



Town of Ulster Building Department

584 East Chester Street By-Pass

Kingston, New York 12401

Office: (845) 340-3884 Fax: (845) 340-3886

September 24, 2025

Everest Hospitality, LLC
445 Route 304
Bardonia, NY 10954

RE: 237-239 Forest Hill Dr
Kingston, NY 12401
SBL: 48.13-3-15.100

After conducting an inspection of the above mentioned property on September 18, 2025, we noted the following deficiencies and/or violations:

Room 265: No overhead light in LR, no battery in smoke/CO (sm/co) alarm, water damage in the bathroom, unfinished ceiling patches, mold at HVAC unit and extension cords.

262: Exhaust fan and GFI in bathroom non-functioning, flooring damaged.

272: Mold in shower, holes in walls/doors, roaches/bedbug infestation.

Stair treads missing nosing and light fixture hanging from ceiling near room 265

266: Damaged and missing flooring, roaches, mold in shower, shower drain broken, toilet loose, HVAC damaged.

270: Compromised ceiling in bathroom, mold in bathroom, outlet box bathroom not secure, toilet loose, bed bugs/roaches, HVAC broken.

269: Shower valve trim not secure, sink faucet not secure.

Stair treads missing nosing near 267

267: Flooring improperly repaired.



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271: Damaged flooring, mirror not secured, peeling paint in bathroom, bathroom door damaged.

241: Missing room number, bathroom door damage, missing bulbs bath vanity, exhaust fan non-functioning, toilet clogged, holes in walls, roaches.

251: Toilet loose, missing light bulbs.

239: Toilet tank loose, sm/co missing cover.

235: Broken tiles bathroom, tub finish deteriorated, mold in bathroom, bathroom door not closing, floor improperly fixed and damaged.

259: Extension cords in use, peeling paint bathroom, toilet loose, tub diverter valve dislodged, tiles cracked, outlet at refrigerator needs ground.

260: No sm/co alarm, missing bulbs in bathroom, exhaust fan non-functioning.

261: Roaches, mold in shower, shower drain unsecured.

Hole in entry wall near 261

264: Floor damage not repaired properly, mold present, tub leaks, faucet drain plug non-functioning, HVAC leaks condensate into room, window screen broken, peeling paint.

254: Floor not properly repaired, toilet loose, non-functioning sink.

Trash/debris over hill at dumpster.

257: Roaches, bathroom door damaged.

255: Door casing missing/damaged, toilet loose, bathtub damaged, light bulbs missing.

Maintenance room: Fire extinguisher out of date, no attic hatch door.



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Holes in wall, damaged wall near 257.

253: Toilet loose.

Railing missing near 249.

249: Roaches/bed bugs, flooring missing/damaged, plumbing issues, door damage, floor tile cracked.

247: Roaches, floor tile cracked, peeling paint, missing light bulbs.

245: Sm/co missing/non-functioning, grout missing bathroom.

238: Light non-functioning, toilet loose.

240: Exhaust fan non-functioning, incorrect toilet seat, toilet loose.

242: Bathroom outlet short circuits.

244: Roaches, bathroom door damaged, broken floor tiles, flooring separating main room.

Support post near 242 filling with water during rain events, roof drain issues.

263: All outlets connected to main light switch, floor damaged main room, toilet loose.

246: Bathroom door damaged.

Fire extinguisher not accessible near 248.

250: Mold not remediated just painted over.

Hole in column near 250.

252: Floor patched incorrectly, tub damaged, peeling paint, cracked outlet cover.

233: Mold in bathroom.



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217: Bathroom door damaged, buckling floor, damaged walls.

219: Non surge protected power strip, cover missing on light, mold in bathroom, no sm/co.

211: Loose faucet, tub caulking faulty, peeling paint, burned outlet.

210: No sm/co, extension cords in use, light non-functioning, mold in bathroom, loose toilet and seat.

212: Toilet loose, exhaust fan non-functioning, co alarm only no smoke.

216: Roaches in room.

214: Sm/co no battery, mold in bathroom.

Electric room near 232 wiring not secure.

Main lobby hall emergency light non-functioning.

231: Microwave connected to bathroom outlet, sm/co out of date, electrical problems.

228: Mold in bathroom, sm/co non-functioning.

Main lobby second floor carpet damaged, hall lighting non-functioning, inaccessible fire extinguisher.

218: Leaking ceiling.

223: Bathroom door damaged, mold on ceiling, no shower curtain.

220: No light bathroom, roaches, sm/co no battery, non-surge protected power strips.

225: Sink faucet loose, no power bathroom, toilet seat loose, roaches, holes in exterior walls, toilet loose and doesn't flush.



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227: Bed bugs, holes in wall improperly patched.

229: Outlet cover missing, extension cords in use, no power in bathroom, toilet loose, cracked/damaged ceilings.

224: Toilet loose, mold bathroom, no sm/co alarm, holes in walls, missing door casings, roaches.

268: Damaged flooring, mold in bathroom, bulbs missing vanity light.

Obstructions in hall near 271, non-functioning emergency light.

274: Bed bugs.

277 Bed bugs, crack over window, peeling paint, toilet non-functioning, bulbs missing vanity light, damaged walls over window, damaged flooring.

Bed bugs in hall near 273, hall light/box hanging/not secured.

276: Damaged floor, toilet loose, peeling paint/wallpaper bathroom, bathroom door damaged, missing window screen.

275: HVAC non-functioning, missing window screen, floor damaged, missing outlet covers.

273: Missing window screen, missing door hardware, toilet loose, towel bar not secured, shower drain not secured, caulking compromised, mold in bathroom, broken light fixture.

278: Damaged door, bed bugs, missing bulbs vanity light.



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If you have any questions feel free to contact me.

Regards,

Warren Tutt
Building Inspector
Town of Ulster
(845) 340-3883 O
(845) 340-3886 F
Wtutt@townofulster.ny.gov



Town of Ulster Building Department
1 Town Hall Drive, Lake Katrine, NY 12449
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NOTICE OF VIOLATION NYS UNIFORM CODE
ORDER TO REMEDY

Dated: September 25, 2025
Everet Hospitality, LLC
445 Route 304
Bardonia, NY 10954

REFERENCE 237-239 Forest Hill Dr SBL: 48.13-3-1.100 Zoning District HC

To whom this may concern:

According to the records of the Town of Ulster Assessor, you are the owner of property located at 237-239 Forest Hill Dr Kingston, NY 12401 . On September 18, 2025, I observed the following violations of the Town of Ulster Town Code and the New York State Property Maintenance Code on your property, specifically the following:

TOWN CODE

CHAPTER 133

PROPERTY MAINTENANCE

Chapter 145
Site Plan Review

§ 145-5. Applicability.

- A. Approval required. This site plan review law shall apply to all proposed changes in land uses and to the proposed design, construction, and/or change of use of all structures in the Town of Ulster, including residences, multiple dwellings, row or attached dwellings, institutions, community facilities, office buildings, laboratories, stores, shops, theaters, restaurants, business establishments or industrial plants unless excluded below.

Conclusion: The use of the property as approved by the Town was for a Hotel/Motel (R-1) and detached restaurant. The current use is an R-2 as defined by the New York State Building Code is as follows:



Town of Ulster Building Department
1 Town Hall Drive, Lake Katrine, NY 12449
Office: 845-340-3884 Fax: 845-340-3886

310.2 Residential Group R-1.

Residential Group R-1 occupancies containing **sleeping units** where the occupants are primarily *transient* in nature, including:

- Boarding houses (*transient*) with more than 10 occupants
- Congregate living facilities (*transient*) with more than 10 occupants
- Hotels (*transient*)
- Motels (*transient*)

310.3 Residential Group R-2.

Residential Group R-2 occupancies containing **sleeping units** or more than two **dwelling units** where the occupants are primarily permanent in nature, including:

- Apartment houses
- Hotels (*nontransient*)
- Motels (*nontransient*)

[BG] TRANSIENT. Occupancy of a *dwelling unit* or *sleeping unit* for not more than 30 days.

[A] DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

[A] SLEEPING UNIT. A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating and **either** sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

The observations made by my department indicate that the current use by the occupants changes the classification from sleeping units to dwelling units due to the fact they are preparing food within the units which are not properly equipped to do.

§ 133-4. Outdoor Deposit or Storage of Waste.

No person, as owner, occupant, lessee or agent, or in any capacity shall store, deposit, place, maintain or cause or permit to be stored, deposited, placed or maintained outdoors any abandoned, junked, discarded, wholly or partially dismantled, unlicensed or unregistered motor vehicle or any solid waste rubbish or debris upon any private property within the town. This section shall not apply to any solid waste, rubbish or debris temporarily stored or placed in a container for collection or disposal.

2020 Property Maintenance Code of New York State

SECTION 302 EXTERIOR PROPERTY AREAS



Town of Ulster Building Department
1 Town Hall Drive, Lake Katrine, NY 12449
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302.1 Sanitation.

Exterior property and premises shall be maintained in a clean, safe and sanitary condition.

**SECTION 304
EXTERIOR STRUCTURE**

304.2 Protective treatment.

Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.12 Handrails and guards.

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**SECTION 305
INTERIOR STRUCTURE**

305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house, housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.



Town of Ulster Building Department
1 Town Hall Drive, Lake Katrine, NY 12449
Office: 845-340-3884 Fax: 845-340-3886

305.3 Interior surfaces.

Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces.

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards.

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 308 RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage.

Exterior property and premises, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage.

308.2 Disposal of rubbish.

Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

308.2.1 Rubbish storage facilities.

The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

308.3 Disposal of garbage.

Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

SECTION 309 PEST ELIMINATION

309.1 Infestation.



Town of Ulster Building Department
1 Town Hall Drive, Lake Katrine, NY 12449
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Structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

309.2 Owner.

The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

309.4 Multiple occupancy.

The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

309.5 Occupant.

The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for pest elimination.

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

403.2 Bathrooms and toilet rooms.

Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

404.5 Overcrowding.

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

[NY] TABLE 404.5

MINIMUM AREA REQUIREMENTS



Town of Ulster Building Department
1 Town Hall Drive, Lake Katrine, NY 12449
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SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	70	120	150
Dining room ^{a, b}	Norequirement	80	100
Bedrooms	Shall comply with <u>Section 404.4.1</u>		

404.6 Efficiency unit.

Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1.A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 220 square feet (20.4 m²). A unit occupied by three *occupants* shall have a minimum clear floor area of 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.

1.2.The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.

2.3.The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.

3.4.The maximum number of *occupants* shall be three.

4. 404.7 Food preparation.

5. Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

[NY] 502.1 Dwelling units.



Town of Ulster Building Department
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Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

[P] 503.4 Floor surface.

In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

SECTION 507 STORM DRAINAGE

[P] 507.1 General.

Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

[NY] 602.3 Heat supply.

Every owner and operator of any building who rents, leases or lets one or more *dwelling units* rooming units, dormitory or guestrooms on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from September 15th to May 31st. to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

604.3 Electrical system hazards.

Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *building official* shall require the defects to be corrected to eliminate the hazard.

605.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.



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Conclusion:

You as the Owner of Record are responsible for correcting these deficiencies throughout the property as outlined in the attached report.

NOTICE:

Full compliance with this order to remedy is required by _____ which is thirty (30) days after the date of this order. If the person or entity served with this order to remedy fails to comply in full with this order to remedy within the thirty (30) day period, that person or entity will be subject to a fine of not more than \$1,000 per day of violation, or imprisonment not exceeding one year, or both.

THIS IS THE ONLY LETTER YOU WILL RECEIVE. Your next communication from us will involve formal enforcement action.

If you wish to discuss any aspect of your case, you can call me at (845) 340-3883.

Sincerely,

Warren Tutt
Building Inspector