



## Adirondack Park Agency

**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

### MEMORANDUM

**TO:** Terry Martino, Executive Director

**FROM:** John M. Burth, Environmental Program Specialist 2

**DATE:** March 3, 2016

**RE:** February 2016 Enforcement Program Report

Attached is the Enforcement Program Report for the month of February 2016, 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	2016 February	2015	2014
At Beginning of Period	139	138	121
Cases Opened	8	213	207
Cases Closed	11	199	190
At End of Period	136	152	138

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

	<b>February 2016</b>	<b>Total 2016</b>	<b>2015 Total</b>
<b>New Cases Opened</b>	<b>8</b>	<b>26</b>	<b>213</b>
<b>Site Visits</b>	<b>5</b>	<b>11</b>	<b>182</b>
<b>Settlement Agreements Sent*</b>	<b>9</b>	<b>22</b>	<b>115</b>
<b>Settlement Agreements Signed</b>	<b>2</b>	<b>15</b>	<b>63</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Referred to AG</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Cases Referred to the EC</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>3</b>	<b>6</b>	<b>41</b>
<b>Cases Closed No Violation</b>	<b>5</b>	<b>15</b>	<b>86</b>

\* Currently 25 Open Cases with Unsigned Settlement Agreements

### 3. Breakdown of New Cases:

Type of Violation	February 2016	2016 Total	2015 Total	Outcome of Closed* 2015 Cases(Violation or No Violation)
Subdivision Creating Substandard Lots		1	2	V-1 NV-1
Subdivision due to number of lots	2	2	21	V-11 NV-7
Subdivision in Resource Management	1	4	10	V-0 NV-4
Wetland Subdivision			17	V-15 NV-1
Wetland Disturbance	1	7	55	V-20 NV-14
Rivers Project		1	5	V-5 NV-0
Permit Violation	2	2	27	V-6 NV-3
SFD in CEA			0	V-0 NV-0
Hunting/Fishing cabin >500 sq ft			0	V-0 NV-0
Structure >40' height		1	2	V-0 NV-1
Clearcut >25 Acres			1	V-0 NV-1
Commercial Use		1	3	V-1 NV-0
Junkyards		1	1	V-0 NV-1
Campgrounds			2	V-0 NV-1
Mobile Home Court			0	V-0 NV-0
Shoreline Setback	2	3	44	V-9 NV-22
Shoreline Cutting		2	8	V-0 NV-6
Waste Disposal Area			2	V-0 NV-1

<b>Septic Setback</b>			<b>0</b>	<b>V-0 NV-0</b>
<b>Sand and Gravel Excavation</b>			<b>1</b>	<b>V-0 NV-1</b>
<b>Multiple Family Dwelling</b>			<b>2</b>	<b>V-1 NV-1</b>
<b>Tourist Accommodation</b>		<b>1</b>	<b>0</b>	<b>V-0 NV-0</b>
<b>25% Expansion</b>			<b>0</b>	<b>V-0 NV-</b>

\*Annual calculation of closed cases only, remaining cases under investigation as of 12/31/15

#### 4. Salesweb Monitoring 2016:

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	<b>12</b>	<b>1</b>	<b>8</b>
February	<b>7</b>	<b>0</b>	<b>7</b>
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL			

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

Two enforcement cases were resolved by settlement agreements executed in **February 2016** as follows:

**SETTLEMENT OF SUBDIVISION VIOLATIONS (1)**

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.

- **RESOURCE MANAGEMENT SUBDIVISION (1)**

E2016-0001A, Lutz, William H. & Janice R. (Clifton, St. Lawrence County)

**SETTLEMENTS OF OTHER VIOLATIONS (1)**

**E2015-0170, Berlin (Chester, Warren County)**

Construction of a single family dwelling, on-site wastewater treatment system, well in 2004, in locations other than what was approved by Permit 85-45. Construction of a driveway in noncompliance with Permit 85-45. Undertaking construction of a garage in 2015 that was not approved by Permit 85-45. Settlement recognizes single family dwelling, on-site wastewater treatment system, well, and garage as lawful. Settlement requires implementation of erosion controls related to construction of the garage, installation of a driveway culvert, and upgrading the wastewater treatment system upon replacement or failure. Settlement places restrictions on building colors, lighting, vegetation removal on the property, and requires filing in the County Clerk's Office.

### **Inter-Division Coordination**

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

	<b>February 2016</b>	<b>2016 Total</b>	<b>2015 Total</b>
<b>Jurisdictional Determinations Issued from Enforcement</b>	<b>2</b>	<b>6</b>	<b>62</b>
<b>Project Pre-applications Assigned to Enforcement Staff</b>	<b>5</b>	<b>7</b>	<b>38</b>
<b>Permit Applications Assigned to Enforcement Staff</b>	<b>11</b>	<b>19</b>	<b>74</b>
<b>Site Visits by Enforcement Staff for Review of Project Applications</b>	<b>3</b>	<b>6</b>	<b>49</b>
<b>Permits Issued With Enforcement Staff as Assigned Project Review Officer</b>	<b>1</b>	<b>5</b>	<b>21</b>
<b>Shoreline Photo Inventories</b>	<b>0</b>	<b>0</b>	<b>15</b>