



**M E M O R A N D U M**

**TO:** Terry Martino, Executive Director

**FROM:** John M. Burth, Environmental Program Specialist 2

**DATE:** May 9, 2012

**RE:** April Enforcement Program Report

Attached is the Enforcement Program Report for April 2012 depicting the activities of the enforcement division and management of alleged violations within the Park.

1. This table depicts the number of open cases at the beginning of the reporting period, how many cases were opened or closed during the period, and the number of open cases at the end of the reporting period.

Open Cases	2012 April	2011	2010
At Beginning of Period	176	371	363
Cases Opened	15	305	380
Cases Closed	24	419	372
At End of Period	167	225	371

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2. This table provides a detailed description of enforcement program activity during the reporting period.

	<b>April 2012</b>	<b>2012 Total</b>	<b>2011 Total</b>
<b>New Cases Opened</b>	<b>15</b>	<b>62</b>	<b>305</b>
<b>Site Visits</b>	<b>18</b>	<b>34</b>	<b>281</b>
<b>Settlement Agreements Sent*</b>	<b>10</b>	<b>53</b>	<b>198</b>
<b>Settlement Agreements Signed</b>	<b>6</b>	<b>24</b>	<b>112</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Referred to AG</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Referred to the EC</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>5</b>	<b>14</b>	<b>46</b>
<b>Pre-2000 Subdivisions Closed</b>	<b>8</b>	<b>57</b>	<b>112</b>
<b>Cases Closed No Violation</b>	<b>5</b>	<b>26</b>	<b>149</b>

\* Currently 60 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	April 2012	2012 Total	2011 Total
Subdivision Creating Substandard Lots	6	17	58
Subdivision due to number of lots	0	4	2
Subdivision in Resource Management	0	2	26
Wetland Subdivision	0	5	45
Wetland Disturbance	5	10	41
Rivers Project	0	1	1
Permit Violation	1	8	29
SFD in CEA	0	0	6
Hunting/Fishing cabin >500 sq ft	0	1	1
Structure >40' height	0	0	2
Clearcut >25%	0	2	3
Commercial Use	0	2	5
Junkyards	0	0	3
Campgrounds	0	0	1
Mobile Home Court	0	0	2
Shoreline Setback	3	9	67
Waste Disposal Area	0	2	3
Sand and Gravel Excavation	0	1	2
Multiple Family Dwelling	0	0	3
Tourist Accommodation	0	0	2

4. **Salesweb Monitoring 2012:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	15	0	9
February	3	0	2
March	6	0	6
April*		0	
May		0	
June		0	
July		0	
August		0	
September		0	
October		0	
November		0	
December		0	
TOTAL	24	0	17

\*April Salesweb data is temporarily unavailable as the New York State Office of Real Property Services is merged with the Department of Taxation & Finance.

5. **Monthly Report of Enforcement Cases Settled:**

Six enforcement cases were resolved by settlement agreements executed in **April 2012** as follows:

***SETTLEMENTS OF SUBDIVISION VIOLATIONS (5)***

These settlements authorize the illegal lots involved in each case, allocate principal building rights, require a permit for future land use or development as appropriate, and require the filing of the settlement in the county clerk's office.

- **Substandard Lot Subdivision (3)**  
Hogan, E2011-0214 (Brighton, Franklin County)  
Hogan, E2011-0214A (Brighton, Franklin County)  
Hogan, E2011-0214B (Brighton, Franklin County)

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- **Wetland Subdivision (2)**

LaPierre, E2009-0008A (Tupper Lake, Franklin County)

Locust Hill LLC, E2007-0019 (Johnsburg, Warren County)

- **Other Violations (1)**

- E2009-0166, Shiel (Lake Luzerne, Warren County)  
Amended Settlement Agreement to address a mobile home utilizing an existing principle building right associated with the property and served by a compliant on-site wastewater treatment system, however it was installed in a Resource Management land use area without the necessary permit. Settlement recognizes mobile home as a lawful structure and requires an Agency permit for any expansion. Settlement must be filed in the County Clerk's office.