



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

**TO:** Terry Martino, Executive Director

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

**DATE:** January 11, 2012

**RE:** December Enforcement Program Report

Attached is the Enforcement Program Report for December 2011, including 2011 year-end data, 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 2011.

Open Cases	2011 December	2011 Totals	2010	2009
At Beginning of Period	225	371	363	467
Cases Opened	24	305	380	444
Cases Closed	24	419	372	548
At End of Period	225	225	371	363

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

	<b>December 2011</b>	<b>2011 Total</b>	<b>2010 Total</b>
<b>New Cases Opened</b>	<b>24</b>	<b>305</b>	<b>380</b>
<b>Site Visits*</b>	<b>14</b>	<b>281</b>	<b>224</b>
<b>Settlement Agreements Sent**</b>	<b>8</b>	<b>198</b>	<b>336</b>
<b>Settlement Agreements Signed</b>	<b>1</b>	<b>112</b>	<b>189</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>Cases Referred to AG</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Cases Referred to the EC</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>4</b>	<b>46</b>	<b>66</b>
<b>Pre-2000 Subdivisions Closed</b>	<b>5</b>	<b>112</b>	
<b>Cases Closed No Violation</b>	<b>14</b>	<b>149</b>	<b>112</b>

\* 25% increase in site visits from 2010 to 2011

\*\* Currently 88 Open Cases with Unsigned Settlement Agreements for the following types of violations: Subdivisions (52), Shoreline Setback (11), Permit Non-compliance (6), Wetlands (6), Other (13).

3. Breakdown of New Cases:

Type of Violation	December 2011	2011 Total
Subdivision Creating Substandard Lots	3	58
Subdivision due to number of lots	0	2
Subdivision in Resource Management	0	26
Wetland Subdivision	3	45
Wetland Disturbance	7	41
Rivers Project	0	1
Permit Violation	4	29
SFD in CEA	0	6
Hunting/Fishing cabin >500 sq ft	0	1
Structure >40' height	0	2
Clearcut >25%	0	3
Commercial Use	2	5
Junkyards	0	3
Campgrounds	0	1
Mobile Home Court	0	2
Shoreline Setback	5	67
Waste Disposal Area	0	3
Sand and Gravel Excavation	0	2
Multiple Family Dwelling	0	3
Tourist Accommodation	0	2

4. **Salesweb Monitoring 2011:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	26	0	25
February	10	0	10
March	3	0	3
April	4	0	3
May	12	0	9
June	7	0	6
July	3	0	3
August	4	0	3
September	11	0	7
October	14	0	10
November	8	1	6
December	10	0	5
TOTAL	112	1	90

Note: In 2011, Salesweb monitoring found one violation out of 112 subdivisions in the Park and 90 subdivisions were related to a previous JIF or permit. In 2010, Salesweb monitoring found 1 violation out of 98 subdivisions undertaken in the Park and 69 subdivisions were related to a previous JIF or Permit. Between 2010 and 2011, the percentage of subdivisions related to a previous JIF or Permit increased from 70% to 80%.

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

One enforcement case was resolved by settlement agreement executed in **December 2011** as follows:

***SETTLEMENTS OF SUBDIVISION VIOLATIONS (1)***

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 (1)**  
Moffitt, E2011-0184 (Lake Luzerne, Warren County)