



KAREN FELDMAN
Acting Chair

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: February 6, 2019

RE: Enforcement Program Report

The following is the Enforcement Program Report for the months of November and December 2018, summarizing the activities of the Enforcement Program and management of alleged violations within the Park.

1. Enforcement cases opened and closed during the reporting period.

	Nov.2018	Dec. 2018
Beginning of Period	167	170
Cases Opened	16	4
Cases Closed	13	11
End of Period	170	163

2. Detailed description of enforcement program activity.

	Nov. 2018	Dec. 2018	Total 2018
New Cases Opened	16	4	188
Site Visits	5	5	148
Settlement Agreements Sent*	6	2	81
Settlement Agreements Signed	4	3	44
Notice of Violation or Hearing Sent			0
Cases Referred to Attorney General			0
Cases Referred to Enforcement Committee			0
Compliance w/o Settlement Agreement	2	4	44
Cases Closed No Violation	7	4	97

* 17 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened:

Alleged Violation	Nov. 2018	Dec. 2018	2018 Total
Substandard Lot Subdivision	3		21
Lot Counting Subdivision		2	6
Resource Management Subdivision			12
Critical Environmental Area(CEA) Subdivision			1
Wetland Subdivision	1		17
Wetland Project	4	2	44
Development in River Area			1
Permit Violation	2		28
Development in CEA			1
Structure Over 40 Feet			1
25-Acre Clearcut			3
Commercial Use			4
Junkyard			2
Shoreline Structure Setback	3		24
Shoreline Cutting	1		9
Waste Disposal Area	1		15
Commercial Sand and Gravel Extraction			1
Dwelling in Resource Management			0
Septic w/in 100' of a wetland			4
Sawmill			1
Marina			1
Group Camp	1		1

4. **Salesweb Monitoring 2018:**

Month	Subdivisions In Park	Cases Opened	# Closed After Research & Follow up	Subdivisions Reviewed as JIF or Permit
January	10	2	0	6
February	13	1	2	10
March	6	0	0	2
April	9	0	0	3
May	5	0	0	4
June	10	0	0	8
July	4	2	0	0
August	13	0	0	4
September	7	0	0	7
October	7	0	0	4
November	4	0	0	2
December	11	1	1	3
TOTAL	99	6	3	53

5. **Monthly Report of Executed Settlement Agreements:**

Seven enforcement cases were resolved by settlement agreements executed in **November and December 2018** as follows:

E2018-0001, Mason & Costigan (Elizabethtown, Essex County)

Wetland subdivision in 2017. Settlement requires merging of property with adjacent lot, allocates principal building potential, requires a permit for future subdivision, and requires filing in the County Clerk's Office.

E2018-0156, Kochanek (Long Lake, Hamilton County)

Construction of hunting and fishing cabins greater than 500 square feet in Resource Management in 1992 and 2000, and graywater disposal within 100 feet of a stream. Settlement recognizes cabins as lawful, requires the graywater outfall to be moved greater than 100 feet from any wetlands or waterbodies, allows for a two-lot subdivision of the property, requires Agency approval for future principal buildings, on-site wastewater treatment systems, and certain new land use or development. Settlement must be filed in the County Clerk's Office.

E2018-0137, Robjent (Keene, Essex County)

Vegetation removal and construction of a cabin and outhouse in noncompliance with Permit 78-318A in 2016. Settlement recognizes development as lawful, allows for construction of an accessory structure, and requires filing in the County Clerk's Office.

E2017-0125, Crossen (Lake Luzerne, Warren County)

Construction of a patio and retaining wall within the shoreline setback of Lake Luzerne in 2018. Settlement requires implementation of an Agency-approved remediation plan and payment of a \$150 civil penalty.

E2018-0155, Capital Communications FCU (Lewis, Essex County)

Subdivision involving wetlands and creating a substandard-sized lot in Low Intensity Use in 1986. Settlement recognizes property as lawful, allocates principal building potential, allows for a boundary line adjustment with an adjoining property, requires Agency review of future subdivisions, and requires filing in the County Clerk's Office.

E2017-0130, Jones & French (Clifton, St. Lawrence County)

Road construction and vegetation removal in noncompliance with Permit 2005-257 and wetland fill in 2017. Settlement requires removal of the road from wetlands, removal of a stream crossing, and allows for construction of a cabin, pavilion, privy, and dock subject to conditions. Settlement requires filing in the County Clerk's Office.

E2018-0116, Griffin (Bellmont, Franklin County)

Subdivision creating 8th parcel in Rural Use in 2008. Settlement recognizes property as lawful, allows for construction of a single-family dwelling subject to conditions, and requires filing in the County Clerk's Office.

6. Inter-Division Coordination

	Nov. 2018	Dec. 2018	2018 Total
Jurisdictional Determinations Issued from Enforcement	2	4	58
Project Pre-Applications Assigned to Enforcement Staff	1	4	33
Permit Applications Assigned to Enforcement Staff	9	9	85
Site Visits by Enforcement Staff for Review of Project Applications	9	2	73
Permits Issued with Enforcement Staff as Assigned Project Review Officer	3	6	60
Shoreline Photo Inventories	0	0	0