



11/3/2014  
Final ap

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

**TO:** Terry Martino, Executive Director

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

**DATE:** November 5, 2014

**RE:** October 2014 Enforcement Program Report

Attached is the Enforcement Program Report for October 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 October	2013	2012
At Beginning of Period	152	149	225
Cases Opened	19	209	258
Cases Closed	24	237	334
At End of Period	147	121	149

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

	<b>October 2014</b>	<b>2014 Total</b>	<b>2013 Total</b>
<b>New Cases Opened</b>	<b>19</b>	<b>170</b>	<b>209</b>
<b>Site Visits</b>	<b>21</b>	<b>150</b>	<b>198</b>
<b>Settlement Agreements Sent*</b>	<b>11</b>	<b>69</b>	<b>82</b>
<b>Settlement Agreements Signed</b>	<b>2</b>	<b>34</b>	<b>53</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>0</b>	<b>1</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>4</b>	<b>26</b>	<b>58</b>
<b>Cases Closed No Violation</b>	<b>18</b>	<b>89</b>	<b>96</b>

\* Currently 32 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	October 2014	2014 Total	2013 Total	Outcome of Closed* 2013 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots		12	35	V-6 NV-4
Subdivision due to number of lots	2	4	9	V-3 NV-2
Subdivision in Resource Management	1	4	9	V-2 NV-0
Wetland Subdivision	1	16	9	V-3 NV-3
Wetland Disturbance	5	43	59	V-5 NV-15
Rivers Project		5	4	V-3 NV-0
Permit Violation	2	20	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	3	2	V-0 NV-0
Clearcut >25%	2	6	7	V-0 NV-4
Commercial Use		3	8	V-2 NV-1
Junkyards		5	1	V-0 NV-1
Campgrounds		2	2	V-0 NV-0
Mobile Home Court		1	0	V-0 NV-0
Shoreline Setback	2	27	53	V-4 NV-7
Shoreline Cutting	2	14		V-0 NV-0
Waste Disposal Area	1	3	16	V-3 NV-2
Septic Setback		3	0	V-2 NV-3
Sand and Gravel Excavation		3	3	V-0 NV-3
Multiple Family Dwelling		1	2	V-1 NV-2
Tourist Accommodation		1	2	V-0 NV-0
25% Expansion		3		

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	14	2	7
September	8	1	7
October	9	0	6
November			
December			
TOTAL	69	7**	38

\*\*Following investigation, 3 cases were found to be no violation.  
2 cases have been resolved and 2 remain under investigation

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

Two enforcement cases were resolved by settlement agreement executed in **October 2014** 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.

- **Number of Lots**  
E2014-0111B Charboneau (Ticonderoga, Essex County)

**Other Violations (1)**

E2014-0034 Warnot, (Schroon, Essex County)

- Construction of a garage located outside the shoreline setback of Paradox Lake in 2008 by a prior owner without a new or amended permit as required by Permit P2007-0098. Settlement recognizes garage as lawful, requires Agency approval prior to connecting the garage to a wastewater treatment system, and requires filing in the County Clerk's Office.

6. **Inter-Division Coordination**

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

	<b>October 2014</b>	<b>2014 Total</b>	<b>2013 Total</b>
<b>Jurisdictional Determinations Issued from Enforcement</b>	<b>3</b>	<b>60</b>	<b>50</b>
<b>Project Pre-applications Assigned to Enforcement Staff</b>	<b>0</b>	<b>12</b>	<b>20</b>
<b>Permit Applications Assigned to Enforcement Staff</b>	<b>7</b>	<b>47</b>	<b>36</b>
<b>Site Visits by Enforcement Staff for Review of Project Applications</b>	<b>2</b>	<b>45</b>	<b>29</b>
<b>Permits Issued With Enforcement Staff as Assigned Project Review Officer</b>	<b>1</b>	<b>30</b>	<b>23</b>
<b>Shoreline Photo Inventories</b>	<b>0</b>	<b>6</b>	<b>12</b>