



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

**TO:** Terry Martino, Executive Director

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

**DATE:** June 5, 2013

**RE:** May Enforcement Program Report

Attached is the Enforcement Program Report for May 2013 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	2013 May	2012	2011
At Beginning of Period	128	225	371
Cases Opened	23	258	305
Cases Closed	24	334	419
At End of Period	127	149	225

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

	<b>May 2013</b>	<b>2013 Total</b>	<b>2012 Total</b>
<b>New Cases Opened</b>	<b>23</b>	<b>78</b>	<b>258</b>
<b>Site Visits</b>	<b>32</b>	<b>65</b>	<b>249</b>
<b>Settlement Agreements Sent*</b>	<b>16</b>	<b>51</b>	<b>103</b>
<b>Settlement Agreements Signed</b>	<b>8</b>	<b>22</b>	<b>53</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>1</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>0</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>6</b>	<b>27</b>	<b>67</b>
<b>Cases Closed No Violation</b>	<b>10</b>	<b>45</b>	<b>132</b>

\* Currently 43 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	April 2013	2013 Total	2012 Total	Outcome of Closed 2012 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	3	12	35	V-10 NV-9
Subdivision due to number of lots	1	3	9	V-6 NV-3
Subdivision in Resource Management	1	5	9	V-1 NV-2
Wetland Subdivision	1	5	9	V-8 NV-0
Wetland Disturbance	4	16	59	V-10 NV-25
Rivers Project	0	3	4	V-2 NV-0
Permit Violation	3	13	31	V-9 NV-16
SFD in CEA	0	0	3	V-0 NV-0
Hunting/Fishing cabin >500 sq ft	0	0	1	V-1
Structure >40' height	0	0	2	V-0 NV-0
Clearcut >25%	1	2	7	V-0 NV-7
Commercial Use	0	2	8	V-1 NV-7
Junkyards	1	1	1	V-0 NV-1
Campgrounds	0	0	2	V-1 NV-0
Mobile Home Court	0	1	0	V-0 NV-0
Shoreline Setback	5	9	53	V-12 NV-22
Waste Disposal Area	2	4	16	V-9 NV-6
Septic Setback	0	2	0	V-0
Sand and Gravel Excavation	1	1	3	V-2 NV-1
Multiple Family Dwelling	0	1	2	V-0 NV-0
Tourist Accommodation	0	0	2	V-0 NV-2

4. **Salesweb Monitoring 2013:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	5	0	4
February	12	0	9
March	8	0	5
April	5	0	3
May	8	0	5
June			
July			
August			
September			
October			
November			
December			
TOTAL	38	0	26

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

Eight enforcement cases were resolved by settlement agreements executed in **May 2013** 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.

- **Number of Lots Subdivision (2)**  
E2013-0040, Valente, (Putnam, Washington County)  
E2013-0047, LaPorte (Saranac, Clinton County)
- **Wetland Subdivision (1)**  
E2005-0023C, Tillema, (Franklin, Franklin County)
- **Substandard Lot Subdivision (2)**  
E2013-0022, Jankowski, (Providence, Saratoga County)  
E2005-0095A, Black, (Long Lake, Hamilton County)

**OTHER VIOLATIONS (3)**

E2013-0021, Towns of Black Brook and Jay,  
(Jay, Essex Counties)

- Construction of a Quonset hut structure within the shoreline setback of the Ausable River without the necessary Agency approval in 1991. Settlement requires implementation of Agency approved plan for resolution.

E2012-0165, DeMarco (Putnam, Washington)

- Construction of a single family dwelling in excess of 40 feet in height in 2000 by a prior owner, and construction of a deck and stairway between 2000 and 2004 within the shoreline setback of Lake George by a prior owner without the necessary Agency approvals. Settlement recognizes single family dwelling as lawful, requires implementation of a planting and shoreline structure remediation plan, and requires implementation of a plan for upgrading the on-site wastewater treatment system on the property. Settlement also places restrictions on the single family dwelling color, lighting, and removal of vegetation from the property.

E2011-0020, Stumpf, (Fine, St. Lawrence County)

- Amended Settlement Agreement to address single family dwelling constructed in Resource Management and establishment of an absorption field of an on-site wastewater treatment system within 100 feet of a wetland in 2006 without the necessary Agency approvals. Settlement recognizes single family dwelling as lawful, requires addition of an aerobic treatment unit to the on-site wastewater treatment system prior to conveyance of the property or any increased occupancy of the single family dwelling, and places restrictions on the property regarding lighting and vegetation removal.