



Final ap
1/8/2015

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 8, 2015

RE: November and December 2014 Enforcement Program Report

Attached is the Enforcement Program Report for the months of November and December 2014, including year-end data for 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 December	2014 November	2013	2012
At Beginning of Period	151	147	149	225
Cases Opened	16	21	209	258
Cases Closed	29	17	237	334
At End of Period	138	151	121	149

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

	December 2014	November 2014	2014 Total	2013 Total
New Cases Opened	16	21	207	209
Site Visits	10	4	164	198
Settlement Agreements Sent*	5	9	83	82
Settlement Agreements Signed	5	4	43	53
Notice of Violation or Hearing Sent	0	0	0	1
Cases Referred to AG	1	0	1	0
Cases Referred to the EC	0	0	0	0
Cases Closed: Compliance w/o SA	14	2	42	58
Cases Closed No Violation	4	5	98	96

* Currently 26 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	December 2014	November 2014	2014 Total	2013 Total	Outcome of Closed* 2014 Cases(Violation or No Violation)
Subdivision Creating Substandard Lots	1		13	35	V-3 NV-5
Subdivision due to number of lots	1	3	8	9	V-2 NV-1
Subdivision in Resource Management	1	1	6	9	V-0 NV-2
Wetland Subdivision	1	1	18	9	V-4 NV-2
Wetland Disturbance	2	6	51	59	V-6 NV-9
Rivers Project	1	1	7	4	V-1 NV-3
Permit Violation	6		26	31	V-3 NV-9
SFD in CEA	1		1	3	V-0 NV-0
Hunting/Fishing cabin >500 sq ft				1	V-0 NV-0
Structure >40' height		1	4	2	V-1 NV-0
Clearcut >25%			6	7	V-0 NV-5
Commercial Use		1	4	8	V-0 NV-4
Junkyards			5	1	V-0 NV-3
Campgrounds			2	2	V-0 NV-1
Mobile Home Court			1	0	V-0 NV-0
Shoreline Setback	2	6	35	53	V-4 NV-7
Shoreline Cutting		1	15		V-2 NV-2
Waste Disposal Area			3	16	V-0 NV-0
Septic Setback			3	0	V-0 NV-1
Sand and Gravel Excavation			3	3	V-0 NV-0
Multiple Family Dwelling			1	2	V-1 NV-0
Tourist Accommodation			1	2	V-0 NV-0
25% Expansion			3		V-0 NV-1

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*Annual calculation of closed cases only, remaining cases under investigation as of 12/31/14

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	13	1	9
December	8	0	3
TOTAL	90	8**	50

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

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

Nine enforcement cases were resolved by settlement agreements executed in **November and December 2014** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (7)

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.

• **Wetlands Subdivision (1)**

E2014-0155 Doty, (Fort Ann, Washington County)

- **Number of Lots (1)**
E2014-0146 Lee, (Forestport, Oneida County)
- **Rivers Area Subdivision (2)**
E2014-0125A Kashorek, (Ohio, Herkimer County)
E2014-0125 Arcuri, Arcuri-Petrilli, Orapallo, (Ohio, Herkimer County)
- **Substandard-Sized Lot (1)**
E2011-0133 Slee, Stratford, Fulton County)
- **RM Subdivision (2)**
E2014-0160 Meyer, (Hopkinton, St. Lawrence County)
E2014-0160A Sharlow, (Hopkinton, St. Lawrence County)

SETTLEMENTS OF OTHER VIOLATIONS (2)

- E2012-0021 Terry, (Saranac, Clinton County)
Further subdivision in 2004, through county tax foreclosure sale, of property authorized by Agency Permit P82-127AT. Settlement recognizes property as lawful, restricts the property to no principal buildings, and requires filing in the County Clerk's Office.
- E2013-0045 Gallant-O'Brien, (Ticonderoga, Essex County)
Further subdivision in 2003 of property authorized by Agency Permit P96-330. Settlement allocates 2 principal building rights to the property 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.

	December 2014	November 2014	2014 Total	2013 Total
Jurisdictional Determinations Issued from Enforcement	2	7	69	50
Project Pre-applications Assigned to Enforcement Staff	1	0	13	20
Permit Applications Assigned to Enforcement Staff	3	4	54	36
Site Visits by Enforcement Staff for Review of Project Applications	1	1	47	29
Permits Issued With Enforcement Staff as Assigned Project Review Officer	1	1	32	23
Shoreline Photo Inventories	0	0	6	12