



**SLPID Meeting Minutes  
Malta Town Hall  
May 18, 2023, at 3:00 p.m.**

**Call to Order:** Chair Kathy Simmonds, 3:02 p.m.

**Roll Call Commissioners present:** Simmonds, Borisenok, Scalici, Baker, Mazzotti (via-zoom).

**Staff present:** Cristina Connolly, Lake District Administrator

**Public present:** Jon Weilbaker

**Public Comment:**

My name is Jon Weilbaker. My wife and I, Pat Tuz, are the owners of 648 Crescent Avenue, a property of interest with SLPID, seemingly in the past couple of months. In the latest SLPID meeting minutes, our property was mentioned, and I want to give an update on where we are. In the SLPID April minutes, it says there is a meeting scheduled with DEC, Dean, and Cristina to discuss this further (4/20/23 SLPID minutes-*the meeting scheduled is to discuss the mean high water level of Saratoga Lake*) that was April 20, on April 17 three days prior, we signed an order of consent to settle the notice of violation with DEC and a modest penalty and tasks to be completed in 120 days. There is no concern with the city at this point we filed a plan with them for their tasks. We hired the LA Group on retainer, with us working on a plan to fix this. So, we are not worried, and this is behind us. As soon as we are completed with DEC, we will move on with the City. I guess my biggest mistake in this thing was thinking that I could somehow negotiate around the permit process. I will take full credit for that error. But that said, I am disappointed with SLPID and feel that SLPID threw us under the bus. We are neighbors on the lake, and SLPID should have come to our house and knocked on our door instead of discussing it with DEC. I work from home and am there every day. Cristina, you live a mile from us; you should have done that instead of talking to DEC. And in the future, there are lies about DDT and building another house on the premises that are going around, and we need to stop this. You are hurting your own credibility because now all of our partners, who are the LA Group, the lawyers (SLPID attorney) Michelle Anderson and Matt Jones, see all through this.

Commissioner Borisenok asked to comment. Chair Kathy Simmonds replied yes, and frankly, I am a little surprised about what you are saying as I spoke with your wife.

Mr. Weilbaker interrupted, my wife sent you an email on January 12, and still, you or no one from SLPID came to my house.

Chair Simmonds replied I spoke with your wife at that point, and I remember it very well as I was on vacation, and I believe DEC was already there, and yes, I have never been on the site or needed to.

Mr. Weilbaker said yes, you spoke with my wife on January 12 telling you, and you never came to see the site. This is now May, and still, you have not come to my house.

Chair Simmonds said you are right; I have yet to go to your house.

Mr. Weilbaker interrupted; well, there were concerned people around the lake who were making a lot of phone calls about the work on our property and the lake, and DEC does not drive around the lake. They react to calls. The source of those calls, I know who they are, but I am not at liberty to promote that.

Commissioner Simmonds said SLPID and Cristina advocate for the preservation of the lake.

Mr. Weilbaker interrupted, saying that whoever made the calls was not advocating for the preservation of the lake. The phone calls were that Jon and Pat are building a driveway down to the lake and a house, which set off the City of Saratoga Springs. This is not the preservation of the lake, making phone calls saying we are building a road down to the lake.

Chair Simmonds said this is the first time I heard about a house or DDT but thank you for moving forward and correcting the violations to make it right.

Mr. Weilbaker replied well, they are not right yet, but we will be working on them.

Commissioner Borisenok asked to address Jon Weilbaker, saying from my standpoint, I was in a similar situation but on the other side, from an organization that your wife stands behind. I was on the other side but the opposite of you, being that I had all my permits in place for my work.

Yet, an organization your wife is behind, was out there non-stop in the press that I was an illegal tree cutter. I had all my permits, whereas you do not. Yet for me, it was blasted out in the press and several times in the Times Union saying otherwise. I understand how some rumors can get started in that respect, and I never heard of DDT or another house being built.

Now, our job is for the protection and preservation of Saratoga Lake. That is what each one of the towns and county supervisors appointed us as commissioners to do. I do know that there was a DEC violation and other violations on your property, which is certainly under our compass to react just like anybody else would be doing, such as the phone calls you mentioned. So, John, please stay on a factual basis, and if SLPID finds a DEC violation on the lake, it is our authority and jurisdiction as a legislative body to investigate and speak with DEC.

Please stay on the fact that SLPID certainly does play a factor in working alongside DEC and the towns to protect within the Lake District, and SLPID is not at fault for your violations or for doing our job. Thank you. (attached to the minutes are DEC photos and violations).

**PRESENTATIONS:**

**Secretary Report (SLPID Chair)**

**\*Present April 2023 minutes.**

No Comments.

Motion to accept April 2023 minutes.

**First: Baker**

**Second: Scalici**

**All Commissioners present voted: YEAH**

**Treasurer report (Commissioner Mazzotti)**

**Financial Report:** Year-to-date operating expenses total \$63,225.14. All invoices have been paid and copied for the c\_o\_m\_m\_i\_s\_s\_i\_o\_n\_e\_r'\_s\_\_review. The remaining balance for the year is \$382,974.86, with an additional surplus of \$16,320.61. Total assets at the end of April \$1,297,683.94. Total liabilities are \$3,008.20 due to the outstanding credit card invoice.

Motion to accept the Financial Report

**First: Simmonds**

**Second: Borisenok**

**All Commissioners present voted: YEAH**

Motion to accept the paid bills. Invoices were emailed to the commissioners.

**First: Simmonds**

**Second: Baker**

**All Commissioners present voted: YEAH**

**\*Lake Administrator report: (Cristina Connolly)**

The Lake Stewards begin next week. The first full day at the NYS launch is Friday, June 26.

The weed harvesters went in the water yesterday. Some buoys are being placed today; the navigation buoys must wait until SRA has its course down. SRA leaves SLPID little time to get them in before the holiday weekend. The SLPID crew is excellent at getting jobs finished.

Cristina said that Tracey and Dean are finishing up the first draft of the stormwater regulations. When it is completed, she will forward them to everyone for review, hopefully on Monday, to give time for comments before the June 8th meeting.

At the April meeting, the SLPID commissioners requested Cristina to make contact regarding the idea of a Fish Creek reclamation project and dredging a portion of Fish Creek above the Dam to assist the dam operation in lowering water levels.

Cristina said she has communicated with the County Emergency Management office, State Homeland Security, the Dam licensing manager, and engineers at CT Male. Both the dam manager and CT Male engineers have said dredging that or any portion of Fish Creek would not affect the dam operation or the ability to lower lake levels. State Homeland Security said it would not qualify for a FEMA grant either.

Commissioner Baker asked why it would not qualify. Cristina said that to qualify; there would have to be a history of flooding concerns that would impact health and safety and prove that dredging would help, which two professionals and the dam manager have all said dredging would not make a difference.

Cristina said that the “Buffer in a Bag” plants will be picked up tomorrow. SLPID will join the town of Malta with Supervisor Hammond handing out the plants and materials at the community center after the town of Malta Memorial Day parade. There will be over 100 plants distributed, plus wildflower and grass seed packets. She will have a SLPID table with SLPID handout materials for the rest of the public.

This morning, Dan Buckley and Cristina conducted a property assessment of new home construction on the lake by Snake Hill. The property owner was very accommodating and eager to set an example for others within the Lake District to stop as much runoff into the lake as possible. This property will be a good model to show a beautiful vegetative buffer for other properties to follow. The owner agreed to take photos of the progress to use as an example on the SLPID website and promote best management practices to others.

Cristina said she sent the idea to the commissioners on soliciting SLPID volunteers for a “Lake Protector” program as eyes on the lake to assist SLPID with AIS, HAB monitoring, spreading SLPID messages to the community, and, if time allows this year, a zebra mussel count.

SLPID was asked to join Saratoga Plan, DEC, and the Lake Champlain Basin Program for a paddle to PLAN's Manning Cove Preserve. This will be an educational talk and discussion on a Holistic approach to Watershed & Invasive Species Protection, which is perfect as it is already what SLPID is doing with the stormwater regs, property assessments, and buffer program and fits right in with a “Lake Protector” program getting people directly involved and feeling ownership in the lake quality.

SLPID has also been invited on September 24, 25, and 26 to the New York Invasive Species Expo Community Conservation Day at Saratoga Spa State Park with DEC. This will aim to engage the public with exhibits, workshops, and demonstrations to learn how they can make a positive difference with invasive species and the environment more broadly. This is open to the public at no cost.

Cristina attended the NYSFOLA conference. Dean Long is a board member of NYSFOLA and spoke of SLPID's formation and its management and oversight of Saratoga Lake. Cristina asked Dean if he would do a similar presentation at the June 25th event at Browns Beach, to which he agreed.

Weed assessment so far; curly leaf pond weed is popping up throughout the lake. Cristina will continue to monitor the weed situation weekly, and when she and Dean set the thermistors, they will also take that opportunity to do so. We will keep an eye on it and keep Larry Eichler informed about his assessment and decision on herbicide treatments for 2024.

A draft 2024 budget will be forwarded to the commissioners before the June meeting for review. The budget should be finalized at the July meeting and have a public hearing and adoption at the August meeting.

A newsletter was sent to the commissioners for review. Cristina asked if there were any edits or changes to it.

Chair Simmonds asked to change the photo of the "Take the Pledge" \_photo of the perfectly manicured lawn and switch that photo out to the original image.

Cristina asked the commissioners their thoughts on her beginning a "Lake Protector" program of eyes on the lake with volunteers.

Chair Simmonds asked will there be some training. Cristina said yes. If people are interested, they could join the Saratoga PLAN, DEC, and Lake Champlain Basin paddle to learn AIS identification, and she would request PRISM to do some further training. The commissioners agreed it was a great idea. The more eyes, the better.

Commissioner Scalici asked how do we disseminate the newsletter and other SLPID information.

Cristina said SLPID has an email list and social media accounts. She also sends everything to the county supervisors, town supervisors, our website, and all the associations around the lake that she has contact with and businesses. Sometimes the towns will put the information on their websites too.

Commissioner Scalici said he would discuss disseminating information to his HOA.

Chair Simmonds asked why did the thermistors come out?

Cristina said they shut off after a certain amount of time. Dean brought them home to clean up and link again.

Can you bring them in to see what they look like? Cristina said she would get a photo of them to show the commissioners. Each thermistor is attached every two meters on a rope; the rope is attached to a cinder block anchor and a PVC pipe to keep below the surface from boats hitting them.

Chair Simmonds asked where they were located.

Cristina said two are at the deep holes of the lake, one center of the lake, just south of Waters Edge, one south of Snake Hill, and a third set in Kaydeross Creek.

**New business:** None.

**Old business:** Chair Simmonds said we had discussed the purchase of a SLPID boat several times in the past. In the past few years, we have purchased a new harvester, two new trucks, and a new conveyor, so as far as general lake maintenance is concerned, we are in good shape with that equipment. What we still need for educational classrooms and lake quality work with water testing, thermistors, lake assessments, etc., is a boat. We do have a rowboat that is being used, but it is not safe to use or great for projects, or usable for floating classrooms.

Cristina has looked around a bit, looking for something to strip down and retrofit to meet our purposes—any purchases SLPID makes over \$10,000 needs a referendum. We should consider holding a public referendum in case we need to go over \$10,000.

Chair Simmonds said, in the past, we spoke of a not to exceed \$35,000.

Cristina replied yes, that was the past discussion. She hopes to find the right boat and motor for around \$20 - \$25,000.

Cristina has been looking, and there are two at Point Breeze Marina that could work. They are both smaller than hoped, but she is keeping those in mind.

Tom at Point Breeze does not think a tritoon is needed as long as we purchase a solid boat. Commissioner Borisenok, Scalici, and Baker did not believe a tritoon was necessary; the motor was more critical.

Cristina said she is talking with Point Breeze and searching online for a solid boat for \$5,000-\$10,000 and then purchasing a new motor installed for \$10,000.

Commissioner Baker asked Where you would keep it. Cristina said at her house, until Mangino's or South Shore is in place. Then, we can keep the boat at one of those locations and always have it available for emergency use with the Marine Patrol and Fire Department.

Commissioner Baker asked if there was any room where we keep the harvesters.

Cristina said there is no room there; it is already pretty tight with the harvesters and fire department.

Chair Simmonds asked whether we are all on the same page for a public referendum on June 1.

Commissioner Scalici said yes, that rowboat is not safe or practical.

Commissioner Borisenok stated yes, let's get this going, so if the right boat comes along, Cristina can go ahead and purchase it.

**RESOLUTION # 27-2023**

**5/18/23**

Whereas the Commissioners approve a referendum vote for the purchase of a boat for SLPID lake quality projects and educational use for the public. This purchase is not to exceed \$30,000.

NOW, THEREFORE, BE IT RESOLVED, the Commissioners direct the action of the District Administrator, Cristina Connolly, to advertise the referendum vote as a public notice with a referendum vote date of June 1, 2023, 2:30 – 3:00 p.m.

**First: Simmonds                      Second: Mazzotti                      All Commissioners present voted: YEAH**

**NOTICE OF REFERENDUM**

**THE SARATOGA LAKE PROTECTION AND IMPROVEMENT DISTRICT (SLPID)**

Notice is hereby given that at an election to be held on June 1, 2023, 2:30-3:00 p.m. at the Malta Town Hall, the following question will be submitted to a vote of the people owning real property within the Saratoga Lake Protection and Improvement District

**Should the Saratoga Lake Protection and Improvement District (SLPID) purchase a boat to be used for the District's lake quality projects and educational use with a total not to exceed \$30,000?**

Acceptable photo identification will be required to vote in this election.

Commissioner Simmonds made a motion for a public referendum on June 1 from 2:30 p.m.- 3:00 p.m. at the Malta town hall, with a public meeting 3:00 p.m. – 3:30 p.m.

**First: Simmonds                      Second: Mazzotti A                      All Commissioners present voted: YEAH.**

Commissioner Simmonds motioned to set the next SLPID regular meeting on June 15, from 3:00 – 4:00 p.m. at Malta town hall.

**First: Simmonds                      Second: Mazzotti                      All Commissioners present voted: YEAH.**

Commissioner Simmonds made a Motion to suspend the meeting at 3:35 p.m. to go into executive session to discuss a legal matter.

**First: Simmonds S                      econd: Scalici                      All Commissioners present voted: YEAH**

Commissioner Simmonds motioned to reenter the public meeting and adjourn the public meeting at 3: 50 p.m.

**First: Simmonds                      Second: Mazzotti                      All Commissioners present voted: YEAH.**

Page 1 of 3

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, Bureau of Ecosystem Health, Region 5  
 232 Golf Course Road, Warrensburg, NY 12885  
 P: (518) 623-1203 | F: (518) 623-3603  
 www.dec.ny.gov

Prepared: 2/23/2023

<b>Project</b>	Violation at 648 Crescent Ave
<b>Facility Address</b>	648 Crescent Avenue, Saratoga Springs, New York
<b>Tax ID</b>	180.17-1-5 & 180.69-2-21.1
<b>County</b>	Saratoga
<b>Town</b>	Saratoga Springs
<b>Site Visit Date</b>	02-21-2023
<b>Department Staff Present</b>	Amanda Vescovi (Biologist), Carrick Palmer (Fish and Wildlife Technician; BEH), DLE (Mark Klein?), Julian Fonseca (City of Saratoga; Engineer)
<b>Attendees</b>	Jon Weilbaker (landowner)

Amanda Vescovi (Biologist), Carrick Palmer (Technician, BEH), an officer from DLE (Mark Klein?), and Julian Fonseca (City of Saratoga; Engineer) arrived on site around 1000 on February 21, 2023 and met with Jon Weilbaker (property owner). The purpose of the site visit was to:

- 1) further discuss the enforcement action, including a mean-high water level (MHWL)/ordinary high water mark (OHWM) determination;
- 2) discuss the steps needed for restoration; and
- 3) determine what permits will be needed to complete your project

The visit began with Vescovi asking what Weilbaker's plans are for the property. Weilbaker explained how he had recently purchased the house on the property, and he wanted a driveway/road leading down to his waterfront. He indicated the intention of the driveway was so he and his family would be able to access the waterfront. Vescovi asked if Weilbaker intended on having any vehicles or vessels (boats, jet skis, etc.) entering from the driveway. Weilbaker replied no and that any vessels would be placed in the water via the opposite side of the lake. Weilbaker was most likely referring to the Saratoga Lake State Boat Launch off of Route 9P. Vescovi then mentioned how the driveway he had installed was on a significant slope and the Department likely wouldn't have permitted it given the potential for runoff and the gravel fill entering the lake. Vescovi found it hard to believe that Weilbaker's intentions for the driveway were to solely have foot access to the waterfront. Vescovi asked Weilbaker why he chose to line the driveway with gravel and he replied it was to prevent erosion. Vescovi mentioned if Weilbaker wanted to prevent erosion



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he shouldn't have cut down all the trees on the slope. Trees act as a natural soil stabilizer. Vescovi noted how some of the tree cutting appeared to be old and some was new. Vescovi then mentioned how the Department had received his slope report, but the content of the report indicated further analysis was needed. Weilbaker agreed and confirmed this.

Vescovi asked Weilbaker for his contractor's name and contact information. Weilbaker gave Vescovi the information. The work was completed by Mike Anusesky of Colonial Excavating - (518) 369-5947, 38 Gronczniak Road Stillwater, NY 12170.

Vescovi then asked if there were any additional plans for the property. Weilbaker replied he had plans from the Doc Doctors to install a dock. Vescovi mentioned how depending on the design and materials, the dock may need a permit. Vescovi reiterated that given Weilbaker is under an active enforcement action, he would not be able to receive any permits at this time from the Department. Vescovi then asked if Weilbaker could send her the plans for his dock. Weilbaker agreed to send the dock plans.

Vescovi then flagged the mean high water level (MHWL), while Palmer took photos. The area where riprap and gravel were placed made it extremely difficult to determine the MHWL. Much of the silt fence along the southern portion of the property was placed below the MHWL. However, the silt fence along the northern portion of the adjacent property appeared to follow the MHWL. Silt fence was not buried. Contractor placed rocks and tree limbs to hold material down. Vescovi noted the presence of wetlands on the property. Although the property has a significant slope, a good portion west of the shoreline exhibited wetland characteristics (i.e., vegetation, surface water/seepage). Dominant vegetation species included, common reed (*Phragmites australis*), skunk cabbage (*Symplocarpus foetidus*), silky dogwood (*Cornus amomum*), and willow sp. This wetland area extended approximately 10-30ft upslope (west). The area has been significantly disturbed with tree cutting and vegetation removal.

Vescovi observed a drainage pipe contributing surface flows down the slope of the driveway. Vescovi has concerns regarding this flow, as it will likely wash gravel and substrate repeatedly downhill into the lake due to the steep slope of the property. Vescovi expressed similar concerns regarding how heavy rain events could also cause erosion and result in material entering the lake. Vescovi indicated to Weilbaker that the property would have to be graded in such a way to prevent fill (i.e., eroded material, gravel from the driveway, etc.) from entering the lake. Vescovi then indicated how Weilbaker would face re-occurring violations if he did not change the existing slope. Vescovi further discussed remediation with Weilbaker. She indicated how the fill material (riprap and gravel) would have to be removed from below the MHWL and the area sloped to prevent reoccurring fill from entering the lake. She continued by stating how she would not require any additional plantings, as the shoreline appeared to have remaining dogwood and other plants which would likely regrow. There were also stumps left in place. Weilbaker expressed interest in providing additional plantings even-though Vescovi expressed how they wouldn't be required. Vescovi mentioned how she could send Weilbaker a list of shoreline plants that

2



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would work well. Vescovi also indicated how the U.S. Army Corps of Engineers might require different things for their restoration effort given wetlands were damaged.







# City of Saratoga Springs

## NOTICE OF VIOLATION AND ORDER TO REMEDY

### BUILDING DEPARTMENT

Patrick Cogan, Asst. Bldg Inspector  
Duane Miller, Asst. Bldg Inspector  
Jeanna Fritz, Asst. Bldg Inspector  
John Barney, Asst. Bldg & Const. Inspector  
Richard Tiersch, Asst. Bldg & Const. Inspector

### CODE AND ZONING ENFORCEMENT

John Donnelly, Code Administrator  
Julian Fonseca, Code Enforcement Technician

### FIRE DEPARTMENT

Aaron Dyer, Asst. Chief  
Jason Yourdon, Capt.  
Nick Colucci, Lt  
Matthew Stefanacci, Lt

Name of Person/Entity: Pat W. Tuz

Registered Agent: Jon Weilbaker

Location of Violation: 648 Crescent Avenue, Saratoga Springs, New York 12866

Location of Person/Entity: 648 Crescent Avenue, Saratoga Springs, New York 12868

Date of Observation: 3/13/2023

Tax Parcel Number: 180.17-1-5

Please note the following violations(s) of either: Title 19 of the New York State Code Rules and Regulations; Executive Law § 382; 2020 NYS Uniform Building Codes; the Multiple Residence Law; and/or the Saratoga Springs City Code exist as outlined below:

1. IN VIOLATION OF: Saratoga Springs unified Development Ordinance

CODE: SSUDO

CHAPTER: 9

SECTION: 2 Steep Slope Preservation

C. Disturbance Permissions

1. No more than 30% of steep slope areas can be disturbed, developed, cleared, graded, regraded or stripped of vegetation.
2. No more than 10% of very steep slope areas can be disturbed, developed, cleared, graded, regraded or stripped of vegetation.
3. No part of slopes over 35% can be disturbed, developed, cleared, graded, regraded or stripped of vegetation.
4. Earth moving activities and vegetation removal must be conducted only to the extent necessary to accommodate proposed uses and structures and in a manner that does not cause excessive surface water runoff, erosion, sedimentation, and unstable soil condition.

### DESCRIPTION OF THE VIOLATION:

The owner of the premises and/or registered agent is violating the Saratoga Springs Unified Development Ordinance by disturbing the land with a very steep slope and doing so without a site plan. The work conducted at the above cited property violates this provision with respect to multiple codes, including but not limited to those pertaining to site plan review, watercourse/wetland permit and a land disturbance activity permit.

### TO MEET COMPLIANCE:

To meet compliance: The owner of the premises and/or registered agent must immediately cease all activity governed by the Saratoga Springs Unified Development Ordinance and obtain the proper approvals from the City of Saratoga Springs Zoning/Planning Department.

2. IN VIOLATION OF: Saratoga Springs unified Development Ordinance  
CODE: SSUDO  
CHAPTER: 13  
SECTION: 5 Site Plan Review

3. Site Plan Review Site plan review requires the approval of the Planning Board.  
The following are subject to Planning Board site plan review:  
f. Development, including additions or expansions, in steep slope areas per Section 9.2.

DESCRIPTION OF THE VIOLATION:

The owner of the premises and/or registered agent is violating the Saratoga Springs Unified Development Ordinance by failing to ensure the land(s) located at the above cited property have been altered with the benefit of a site plan review and corresponding inspection schedule. The work conducted at the above cited property violates this provision with respect to multiple codes, including but not limited to those pertaining to site plan review, watercourse/wetland permit and a land disturbance activity permit.

TO MEET COMPLIANCE:

The owner of the premises and/or registered agent must immediately cease all activity governed by the Saratoga Springs Unified Development Ordinance and obtain the proper approvals from the City of Saratoga Springs Zoning/Planning Department.

3. IN VIOLATION OF: Saratoga Springs unified Development Ordinance  
CODE: SSUDO  
CHAPTER: 13  
SECTION: 6 Watercourse/Wetland Permit

A. Purpose

A Watercourse/Wetland Permit is required within the Watercourse Protection Overlay District, as defined in Sections 7.1.D and E, to protect City watercourses, wetlands, and adjacent lands to minimize sedimentation and erosion, reduce excessive flooding, prevent degradation or loss of stream-related wetlands, flora and fauna, control watercourse and wetland pollution, and enhance recreational and visual amenities.

DESCRIPTION OF THE VIOLATION:

The owner of the premises and/or registered agent is violating the Saratoga Springs Unified Development Ordinance by failing to ensure the land(s) located at the above cited property have been altered with the benefit of a watercourse/wetland permit. The work conducted at the above cited property violates this provision with respect to multiple codes, including but not limited to those pertaining to site plan review, watercourse/wetland permit and a land disturbance activity permit.

TO MEET COMPLIANCE:

The owner of the premises and/or registered agent must immediately cease all activity governed by the Saratoga Springs Unified Development Ordinance and obtain the proper approvals from the City of Saratoga Springs Zoning/Planning Department.

4. IN VIOLATION OF: Saratoga Springs unified Development Ordinance  
CODE: SSUDO  
CHAPTER: 13  
SECTION: 7 Land Disturbance Activity Permit

C. Applicability

A land disturbance activity permit is required before undertaking the following activities, unless these activities have been authorized as part of an approved site plan or subdivision plan:

1. Within the RR District: Any activity affecting one acre or more that changes the natural topography, removes or disturbs the topsoil, or removes more than 15% of trees over four inches in diameter at breast height (dbh).

**DESCRIPTION OF THE VIOLATION:**

The owner of the premises and/or registered agent is violating the Saratoga Springs Unified Development Ordinance by failing to ensure the land(s) located at the above cited property have been altered with the benefit of a land disturbance activity permit and corresponding inspection schedule. The work conducted at the above cited property violates this provision with respect to multiple codes, including but not limited to those pertaining to site plan review, watercourse/wetland permit and a land disturbance activity permit.

**TO MEET COMPLIANCE:**

The owner of the premises and/or registered agent must immediately cease all activity governed by the Saratoga Springs Unified Development Ordinance and obtain the proper approvals from the City of Saratoga Springs Zoning/Planning Department.

ALL COMPLIANCE WITH THIS ORDER TO REMEDY VIOLATIONS OF THE STATE CODE IS REQUIRED BY April 12, 2023, WHICH IS 30 DAYS AFTER THE DATE OF THIS ORDER. IF THE PERSON OR ENTITY SERVED WITH THIS ORDER TO REMEDY FAILS TO COMPLY IN FULL WITH THIS ORDER TO REMEDY WITHIN THE 30 DAY PERIOD, THAT PERSON AND/OR ENTITY WILL BE SUBJECT TO A FINE OF NOT MORE THAN \$1,000.00 DOLLARS PER DAY OF VIOLATION, OR IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BOTH.

Hearing and appeal from cited violations of the New York State Code Rules and Regulations may be made pursuant to the Executive Law of the State of New York, Article 18, Section 381(f) by contacting: N.Y.S. Dept. of State, Codes Division, One Commerce Plaza, 99 Washington Ave., Suite 1160, Albany, NY 12231 518-474-4073

Dated: March 13, 2023



John T. Donnelly III, Code Administrator  
Department of Public Safety, City of Saratoga Springs  
5 Broadway, Suite 5A  
Saratoga Springs, New York 12866  
Phone: (518) 587-3550 Ext. 2634  
Email: john.donnelly@saratoga-springs.org













