



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: May 31, 2018

RE: March, April, and May 2018 Enforcement Program Report

The following is the Enforcement Program Report for the months of March, April, and May 2018, 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.

	March 2018	April 2018	May 2018
Beginning of Period	159	158	162
Cases Opened	12	11	20
Cases Closed	13	7	12
End of Period	158	162	170

2. Detailed description of enforcement program activity.

	March 2018	April 2018	May 2018	Total 2018
New Cases Opened	12	11	20	63
Site Visits	0	13	21	39
Settlement Agreements Sent*	5	6	6	41
Settlement Agreements Signed	5	2	2	20
Notice of Violation or Hearing Sent	0	0	0	0
Cases Referred to Attorney General	0	0	0	0
Cases Referred to Enforcement Committee	0	0	0	0
Compliance w/o Settlement Agreement	3	2	1	12
Cases Closed No Violation	4	2	6	22

* 20 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened:

Alleged Violation	March 2018	April 2018	May 2018	2018 Total
Substandard Lot Subdivision	2	2	3	7
Lot Counting Subdivision	1	0	1	3
Resource Management Subdivision	1	1	1	5
Critical Environmental Area(CEA) Subdivision	1	0	0	1
Wetland Subdivision	1	1	0	9
Wetland Project	1	2	1	6
Development in River Area	0	0	0	0
Permit Violation	2	3	5	13
Development in CEA	0	0	1	1
Structure Over 40 Feet	0	0	0	0
25-Acre Clearcut	0	1	1	2
Commercial Use	0	0	1	3
Junkyard	1	0	0	1
Campground	0	0	0	0
Shoreline Structure Setback	1	1	4	7
Shoreline Cutting	1	0	0	2
Waste Disposal Area	0	0	0	1
Commercial Sand and Gravel Extraction	0	0	1	1
Dwelling in Resource Management	0	0	0	0
Septic w/in 100' of a wetland	0	0	1	1

4. **Salesweb Monitoring 2018:**

Month	Subdivisions In Park	Cases Opened	Subdivisions Reviewed as JIF or Permit
January	10	2	6
February	13	1	10
March	6	0	2
April	9	0	3
May	5	0	4
June			
July			
August			
September			
October			
November			
December			
TOTAL	43	3	25

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

Nine enforcement cases were resolved by settlement agreements executed in **March, April, and May 2018** as follows:

E2017-0152, Mehalic and Keating, (Harrietstown, Franklin County)

Shoreline cutting and wetland fill on Oseetah Lake. Settlement requires planting of shrubs within 6 feet of the mean high water mark and trees within 35 feet of mean high water mark. Settlement requires removal of wetland fill and places restrictions on future shoreline vegetation removal. Settlement requires payment of a \$250 civil penalty and filing in the County Clerk's Office.

E2018-0004A, Vater, (Clifton, St. Lawrence County)

Resource Management subdivision within a highway critical environmental area in 2017 and placement of a mobile home in Resource Management in 1974. Settlement recognizes lot and mobile home as lawful, allocates principal building potential, requires review of future subdivision and certain development activities, restricts vegetative cutting, and requires filing in the County Clerk's Office.

E2017-0009, Burch, (Fort Ann, Washington County)

Expansion of an accessory structure shed within the shoreline setback of Hadlock Pond in 2016. Settlement requires removal of a portion of the structure, implementation of a planting plan and stormwater control measures, and filing in the County Clerk's Office.

E2012-0054A, Napper, (Saranac, Clinton County)

Subdivision involving wetlands and creating 10 or more lots in Low Intensity Use in 2012. Settlement recognizes lot as lawful, allocates principal building potential, requires Agency review of future subdivision and certain development activities, and requires filing in the County Clerk's Office.

E2018-0016, Powers, (Caroga, Fulton County)

Subdivision involving wetlands and creating a substandard-sized lot in Low Intensity Use in 2017. Settlement requires lot to remain merged with adjacent property and filing in the County Clerk's Office.

E2014-0111A, Stipo and Bennett, (Ticonderoga, Essex County)

Subdivision involving five or more lots in Rural Use and creating a substandard-sized lot in Rural Use without a valid permit in 2013. Settlement recognizes lot and existing dwelling as lawful, allocates principal building potential, requires Agency review of future subdivision or development, requires Agency review of any septic replacement, and requires filing in the County Clerk's Office.

E2018-0029A, Fox, (Black Brook, Clinton County)

Subdivision involving wetlands in 2016 without a valid permit. Settlement recognizes lot as lawful and allows for the construction of one single family dwelling subject to conditions. Settlement requires filing in the County Clerk's Office.

E2016-0152A, Saldon, (Russia, Herkimer County)

Subdivision involving wetlands in 2016. Settlement recognizes property as lawful, allocates principal building potential, requires Agency review of future subdivision and certain development, and requires filing in the County Clerk's Office.

E2004-0110VV, Nielson and Hart, (Watson, Lewis County)

Subdivision in 1995 involving wetlands, creating a substandard-sized Rural Use lot, involving five or more lots in Rural Use, and involving fifteen or more lots in Moderate Intensity Use. Settlement recognizes property as lawful and restricts it to no principal buildings. Settlement requires Agency review of future subdivision or development, limits deeded or contractual access through the lot to Beaver Lake, and requires filing in the County Clerk's Office.

6. Inter-Division Coordination

	March 2018	April 2018	May 2018	2018 Total
Jurisdictional Determinations Issued from Enforcement	5	3	4	15
Project Pre-Applications Assigned to Enforcement Staff	12	2	1	16
Permit Applications Assigned to Enforcement Staff	6	7	3	25
Site Visits by Enforcement Staff for Review of Project Applications	4	3	11	21
Permits Issued with Enforcement Staff as Assigned Project Review Officer	5	1	3	20
Shoreline Photo Inventories	0	0	0	0