement Official of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent".

Chimney Related: X Structure Related: Stove fire w/ext. to walls

This is to certify that the above named resident has been notified of his/her obligation.

Resident's Signature: [Signature] Date: \_\_\_\_\_

Fire Department Officer

Code Enforcement Official

Name: [Signature]

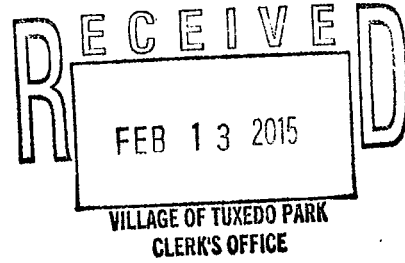
Name: Ledwitch

Title: 1st Asst Chief

Telephone #: 914-351-4421

White Copy: Fire Department- Yellow Copy: Code Enforcement Official- Pink Copy: Owner / Resident

Mail To: **Village of Tuxedo Park**  
 80 Lorillard Road; PO Box 31  
 Tuxedo Park, NY 10987



THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

Argonaut Great Central Insurance Company  
 On Behalf Of: Trident

JPMorgan Chase Bank, N.A.  
 Dallas, TX

Check Number: **3744779**

Contact Number: 1-877-474-8808

Policy/Certificate: PE 4618044-05  
 Insured: Village of Tuxedo Park

88-88  
 1113

Source: FH-TROC

Claim Number: TNT-0126514  
 Date of Loss: 01/08/2015  
 Claimant: Village of Tuxedo Park

Period Covered: 2015-02-09 to 2015-02-09  
 Adjuster: jcrumple

Date: 02/09/2015

Void After 180 Days

PAY **Eleven Thousand Four Hundred Seven Dollars And Zero Cents\*\***

Amount: **\$11,407.00**

PAY TO THE **Village of Tuxedo Park**  
 ORDER OF

*Debra L. Kenyon*  
 AUTHORIZED REPRESENTATIVE

PAYEE ADDRESS 80 Lorillard Road; PO Box 31  
 Tuxedo Park, NY 10987  
 FOR



⑈0003744779⑈ ⑆111300880⑆ 707700316⑈

DETACH BEFORE CASHING (Retain stub for your records.)

Pay To: **Village of Tuxedo Park**

Payer: **Argonaut Great Central Insurance Company**

For:  
 Check Number: **3744779**  
 Issued: **02/09/2015**

Contact Number: 1-877-474-8808

Claim Number	Claimant Name	Invoice	Paid Amt	Billed Amt	Policy/Certificate	DT of Loss	Period Covered
Type Pay	Pynt Desc	Adjuster		FEIN/SSNO	Insured Name		Treaty Name
TNT-0126514	Village of Tuxedo Park		11,407.00	11,407.00	PE 4618044-05	01/08/2015	2015-02-09 to 2015-02-09
1	Equipment Breakdown	jcrumple			Village of Tuxedo Park		
	Total		11,407.00	11,407.00			

**SWORN STATEMENT IN PROOF OF LOSS**

Name & Address of Insured: Village of Tuxedo Park, NY		Policy Number: PE 4618044-05	Policy Amount:
Policy Dates: 06/01/2014 – 2015	Claim Number: TNT-0126514	Agency/Agent:	

To Trident Insurance: At the time of loss you insured the above named insured against loss by \_\_\_\_\_ to the property described hereunder and/or on the attached schedule of loss, according to the terms and conditions of the said policy noted above and all forms, endorsements, transfers, and assignments attached thereto.

**1. Time & Origin**

A loss occurred on (date) Jan. 8, 2015 at \_\_\_\_\_ AM/PM  
The cause and origin of the said loss was: over heated pump controller and wiring

**2. Occupancy/Use**

The building/property described was occupied or used at the time of the loss as follows and for no other purpose whatsoever: The building is solely used for the filtration of water that is pumped into the public water supply system

**3. Title & Interest**

At the time of the loss your insured interest in the property described therein was: (circle one):  
~~Owner~~ / ~~Lessee~~ / ~~Lessor~~ / ~~Borrower~~ / ~~Other~~: \_\_\_\_\_  
And no other person or persons had any interest therein or encumbrance thereon, except:

**4. Changes**

Since the said policy was issued there has been no assignment thereof, or change of interest, use, occupancy, possession, location or exposure of the property described, except:  
No changes have been made to the policy

**5. Insurance and Loss**

A particular account of the loss is attached hereto and forms part of this proof. The actual cash value of the property insured and the replacement cost of the property insured, the actual amount of loss or damage, the total insurance thereon at the time of the said loss and the amount claimed under this policy are as follows:

	Actual Cash Value	Replacement Cost	Total Loss and/or Damage Claimed	Total Insurance	Claimed under this policy
<b>Totals</b> (See Schedule of loss for details)		\$12,407.	\$12,407.	<u>Deductible:</u>	\$12,407.



Complete the attached Schedule of Loss form describing each item claimed.

( X ) Check (x) if no other insurance. If other insurance, list name of carrier, policy number, and the limit of insurance:

6. Theft & Disappearance N/A

The police authorities were notified of the loss on \_\_\_\_\_
Name of the investigating police department: \_\_\_\_\_
Address: \_\_\_\_\_
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_
Phone Number: \_\_\_\_\_
Report #: \_\_\_\_\_
Name of Investigating Officer: \_\_\_\_\_

Statement of Insured:

The said loss did not originate by any act, design or procurement on the part of your insured, or this affiant; nothing has been done by or with the privity or consent of your insured or this affiant to violate the conditions of the policy, or render it void: no articles are mentioned herein or in annexed schedules but such as were destroyed or damaged at the time of said loss; no property saved has in any manner been concealed, and no attempt to deceive the said company, as to the extent of said loss, has in any manner been made. Any other information that may be required will be furnished and considered a part of this proof.

The furnishing of this blank or the preparation of proofs by a representative of the above insurance company is not a waiver of any of its rights.

State of: New York

County of: Orange

Insured Signature: X [Signature]
John C. Ledwith IV

Subscribed and sworn to before me this 10th day of February, 2015

[Signature] (Notary Public)

DEBORAH A. MATTHEWS
Notary Public, State of New York
No. 01MA5053250
Qualified in Orange County
Commission Expires December 11, 2017

# Napp Electric Contractor Co., Inc.

LICENSED & BONDED ELECTRICAL CONTRACTOR

February 10, 2015

Village of Tuxedo Park Water Dept.

Re: MCC Repair Back Wash Pump #2

Attn: John Ledwith

The damage which occurred in the early part of January 2015 to the backwash pump #2 controller and related wiring in the last section of the MCC was caused by a chemical (soda ash) leak at some point in the past. The storage mixing tank over flowed. The chemical room is directly above the MCC room. The liquid entered existing conduit penetrations (two ¾" HW pipes) in the corner of the room on the second floor. (See pictures 2015123\_145321 and 20150126\_145401). The conduit penetration was sealed but over time has cracked which allowed the chemical to find its way to the first floor. The liquid entered the MCC through a 1 ½" conduit entering the last section of the MCC which was directly under the (2) ¾" conduit penetration. (See picture 201501126\_0711623 taken after the section was cleaned). This is a control conduit which connects the main MCC with the PLC control cabinet which turns on and off various motors as needed during plant operations.

The chemical tracked down existing motor and control wiring and entered the starter overloads on backwash pumps #1 & 2 (photo 3.jpg is Backwash Pump #1) which has the residue of the evaporated soda ash solution. I was able to clean the connections on the starter and appears to be ok. Pump #1 is in the section before pump #2 and did not see the same amount of chemical attack as did pump #2. This was the situation which is believed to cause the overload controller on backwash pump #2 to overheat to the point of the unit melting and catching fire. (See photo 1-1.jpg, the unit is removed from the MCC in this picture). Soda ash itself is non-combustible according to the MSDS sheets. That is the only chemical that appears to be involved. It is believed the long term exposure to the chemical caused the internal electrical connections to oxidize and overheat. (See pictures 2-1.jpg, 3-1.jpg, 5.jpg, 4.jpg for related damage before repair).

Note: All picture previously sent.

Napp Electric Contractor Co., Inc.

# Invoice

249 Cottage Street  
 Middletown, NY 10940  
 845-342-3748  
 845-342-8831 (Fax)

Date	Invoice #
1/30/2015	11662

<b>Bill To</b>
Village of Tuxedo Park P.O. Box 31 Tuxedo Park, NY 10987

**R E C E I V E D**  
 FEB - 3 2015  
 VILLAGE OF TUXEDO PARK  
 CLERK'S OFFICE

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
	DPW - Backwash Pump #2	0.00	0.00T
	Shutdown MCC. Remove arc shield from main buss on last section. Inspect and clean as needed. Clean wires and existing wireways as best as possible. Reinstall arc shields and brackets, clean existing smaller bucket and reinstall. Install new bucket, install existing control wiring. Remove damaged wire from existing motor feeds to backwash pump #2. Crimp and insulate new wire as needed. Power up and test backwash pump #2.		
	Labor	1,632.00	1,632.00
	Material	10,265.00	10,265.00
	Sales Tax	8.125%	0.00
<b>Total</b>			<b>\$11,897.00</b>



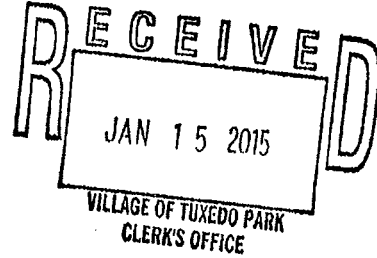
Napp Electric Contractor Co., Inc.

# Invoice

249 Cottage Street  
Middletown, NY 10940  
845-342-3748  
845-342-8831 (Fax)

Date	Invoice #
1/12/2015	11596

Bill To
Village of Tuxedo Park P.O. Box 31 Tuxedo Park, NY 10987



P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
5	Foreman DPW - 1-8-15 Emergency Call - Back Wash Pump #2  Shut down main MCC. Removed damaged backwash #2 bucket. Cleaned off and vacuumed the last 2 sections of switchgear. Checked main buss bars. Turned gear back on. Worked on ordering a new bucket from Cutler Hammer. Checked auto dialer for backwash alarm, does not exist. Checked GLI PH probe. Sales Tax	102.00            8.125%	510.00            0.00
		<b>Total</b>	\$510.00

INCORPORATED 1952  
(845) 351-4745 (Voice)  
(845) 351-2668 (Fax)  
Website: tuxedopark-ny.gov

VILLAGE BOARD MEETING  
FOURTH TUESDAY OF EACH MONTH

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

February 19, 2015

Sent via Fax & Mail  
845-255-3414

Attn.: John O'Mara  
NYS DEC  
Division of Environmental Remediation  
21 S. Putt Corners Road  
New Paltz, NY 12561-1620

**Re: Status of DEC Spill Numbers**

Dear Mr. O'Mara:

I am concerned that the following spills have not been inspected by your office and/or properly closed out. I believe that all of the spill numbers were issued in excess of one year ago.

1. Spill No. 1109238 McKenna, John, 1 Pine Hill Rd.
2. Spill No. 1216035 Dyne, Doug, 76 Summit Rd.
3. Spill No. 1310859 Zoe Ministries, 2 Circuit Rd.

Please let me know the status of each spill and what can be done to have the spills cleaned up.

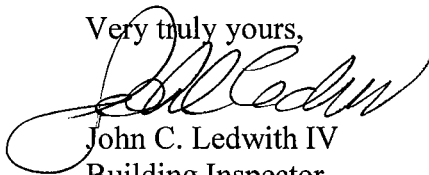
On a separate matter, I am aware of an oil tank located at 42 Circuit Road that is in excess of 1100 gallons and may not be registered with your office. Is your office aware of an oil tank at this location and what can be done to bring the oil tank into compliance? Given the age and size of the house located at 42 Circuit Road, it is possible that the tank size is 10,000 gallons.

Given the downhill location of the Tuxedo Reservoir from all the sites mentioned above, I would appreciate your assistance in making sure that any oil spills that are identified by your office in the Village of Tuxedo Park are cleaned up immediately to prevent contamination of the drinking water source Tuxedo Reservoir.

Thank you for your cooperation in resolving these matters.

I can be reached at 351-4745 ext. 11 or via email at [jledwith@tuxedopark-ny.gov](mailto:jledwith@tuxedopark-ny.gov).

Very truly yours,



John C. Ledwith IV  
Building Inspector

## John Ledwith

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**From:** John Ledwith [jledwith@tuxedopark-ny.gov]  
**Sent:** Friday, February 20, 2015 2:06 PM  
**To:** 'edward.moore@dec.ny.gov'  
**Subject:** Village of Tuxedo Park - Oil Tank Violations  
**Attachments:** Harned Report.pdf; Hu, Ann - 42 Circuit Rd. Tuxedo Park, NY.pdf; Nealis, Malina - 177 West Lake Rd., Tuxedo Park, NY.pdf

Dear Mr. Moore

Thank you for responding to me this morning regarding the oil tanks located on Circuit Road.

1. 122 Circuit Road, Harned, Chris – Attached is the report that I received from Castlton. While the report appears to be comprehensive, I cannot determine if the contractor notified your office of the unregistered tank before it was removed. I understand that is the proper protocol. See the email thread below this email as Castlton claims to have been in touch with Michelle Tipple at the DEC.
2. 42 Circuit Road, Hu, Ann – See the attached letter and picture. Listed below are the mailing addresses that I have. Due to the illusive nature of the property owner I would send violation notices to both addresses. Email addresses are also included on the attached letter. I understand that the tank capacity could be as large as 10,000 gallons. I have no records of any new tanks being installed on the property.

Ann Hu  
c/o Joyce Zhao  
7019 Vanderbilt St.  
Chino, CA 91710

Ann Hu  
42 Circuit Rd.  
Tuxedo Park, NY 10987

3. 177 West Lake Rd., Nealis, Malina – See the attached letter. Similar to above, the property owner has been notified, and I never received a response. As per my letter, the home is located directly on Tuxedo Reservoir. Given the size and age of the home (13,000+ square feet, 80+ years old) it is expected that the oil tank exceeds 1100 gallons. I do not have any records that show new tanks being installed. Please send a violation notice to:

Malina Nealis  
P.O. Box 266  
Tuxedo Park, NY 10987

Due to the downhill location of the Tuxedo Reservoir from nearly all properties in the Village of Tuxedo Park, I would greatly appreciate any increased efforts that your office could provide in making property owners comply with the NYS Bulk Storage Regulations, and wherever possible insist upon the remove any underground oil tanks.

If you have any questions please do not hesitate to contact me via email or at 845-351-4745 ext. 11.

Regards,  
John Ledwith  
Building Inspector

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**From:** Greg Spadaccini [<mailto:gspadaccini@castlton.com>]  
**Sent:** Tuesday, January 28, 2014 3:38 PM  
**To:** Carmine Darminio; John Ledwith  
**Subject:** RE: VTP - Harned Tank Removal - NYSDEC REGISTRATION FORM

Good Afternoon,

Attached is the report for 122 Circuit Road. Please let me know if anything else is needed

Thank you,

Greg Spadaccini  
Castlton Environmental Contractors LLC  
P: 845.624.1312  
C: 973.207.0931  
F: 845.624.1325

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**From:** Carmine Darminio  
**Sent:** Tuesday, January 28, 2014 12:45 PM  
**To:** John Ledwith  
**Cc:** Greg Spadaccini  
**Subject:** Re: VTP - Harned Tank Removal - NYSDEC REGISTRATION FORM

Hi and hope you are well Greg will send all shortly  
Ty

Sent from my iPhone

On Jan 28, 2014, at 12:41 PM, "John Ledwith" <[jledwith@tuxedopark-ny.gov](mailto:jledwith@tuxedopark-ny.gov)> wrote:

Carmine:

I have been asked to finalize the paperwork regarding the oil tank removal at the former Harned property located at 122 Circuit Road. Please let me know when I should expect documentation from both Castlton and the DEC.

Regards,  
John Ledwith

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**From:** Carmine Darminio [<mailto:cdarminio@castlton.com>]  
**Sent:** Wednesday, October 02, 2013 2:33 PM  
**To:** [jledwith@tuxedopark-ny.gov](mailto:jledwith@tuxedopark-ny.gov)  
**Subject:** FW: NYSDEC REGISTRATION FORM

John –copy of e-mailed sent 9.18.2013 to Mr. Harned  
Ty

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**From:** Carmine Darminio  
**Sent:** Wednesday, September 18, 2013 11:29 AM  
**To:** '[harned@rwbaird.com](mailto:harned@rwbaird.com)'  
**Cc:** '[sylvie2@optonline.net](mailto:sylvie2@optonline.net)'  
**Subject:** NYSDEC REGISTRATION FORM

Mr. Harned-hope all is well-please see NYSDEC Application for Underground Regulated Oil Tank-I have spoken with Michelle Tipple who will need a check for \$100.00 with original signature mailed to the address below at your earliest convenience –as discussed with Bill the DEC will be notified prior removal and samples will be required day of removal-I will coordinate all with SOS Fuels regarding your project - should you have any questions please contact me at anytime on my cell phone

NYSDEC REGION #3  
21 South Putt Corners Rd  
New Paltz,N.Y.12561  
Attn : Michelle Tipple

Thank you,  
Carmine Darminio  
Sales Manager  
Castlton Environmental  
80 W Nyack Rd. Nanuet, NY 10954  
Office: 845.624.1312  
Fax: 845.624.1325  
Cell: 914.424.9253  
Email: [cdarminio@castlton.com](mailto:cdarminio@castlton.com)

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

April 15, 2013

Mrs. Malina Nealis  
P.O. Box 266  
Tuxedo Park, NY 10987

**Re: Parcel No. 103-1-27.11 – Property Maintenance & Fuel Oil Tank**

Dear Mrs. Nealis:

The Village Office has received complaints regarding the condition of your property.

Today I drove past your property and witnessed large piles of logs, fallen trees, fallen brick walls, piles of bricks, damaged and rusty metal fencing.



In accordance with Section 75-9 of the Village Code (copied below), please have the following work performed:

- A. Remove the fallen trees from the property.
- B. Remove the piles of logs from the property.
- C. Have the brick entrance wing-wall repaired, and the piles of bricks in front of the house removed from the property.
- D. Remove the damaged chain link fence and sections of rusty iron fencing.

**§ 75-9. Exterior maintenance standards.**

The exterior of all premises shall be kept free of the following matter, materials or conditions:

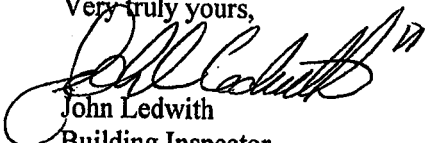
- A. Refuse, as hereinabove defined.
- B. Rubbish, as hereinabove defined.
- C. Construction materials.
- D. Abandoned, uncovered or structurally unsound wells, shafts, towers, chimneys, exterior cellar openings, basement hatchways, foundations or excavations.
- E. Abandoned iceboxes, refrigerators, boilers, hot-water heaters, television sets and other similar major appliances.
- F. Nuisances, as hereinabove defined.
- G. Vehicles or parts thereof, including boats and trailers, motorized or not, licensed or unlicensed, registered or unregistered, which vehicles or parts thereof are or have been junked, abandoned, dismantled or are in a state of visible disrepair.
- H. Fallen trees, limbs or branches within 50 feet of a public roadway or neighboring property line.
- I. Deteriorated fences.
- J. Deteriorated structures.

 On a separate but very important matter, this office has no record of the size, location, quantity or age of the oil tanks located on your property. As your home is located adjacent to Tuxedo Reservoir, the condition of the tanks is extremely important. Please notify me of all oil tanks located on your property and have the tanks tested in order to limit a fuel oil spill and contamination of Tuxedo Reservoir. 

Please have all work completed within 30 days. A reinspection of your property will be conducted on May 15, 2013.

If you have any questions regarding any of the items above, please contact me at 351-4745 ext. 11.

Very truly yours,



John Ledwith  
Building Inspector

Cc: VTP Board of Trustees  
VTP Board of Architectural Review  
Rick Golden, Village Attorney

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

Date: April 4, 2014

To: Ann Hu

Copy: Kathy Norris  
Paola Tocci

From: John Ledwith, Building Inspector

**Re: 42 Circuit Road, Tuxedo Park, NY 10987**  
**Parcel Number 107-1-82**

Page 1 of 7  
Sent via email  
[annhu1000@gmail.com](mailto:annhu1000@gmail.com)  
[knorris@tuxedoparkstates.com](mailto:knorris@tuxedoparkstates.com)  
[PJTBAR@aol.com](mailto:PJTBAR@aol.com)

Thank you for contacting me regarding the work that was being performed at your house on Circuit Road. I look forward to receiving your building permit application and plans on Monday morning.

As I explained to Kathy Norris and will again mention in this memo, in accordance with Village Code Section 100-53 Procedures, all projects involving new construction, exterior alteration, demolition, excavation, site work, accessory structures or any other activity that alters the property's appearance shall require a Building Permit and must come before the Board of Architectural Review. Please feel free to contact me at any time if you are not sure if the work that you are considering requires a building permit. I can be reached at the Village Office by phone at 351-4745 ext. 11 or via email [jledwith@tuxedopark-ny.gov](mailto:jledwith@tuxedopark-ny.gov).

In addition to your most recent project, I need you to resolve a few other matters that have gone unaddressed in recent years. My apologies in raising these issues at this time, but in the past contacting you through your California mailing address has been difficult.

1. The trees that you removed below your home in 2009 have not been replanted. Your failure to replant the trees has caused erosion on the mountain side and presents a significant environmental impact to the entire area. Also, due to the topography, almost all the rain that falls in the Village of Tuxedo Park flows towards the lakes, and impacts the Village Reservoir system. Please provide me with a replanting plan for the entire deforested area by June 4, 2014.
2. The oil tank that is half buried in your front yard is required to meet the NYS DEC standards. Please consult with a company that is licensed to work on oil tanks in NYS. I am inclined to tell you that most of the oil tanks that have leaked in the Village of Tuxedo Park were similar to yours. With that I mean half buried. Given the cost to remediate an oil spill, please consider a more proactive approach and submit a building permit to have the oil tank removed from the property by June 4, 2014.





3. I would like to notify you that the bamboo that you had planted on your property boundary with Circuit Road on at least three occasions has presented a hazard as it grows into Circuit Road and interferes with passing vehicles. The DPW has cut the Bamboo from the road in the past, but should not have to perform work due to the homeowner's negligence. Bamboo is not a native plant to the area and should be removed to eliminate this hazard and interference with native plants and trees.
4. While small but very visible, can you please have your mail box installed correctly or have it removed. The mail box is almost always on the ground or leaning against a tree. According to the Village records, your mail goes to a mailing address in California.

Given the Village of Tuxedo Park's listing on the National Register of Historic Places, and the significant historical background of your home (Poor Estate), please see that the matters above are resolved, and consult with me before you consider any projects to your home. I would greatly appreciate your attention to resolving all these matters by June 4, 2014.

Thank you for your cooperation.

Ann Hu – 42 Circuit Rd. Oil Tank



INCORPORATED 1952  
(845) 351-4745 (Voice)  
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Website: tuxedopark-ny.gov

VILLAGE BOARD MEETING  
FOURTH TUESDAY OF EACH MONTH

**VILLAGE OF TUXEDO PARK**  
P.O. BOX 31  
80 LORILLARD ROAD  
TUXEDO PARK, NEW YORK 10987

February 23, 2015

Mr. Joshua M. Bewlay  
6 Clubhouse Road Ext.  
Tuxedo Park, NY 10987

Dear Mr. Bewlay:

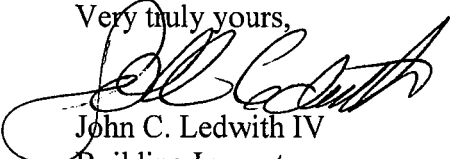
Thank you for the removal of your storage trailer.

I am aware of the conditions that you have noted in your letter and have tried to address these matters amicably with your neighbor to avoid the cost of litigation.

All of the work that you see on the property has been approved by the Village. One open item is the design of the stone wall on Tower Hill Road for which I have asked Mr. Hanson to return to the Board of Architectural Review to resolve. Unfortunately, with limited success I have tried to encourage your neighbor to complete the work that was approved by the Board of Architectural Review. I met with Mr. Hanson three weeks ago, and he was going to look into obtaining a different color porta potty or removing it entirely.

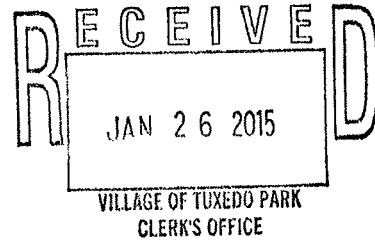
I will be contacting Mr. Hanson shortly regarding the items mentioned in your letter in a continued effort to bring the project to a close.

Very truly yours,

  
John C. Ledwith IV  
Building Inspector

January 21, 2015

Mr. John C. Ledwith IV  
Building Inspector  
Village of Tuxedo Park  
P.O. Box 31  
80 Lorillard Road  
Tuxedo Park, NY 10987



Dear Mr. Ledwith,

I am in receipt of your letter notifying me of Section 100-15 of the Village Code. I am aware of such restrictions and have been diligently searching for a place to store my trailer that is in compliance with the Code. My previous storage facility has become unavailable to me and I will do all that I can to comply with your advice to move my trailer by the end of this month. A condition that may impede its removal would be the weather and unsafe road conditions.

In the meantime, your letter has piqued my curiosity in the Village Code and its application and enforcement within the Village. Of particular concern to me and my family is our proximity to the property located across the street at the bottom of Tower Hill Road, cornering Continental Road at the intersection of Clubhouse Road.

My family and I moved to the Village in August of 2003 and since that time, the property identified above has been "under construction." My layman's review of the Village Code leads me to believe that this condition is in violation of a number of laws and I would like a response from you and/or the Village Board of Trustees to this inquiry. However, before I enumerate the possible violations that I have found in my very cursory review of the Code, I would like to know if you or the BOT have granted permission for any or all of these actions under Section 73-9. If so, I would trust that such permissions were granted in writing and, if such documents are public, I would like to have copies made available to me for my review.

Potential Violations:

**Section 58-4. Nuisances.**

This property has accumulated, kept, stored, dumped, etc. refuse that has become an attraction to or habitat for vermin. At any time during the day, one can observe no fewer than three feral cats roaming this property near the dumpster and portable outhouse that have been on the property, visible to me and my neighbors for more than three years. Clearly, this condition is a public nuisance and annoyance and damaging to the comfort, repose, health or safety of the inhabitants of the Village.

**Section 58-6. Receptacles.**

The dumpster (and portable outhouse?) have NOT been filled expediently and removed from the premises within 14 days of arrival. As noted previously, these containers have been present and in view of me and my neighbors for many years. In fact, you sent a letter to the property owner in the fall of 2012 I believe, asking them to move the portable outhouse away from public view. Needless to say, the property owner has willfully ignored your letter.

Mr. Ledwith  
1/21/2015  
Page 2

Section 73-5. Progress of work under permit.

This section provides that all projects involving construction, demolition, etc. shall be conducted in an expedient and uninterrupted manner. The article goes on to state that any work, once begun, whether requiring a permit or not, must be conscientious, continuous and concerted so as to minimize the period of noise, activity and site disruption. I will grant that the word "expedient" is undefined, but I would suggest that 11 years and counting is not expedient.

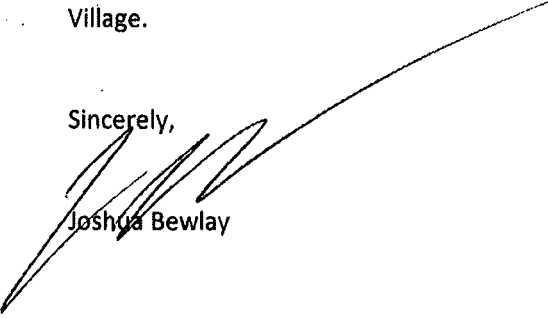
Section 100-7. Offensive uses.

This section states that no premises shall be used for any purpose which is or may be obnoxious or offensive or that tends in any manner to disturb or annoy the residents of the Village. At this point, let me state that I am disturbed and annoyed by the most grotesque view of a portable outhouse and dumpster across the street.

Try as I might, I could not find any restriction in the Village Code to the placement of portable outhouses on one's property, visible to neighbors and to passersby on the road. Perhaps because the practice is considered to be so outrageous as to not warrant a restriction? I clearly understand the temporary placement of my trailer is unsightly and, again, I will move it as "expeditiously" as I can – less than 11 years – however should there not be the same application of enforcement toward someone storing a large, blue outhouse on the edge of their property?

Thank you for your time and for your dedicated service to helping to preserve the historic nature of the Village.

Sincerely,



Joshua Bewlay

Cc: Mayor Neuhauser

Joshua M. Bewlay  
6 Clubhouse Rd. Ext.  
Tuxedo Park, NY 10987