



## Adirondack Park Agency

ANDREW M. CUOMO  
Governor

TERRY MARTINO  
Executive Director

### MEMORANDUM

**TO:** Terry Martino, Executive Director

**FROM:** John M. Burth, Environmental Program Specialist 3

**DATE:** November 7, 2019

**RE:** Enforcement Program Report

The following is the Enforcement Program Report for the months of September and October 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.**

	September 2019	October 2019
<b>Beginning of Period</b>	<b>200</b>	<b>209</b>
<b>Cases Opened</b>	<b>21</b>	<b>20</b>
<b>Cases Closed</b>	<b>12</b>	<b>17</b>
<b>End of Period</b>	<b>209</b>	<b>212</b>

2. Detailed description of enforcement program activity.

	September 2019	October 2019	Total 2019
<b>New Cases Opened</b>	<b>21</b>	<b>20</b>	<b>195</b>
<b>Site Visits</b>	<b>20</b>	<b>21</b>	<b>143</b>
<b>Settlement Agreements Sent*</b>	<b>5</b>	<b>7</b>	<b>79</b>
<b>Settlement Agreements Signed</b>	<b>0</b>	<b>6</b>	<b>39</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>1</b>	<b>1</b>
<b>Cases Referred to Attorney General</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Referred to Enforcement Committee</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Compliance w/o Settlement Agreement</b>	<b>1</b>	<b>2</b>	<b>20</b>
<b>Cases Closed No Violation</b>	<b>10</b>	<b>8</b>	<b>80</b>

\* 24 Currently Open Cases with Unsigned Settlement Agreements

**3. Types of Cases Opened:**

<b>Alleged Violation</b>	<b>Sept. 2019</b>	<b>Oct. 2019</b>	<b>2019 Total</b>
<b>Substandard Lot Subdivision</b>	<b>3</b>	<b>3</b>	<b>24</b>
<b>Lot Counting Subdivision</b>	<b>0</b>	<b>1</b>	<b>6</b>
<b>Resource Management Subdivision</b>	<b>0</b>	<b>1</b>	<b>10</b>
<b>Critical Environmental Area (CEA) Subdivision</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Wetland Subdivision</b>	<b>1</b>	<b>1</b>	<b>9</b>
<b>Wetland Project</b>	<b>5</b>	<b>6</b>	<b>48</b>
<b>Development in River Area</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Permit Violation</b>	<b>4</b>	<b>3</b>	<b>30</b>
<b>Development in CEA</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Structure Over 40 Feet</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>25-Acre Clearcut</b>	<b>0</b>	<b>1</b>	<b>2</b>
<b>Commercial Use</b>	<b>1</b>	<b>0</b>	<b>3</b>
<b>Junkyard</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>Shoreline Structure Setback</b>	<b>1</b>	<b>2</b>	<b>21</b>
<b>Shoreline Cutting</b>	<b>2</b>	<b>1</b>	<b>17</b>
<b>Waste Disposal Area</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Commercial Sand and Gravel Extraction</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Dwelling in Resource Management</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Septic w/in 100' of a wetland</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Tourist Attraction</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Multiple Family Dwelling</b>	<b>1</b>	<b>0</b>	<b>2</b>
<b>Group Camp</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Watershed Management Project</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Waste Disposal Area</b>	<b>0</b>	<b>1</b>	<b>4</b>
<b>Rivers Project</b>	<b>1</b>	<b>0</b>	<b>1</b>

4. **Salesweb Monitoring 2019:**

<b>Month</b>	<b>Subdivisions In Park</b>	<b>Cases Opened</b>	<b># Closed After Research &amp; Follow up</b>	<b>Subdivisions Reviewed as JIF or Permit</b>
<b>January</b>	<b>14</b>	<b>0</b>	<b>1</b>	<b>10</b>
<b>February</b>	<b>14</b>	<b>2</b>	<b>1</b>	<b>11</b>
<b>March</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>April</b>	<b>9</b>	<b>0</b>	<b>1</b>	<b>5</b>
<b>May</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>3</b>
<b>June</b>	<b>16</b>	<b>3</b>	<b>0</b>	<b>12</b>
<b>July</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>August</b>	<b>12</b>	<b>2</b>	<b>0</b>	<b>6</b>
<b>September</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>3</b>
<b>October</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>

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

Six enforcement cases were resolved by settlement agreements executed in **September and October 2019** as follows:

**E2019-0115C, Bollinger (Stratford, Warren County)**

Subdivision of Resource Management lands involving wetlands in 1973. Settlement recognizes the lot as lawful, allocates one principal building, requires prior Agency review of future land use and development, and requires filing in the County Clerk's Office.

**E2019-0138, Clookey, (Dannemora, Clinton County)**

Subdivision creating a substandard-sized non-shoreline lot on Moderate Intensity Use lands in 2019 and a substandard-sized shoreline lot on Moderate Intensity Use lands in 1991. Settlement requires that the lots be merged, allocates one principal building to the merged parcel, requires prior Agency review of any future subdivision, and requires filing in the County Clerk's Office.

**E2019-0146, Dennin, (Keene, Essex County)**

Noncompliance with Settlement Agreement E2006-114 for a subdivision creating a substandard-sized non-shoreline lot on Rural Use lands within one-eighth of a mile of a designated primitive area in 1985. Settlement amends and supersedes Settlement Agreement E2006-114, recognizes the lot as lawful, allocates one principal building, requires an Agency permit for any new land use, development or subdivision, and requires filing in the County Clerk's Office.

**E2019-0137A, Baldwin, (Hopkinton, St. Lawrence County)**

Subdivision involving wetlands in a Hamlet land use area in 2019. Settlement recognizes the lot as lawful, requires an Agency permit prior to any future activity involving wetlands, requires prior Agency review for activities within 100 feet of wetlands, and requires filing in the County Clerk's Office.

**E2019-0086 Solar Pines INC, (Elizabethtown, Essex County)**

Noncompliance with Condition 5 of Agency Permit 2018-0164 for the construction of an accessory structure in 2019. Settlement recognizes the accessory structure as lawful, requires a civil penalty of \$100.00, and filing in the County Clerk's Office.

**E2019-0115 Rayder (Stony Creek, Warren County)**

Subdivision of Resource Management lands involving wetlands in 2014. Settlement recognizes the lot as lawful, allocates principal buildings, requires an Agency permit for any new land use, development or subdivision, requires prior Agency review for any future activity involving wetlands, and requires filing in the County Clerk's Office.

**6. Inter-Division Coordination**

	<b>Sept. 2019</b>	<b>Oct. 2019</b>	<b>2019 Total</b>
<b>Jurisdictional Determinations Issued from Enforcement</b>	<b>2</b>	<b>4</b>	<b>47</b>
<b>Project Pre-Applications Assigned to Enforcement Staff</b>	<b>6</b>	<b>5</b>	<b>38</b>
<b>Permit Applications Assigned to Enforcement Staff</b>	<b>12</b>	<b>9</b>	<b>98</b>
<b>Site Visits by Enforcement Staff for Review of Project Applications</b>	<b>9</b>	<b>18</b>	<b>109</b>
<b>Permits Issued with Enforcement Staff as Assigned Project Review Officer</b>	<b>5</b>	<b>8</b>	<b>57</b>
<b>Shoreline Photo Inventories</b>	<b>0</b>	<b>0</b>	<b>0</b>