



M E M O R A N D U M

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: May 1, 2013

RE: April Enforcement Program Report

Attached is the Enforcement Program Report for April 2013 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	2013 April	2012	2011
At Beginning of Period	125	225	371
Cases Opened	18	258	305
Cases Closed	15	334	419
At End of Period	128	149	225

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

	April 2013	2013 Total	2012 Total
New Cases Opened	18	55	258
Site Visits	10	33	249
Settlement Agreements Sent*	7	38	103
Settlement Agreements Signed	4	15	53
Notice of Violation or Hearing Sent	1	1	0
Cases Referred to AG	0	0	0
Cases Referred to the EC	0	0	0
Cases Closed: Compliance w/o SA	6	21	67
Cases Closed No Violation	3	35	132

* Currently 39 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	April 2013	2013 Total	2012 Total	Outcome of Closed 2012 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	5	9	35	V-10 NV-9
Subdivision due to number of lots	2	2	9	V-6 NV-3
Subdivision in Resource Management	1	4	9	V-1 NV-2
Wetland Subdivision	1	4	9	V-8 NV-0
Wetland Disturbance	4	12	59	V-10 NV-25
Rivers Project	0	3	4	V-2 NV-0
Permit Violation	1	10	31	V-9 NV-16
SFD in CEA	0	0	3	V-0 NV-0
Hunting/Fishing cabin >500 sq ft	0	0	1	V-1
Structure >40' height	0	0	2	V-0 NV-0
Clearcut >25%	1	1	7	V-0 NV-7
Commercial Use	0	2	8	V-1 NV-7
Junkyards	0	0	1	V-0 NV-1
Campgrounds	0	0	2	V-1 NV-0
Mobile Home Court	0	1	0	V-0 NV-0
Shoreline Setback	0	4	53	V-12 NV-22
Waste Disposal Area	2	2	16	V-9 NV-6
Septic Setback	0	2	0	V-0
Sand and Gravel Excavation	0	0	3	V-2 NV-1
Multiple Family Dwelling	1	1	2	V-0 NV-0
Tourist Accommodation	0	0	2	V-0 NV-2

4. **Salesweb Monitoring 2013:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	5	0	4
February	12	0	9
March	8	0	5
April	5	0	3
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL	30	0	21

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

Four enforcement cases were resolved by settlement agreements executed in **April 2013** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (2)

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.

- Highway CEA Subdivision (1)
E2012-0096A, Winters, (Waverly, Franklin County)
- Substandard Lot Subdivision (1)
E2013-0032, Smiles, (Essex, Essex County)

OTHER VIOLATIONS (2)

E2008-0294, Poulos, (Queensbury, Warren County)

- Wetland impacts resulting from the construction of a foundation supporting a pre-existing single family dwelling, driveway, and footpath without the necessary Agency permit in 2008. Settlement requires installation of an on-site wastewater treatment system pursuant to Agency-approved plans and disconnection from the pre-existing wastewater treatment system on the property.

E2012-047, Treadway, (Ticonderoga, Essex County)

- Change in commercial use without a new or amended permit as required by Agency Permit 2009-137. Settlement requires landowner to obtain a new or amended permit after-the-fact to authorize the change in commercial use and payment of a \$250 civil penalty.