



M E M O R A N D U M

10/1/2014

final

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: October 1, 2014

RE: September 2014 Enforcement Program Report

Attached is the Enforcement Program Report for September 2014, 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	2014 September	2013	2012
At Beginning of Period	153	149	225
Cases Opened	21	209	258
Cases Closed	22	237	334
At End of Period	152	121	149

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

	September 2014	2014 Total	2013 Total
New Cases Opened	21	151	209
Site Visits	23	129	198
Settlement Agreements Sent*	6	58	82
Settlement Agreements Signed	5	32	53
Notice of Violation or Hearing Sent	0	0	1
Cases Referred to AG	0	0	0
Cases Referred to the EC	0	0	0
Cases Closed: Compliance w/o SA	2	22	58
Cases Closed No Violation	13	71	96

* Currently 31 Open Cases with Unsigned Settlement Agreements

Memorandum to Terry Martino

October 1, 2014

Page 3

3. Breakdown of New Cases:

Type of Violation	September 2014	2014 Total	2013 Total	Outcome of Closed* 2013 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots		12	35	V-6 NV-4
Subdivision due to number of lots		2	9	V-3 NV-2
Subdivision in Resource Management		3	9	V-2 NV-0
Wetland Subdivision	3	15	9	V-3 NV-3
Wetland Disturbance	6	38	59	V-5 NV-15
Rivers Project	1	5	4	V-3 NV-0
Permit Violation	3	18	31	V-7 NV-11
SFD in CEA			3	V-2 NV-0
Hunting/Fishing cabin >500 sq ft			1	V-0 NV-0
Structure >40' height		2	2	V-0 NV-0
Clearcut >25%	1	4	7	V-0 NV-4
Commercial Use	1	3	8	V-2 NV-1
Junkyards		5	1	V-0 NV-1
Campgrounds		2	2	V-0 NV-0
Mobile Home Court	1	1	0	V-0 NV-0
Shoreline Setback	2	25	53	V-4 NV-7
Shoreline Cutting	2	12		V-0 NV-0
Waste Disposal Area		2	16	V-3 NV-2
Septic Setback		3	0	V-2 NV-3
Sand and Gravel Excavation		3	3	V-0 NV-3
Multiple Family Dwelling		1	2	V-1 NV-2
Tourist Accommodation		1	2	V-0 NV-0
25% Expansion	1	3		

4. **Salesweb Monitoring 2014:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	14	1	7
February	5	0	4
March	4	1	2
April	4	0	0
May	2	0	2
June	5	1	1
July	4	1	2
August	14	2	7
September	8	1	7
October			
November			
December			
TOTAL	60	7**	32

**Following investigation, 3 cases were found to be no violation.
2 cases have been resolved and 2 are under investigation

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

Five enforcement cases were resolved by settlement agreements
executed in **September 2014** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (4)

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.

• **Wetland Subdivision (2)**

E2014-0089 LaHart, (Saranac, Clinton County)

E2014-0021 Newton Falls Fine Paper, (Clifton, St.
Lawrence County)

- **Substandard-Sized Lot Subdivision (2)**

E2014-0056 Blaney, (Broadalbin, Fulton County)

E2013-0174A Miseirvitch, (Greig, Lewis County)

Other Violations (1)

E2000-0056 Frake, (Webb, Herkimer County)

- Amendment of a Settlement Agreement executed in 2004 to address a subdivision involving wetlands and the construction of a single family dwelling and associated wastewater treatment system by a prior landowner in 1992 without the necessary Agency approvals. Settlement Agreement Amendment allocates principal building rights, recognizes property as lawful, establishes requirements for replacement of the on-site wastewater treatment system, and requires filing in the County Clerk's Office.

6. Inter-Division Coordination

This table provides a description of coordination activities between enforcement staff and other programs within the Agency.

	September 2014	2014 Total	2013 Total
Jurisdictional Determinations Issued from Enforcement	10	57	50
Project Pre-applications Assigned to Enforcement Staff		12	20
Permit Applications Assigned to Enforcement Staff	3	40	36
Site Visits by Enforcement Staff for Review of Project Applications	7	43	29
Permits Issued With Enforcement Staff as Assigned Project Review Officer	2	29	23
Shoreline Photo Inventories	1	6	12