



ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 3

DATE: June 5, 2019

RE: Enforcement Program Report

The following is the Enforcement Program Report for the months of March, April, and May 2019, 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.

	March 2019	April 2019	May 2019
Beginning of Period	158	166	180
Cases Opened	16	21	24
Cases Closed	8	7	9
End of Period	166	180	195

2. Detailed description of enforcement program activity.

	March 2019	April 2019	May 2019	Total 2019
New Cases Opened	16	21	24	81
Site Visits	1	6	26	38
Settlement Agreements Sent*	8	2	8	46
Settlement Agreements Signed	6	3	3	17
Notice of Violation or Hearing Sent	0	0	0	0
Cases Referred to Attorney General	0	0	0	0
Cases Referred to Enforcement Committee	0	0	0	0
Compliance w/o Settlement Agreement	0	1	1	6
Cases Closed No Violation	7	3	5	23

* 20 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened:

Alleged Violation	March 2019	April 2019	May 2019	2019 Total
Substandard Lot Subdivision	4	3	1	11
Lot Counting Subdivision	0	0	0	2
Resource Management Subdivision	1	0	0	2
Critical Environmental Area(CEA) Subdivision	0	0	0	1
Wetland Subdivision	1	1	0	4
Wetland Project	4	5	3	16
Development in River Area	0	0	1	1
Permit Violation	3	4	5	16
Development in CEA	0	0	0	0
Structure Over 40 Feet	1	0	0	1
25-Acre Clearcut	0	0	0	0
Commercial Use	0	0	0	0
Junkyard	1	2	2	5
Shoreline Structure Setback	1	0	7	10
Shoreline Cutting	0	4	3	8
Waste Disposal Area	0	0	0	0
Commercial Sand and Gravel Extraction	0	0	0	0
Dwelling in Resource Management	0	0	0	0
Septic w/in 100' of a wetland	0	0	0	0
Tourist Attraction	0	0	1	1
Multiple Family Dweling	0	0	1	1
Group Camp	0	0	0	0
Watershed Management Project	0	1	0	1

4. **Salesweb Monitoring 2019:**

Month	Subdivisions In Park	Cases Opened	# Closed After Research & Follow up	Subdivisions Reviewed as JIF or Permit
January	14	0	1	10
February	14	2	1	11
March	7	0	0	5
April	9	0	1	5
May	4	0	0	3

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

Twelve enforcement cases were resolved by settlement agreements executed in **March, April, and May 2019** as follows:

E2019-0015, Flower Hill Club, Inc. (Hopkinton, St. Lawrence County)

Subdivision involving wetlands in 2000. Settlement recognizes property as lawful and allows for construction of an accessory cabin on the property. Settlement allocates principal building potential, requires a permit for future activities involving wetlands, and requires filing in the County Clerk's Office.

E2016-0135, Vaughan (Lewis, Essex County)

Expansion of a multiple family dwelling in 2010. Settlement recognizes multiple family dwelling as lawful and requires a permit for any future expansion. Settlement requires upgrade of the existing on-site wastewater treatment system and filing in the County Clerk's Office.

E2018-0080, Carr (Fine, St. Lawrence County)

Subdivision of Resource Management lands within 300 feet of a state highway in 2018. Settlement recognizes property as lawful, requires a permit for future subdivision or land use or development, and requires filing in the County Clerk's Office.

E2014-0111D, Gravel Hill, Inc. (Ticonderoga, Essex County)

Subdivision involving five or more lots, creating a substandard-size parcel, and within 150 feet of a state highway on Rural Use lands in 2013 and 2014. Settlement recognizes property as lawful, allocates principal buildings, allows for construction of a future single family dwelling on three lots pursuant to conditions regarding wastewater treatment, vegetative cutting, future development or subdivision. Settlement must be recorded in the County Clerk's Office.

E2019-0019, Village of Lake Placid (Village of Lake Placid, Essex County)

Utility structures greater than 40 feet in height constructed in 1978 and 1985. Settlement recognizes structures as lawful and allows for replacement pursuant to conditions regarding lighting, vegetation removal, and planting. Settlement requires filing in the County Clerk's Office.

E2017-0144, Mackie (Warrensburg, Warren County)

Construction of a single family dwelling and accessory structure within the designated Hudson River Recreational River Area in 2007. Settlement recognizes dwelling as lawful and allows for expansion of the dwelling. Settlement requires installation of a new septic system prior to expansion and places restrictions on lighting, color, and vegetation removal. Settlement requires filing in the County Clerk's Office.

E2013-0046, Brayden (Willsboro, Essex County)

Wetland fill since 2009. Settlement restricts property to no principal buildings, prohibits removal of vegetation within wetlands, and requires filing in the County Clerk's Office.

E2017-0054, Garso/Raymond (St. Armand, Essex County)

Commercial use, single family dwelling, and new land use or development within 150 feet of a state highway and within the designated Saranac River Recreational River Area on Rural Use lands since 2009. Settlement recognizes commercial use as lawful, recognizes dwelling as lawful, allocates principal buildings, allows for construction of a commercial use garage in compliance with an Agency-approved site plan, building plan, stormwater plan, and sign plan. Settlement requires installation of a septic system, planting of a vegetated berm, and removal of two structures from the property. Settlement places restrictions on lighting, vegetative cutting, and requires payment of a \$500 civil penalty. Settlement must be filed in the County Clerk's Office.

E2019-0026, Glauser (Fine, St. Lawrence County)

Subdivision of Resource Management lands in 2017. Settlement recognizes property as lawful, allows for a boundary line adjustment, and requires filing in the County Clerk's Office.

E2019-0012, South Shore West LLC (Webb, Herkimer County)

Construction of shoreline structures and noncompliance with Permit 2006-209 in 2010. Settlement requires implementation of Agency-approved plans addressing stormwater management, structure modification, lighting, and planting. Settlement requires filing in the County Clerk's Office.

E2019-0051, Burke (Broadalbin, Fulton County)

Subdivision resulting in a substandard-size lot on Low Intensity Use lands in 2013. Settlement recognizes property as lawful, restricts property to no principal buildings, allows for construction of a garage, and requires filing in the County Clerk's Office.

E2019-0063, Shepstone (Elizabethtown, Essex County)

Expansion of a single family dwelling within the designated Boquet River Recreational River Area without a valid permit amendment. Settlement recognizes dwelling as lawful, allows for construction of an accessory structure workshop, requires filing in the County Clerk's Office, and places restrictions on color, lighting, and vegetation removal.

6. Inter-Division Coordination

	March 2019	April 2019	May 2019	2019 Total
Jurisdictional Determinations Issued from Enforcement	5	5	4	26
Project Pre-Applications Assigned to Enforcement Staff	3	5	4	14
Permit Applications Assigned to Enforcement Staff	10	13	9	47
Site Visits by Enforcement Staff for Review of Project Applications	8	4	19	41
Permits Issued with Enforcement Staff as Assigned Project Review Officer	6	5	7	25
Shoreline Photo Inventories	0	0	0	0