



8/4/2014
2:00 p.m.
Final Report

M E M O R A N D U M

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: August 6, 2014

RE: June and July, 2014 Enforcement Program Report

Attached is the Enforcement Program Report for June and July, 2014 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	2014 July	2014 June	2013	2012
At Beginning of Period	141	136	149	225
Cases Opened	23	22	209	258
Cases Closed	18	17	237	334
At End of Period	146	141	121	149

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

	July 2014	June 2014	2014 Total	2013 Total
New Cases Opened	23	22	111	209
Site Visits	21	25	84	198
Settlement Agreements Sent*	6	6	46	82
Settlement Agreements Signed	3	6	24	53
Notice of Violation or Hearing Sent	0	0	0	1
Cases Referred to AG	0	0	0	0
Cases Referred to the EC	0	0	0	0
Cases Closed: Compliance w/o SA	2	4	16	58
Cases Closed No Violation	13	12	53	96

* Currently 32 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	July 2014	June 2014	2014 Total	2013 Total	Outcome of Closed* 2013 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots		2	9	35	V-6 NV-4
Subdivision due to number of lots			2	9	V-3 NV-2
Subdivision in Resource Management	1		3	9	V-2 NV-0
Wetland Subdivision	3		12	9	V-3 NV-3
Wetland Disturbance	10	3	28	59	V-5 NV-15
Rivers Project		1	4	4	V-3 NV-0
Permit Violation		3	11	31	V-7 NV-11
SFD in CEA				3	V-2 NV-0
Hunting/Fishing cabin >500 sq ft				1	V-0 NV-0
Structure >40' height	1		2	2	V-0 NV-0
Clearcut >25%		2	3	7	V-0 NV-4
Commercial Use			2	8	V-2 NV-1
Junkyards	2	1	5	1	V-0 NV-1
Campgrounds	1	1	2	2	V-0 NV-0
Mobile Home Court				0	V-0 NV-0
Shoreline Setback	2	5	19	53	V-4 NV-7
Waste Disposal Area			2	16	V-3 NV-2
Septic Setback		2	3	0	V-2 NV-3
Sand and Gravel Excavation	1	2	3	3	V-0 NV-3
Multiple Family Dwelling			1	2	V-1 NV-2
Tourist Accommodation	1		1	2	V-0 NV-0
25% Expansion			2		

4. **Salesweb Monitoring 2014:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	14	1	7
February	5	0	4
March	4	1	2
April	4	0	0
May	2	0	2
June	5	1	1
July	4	1	2
August			
September			
October			
November			
December			
TOTAL	38	4	18

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

Nine enforcement cases were resolved by settlement agreements executed in **June and July, 2014** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (3)

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.

- **Wetland subdivision (3)**

- E2014-0046, Poirer (Ellenburg, Clinton County)
- E2014-0046A, Poirer (Ellenburg, Clinton County)
- E2013-0156A, Sylvester (Ellenburg, Clinton County)

Other Violations (6)

E2011-0078, Casale (Lake George, Warren County)

- Construction of a single family dwelling in excess of 40 feet in height in 2009. Settlement Agreement recognizes the single family dwelling as lawful, requires implementation of Agency-approved wastewater treatment and stormwater management plans, places restrictions on expansion of the dwelling, restricts vegetative cutting on the property, and requires payment of a \$500 civil penalty.

E2013-0009, Isabella (Harrietstown, Franklin County)

- Installation of on-site wastewater treatment system in noncompliance with Agency Permit P2003-0123 in 2004. Settlement Agreement requires landowner to relocate the absorption field component of the wastewater treatment system so that it meets the requirements of the Adirondack Park Agency Act and the New York State Department of Health

E2014-0023, Gardner (Hopkinton, St. Lawrence County)

- Construction of a garage within a designated recreational river area without the necessary Agency permit, also resulting in the deposit of fill in a wetland. Settlement recognizes garage as lawful, requires stabilization of disturbed soils, and payment of a \$250 civil penalty.

E2014-0074, Bombard (Black Brook, Clinton County)

- Construction of a deck attached to the shoreline side of a single family dwelling and partially within 50 feet of the mean high water mark of Fern Lake. Settlement requires implementation of Agency-approved remediation plan and payment of a \$250 civil penalty.

E2014-0043, McLean, (Broadalbin, Fulton County)

- Deposit of fill in a wetland. Settlement requires removal of fill from the wetland, stabilization of all disturbed areas, and payment of a \$500 civil penalty.

E2014-0029, Stevenson (Fort Ann, Washington County)

- Deposit of fill in a wetland. Measures completed to address impacts to wetlands. Settlement requires payment of a \$500 civil penalty.

6. Inter-Division Coordination

This table provides a description of coordination activities between enforcement staff and other programs within the Agency.

	July 2014	June 2014	2014 Total	2013 Total
Jurisdictional Determinations Issued from Enforcement	6	2	43	50
Project Pre-applications Assigned to Enforcement Staff	3	3	10	20
Permit Applications Assigned to Enforcement Staff	4	6	35	36
Site Visits by Enforcement Staff for Review of Project Applications	8	7	33	29
Permits Issued With Enforcement Staff as Assigned Project Review Officer	6	5	26	23
Permit Compliance Letters Sent	1	0	35 letters (for 22 permits issued)	184 letters (for 143 permits issued)
Permit Compliance Site Visits	0	0	0	4
Shoreline Photo Inventories	2	0	4	12