



Adirondack Park Agency

KATHY HOCHUL
Governor

TERRY MARTINO
Executive Director

DRAFT MINUTES
Enforcement Committee
July 15, 2021
Agency Meeting
JMB:ss

Enforcement Committee July 15, 2021

The Enforcement Committee convened at 3:00 p.m.

Enforcement Committee Members Present:

Arthur Lussi, Chair, John Ernst, Ken Lynch, and Brad Austin (ESD)

Agency Staff Present:

Terry Martino, Executive Director, Christopher Cooper, Counsel, Jennifer Hubbard, John Burth, and Sue Streiff.

Enforcement

The Enforcement Committee heard the Enforcement proceeding for E2019-0070, George and Austin Carrothers.

Jennifer Hubbard began the Agency staff presentation by citing the alleged violations. Ms. Hubbard alleged that Respondents are in violation APA Act § 806 – a variance is required from the APA prior to the construction of any new principal building or accessory structure greater than 100 square feet in size within 50 feet of the mean high-water mark of any lake or pond on Hamlet lands in the Adirondack Park.

9 NYCRR § 575.5 – a variance is required from the APA prior to the expansion of an existing structure within the shoreline setback area, including through any increase in the structure's footprint, width, or height.

Ms. Hubbard established a detailed timeline of the interactions between Respondent s George and Austin Carrothers and Agency staff.

George Carrothers said that while at a site visit on the property, he took a staff suggestion that he reduce the size of the deck to twelve feet as permission to proceed with the project. He said he did not want to deal with the bureaucracy involved in applying for variances, and therefore did not peruse one. He said it was up to the Board if they wanted to shut down a small business.

The Complete Presentation is available

at: <https://nysapa.granicus.com/videos/570/player?autoplay=0&start=10455&stop=14378>

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Mr. Lussi said Respondents and staff will be hearing from the Committee in the next few weeks, and closed the Enforcement Committee hearing at 4:15 p.m.