



TOWN OF FISHKILL, NEW YORK

Building Department
Fishkill, New York 12524
www.fishkill-ny.gov

Phone: 845-855-7800
Fax: 845-855-4150

STOP WORK ORDER

LOCATION: 225 BAXTERTOWN ROAD, FISHKILL, NY 12524

GRID #: 6156-03-402085

I have this day inspected this structure and/or these premises and have found the following violations of the Town and/or State Laws governing same.
§ 140-5. Permit.

A. No person, firm or corporation shall conduct any commercial timber harvesting operation in the Town without first obtaining a timber harvesting permit from the Town Board.

B. No person, firm or corporation shall conduct noncommercial timber harvesting in the Town, where the total harvest is to equal or exceed 15 standard cords of wood or 1,920 cubic feet of wood or 7,500 board-feet of timber in a twelve-month period, without first obtaining a timber harvesting permit from the Town Board, except where such harvest is performed in connection with legally permitted soil mining, building construction or building site development. For those uses, a plan should be submitted to the Conservation Board for review under State Environmental Quality Review statutes. All other noncommercial timber harvesting shall be exempt from permit requirements, but must still adhere to the Town's timber harvesting standards.

You are hereby notified that all work shall cease on these premises until the Building Inspector has been contacted and approval to continue has been granted.


Building Inspector/Deputy Building Inspector

01-04-11

Date

DO NOT REMOVE OR OBSCURE THIS NOTICE

May 1, 2011

Joel Petrus, Building Inspector
Town of Fishkill Building Department
Fishkill Town Hall
807 Route 52
Fishkill NY 12524

Dear Mr. Petrus,

On November 1, 2010 and again a week later, I called the Town of Fishkill Building Department to report that there was a significant amount of clearing being done on the property owned by Thomas Yellen behind my home.

Please see the enclosed stop-work order issued on January 4, 2011 in regard to the timber harvesting that took place at 229 Baxtertown Road in Fishkill. This stop-work order states that the code violated was 140-5 "no person, firm or corporation shall conduct any commercial timber harvesting operation in the Town without first obtaining a timber harvesting permit from the Town Board."

I would like to know why it took over two months to follow up on my phone calls.

Secondly, I would like to know what penalties Mr. Yellen will be subject to in regard to this clearing. As stated in the Town Code: 140-11 Penalties for offenses
Any person, firm or corporation who shall violate or fail to comply with a written order or notice of violation issued by the Zoning Inspector, or with any of the provisions of this chapter or conditions of the timber harvesting permit, shall be liable to punishment by a fine of not more than \$100 or by imprisonment, or both. Each day that a violation continues shall be deemed a separate offense

According to this code, Mr. Yellen should owe a fine in excess of \$6,500 (this is \$100 per day for the 65 days that timber harvesting was done on his property). The cutting began on (actually a few days prior to) November 1 when my first phone call was made, and continued until January 4.

My phone number is 845-416-8324. I look forward to hearing back from you in regard to this issue.

Sincerely,



Karen Skelton
107 Wheaton Ave
Fishkill, NY 12524

cc. Joan A. Pagonos