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In the matter of the apparent
violations of Section 809 of
the Executive Law by:

AFFIRMATION

Agency File E2007-041

LEWIS FAMILY FARM, INC.

Respondent.
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STATE OF NEW YORK)
) ss:
COUNTY OF ESSEX)

PAUL VAN COTT, an attorney licensed to practice law in the
courts of the State of New York, affirms under penalty of
perjury:

1. I am an Associate Attorney for the Adirondack Park
Agency (the "Agency") and have served as the Agency's
Enforcement Attorney since 2001. In this role, I am
responsible for administrative enforcement of the
Agency's laws and regulations, including in the Town of
Essex, Essex County.
2. I am familiar with the file in this matter and ~~make~~
this affirmation in support of Agency staff's request
for an Enforcement Committee determination in this
matter.

3. Respondent commenced a declaratory judgment action challenging the Agency's enforcement in this matter by order to show cause in NYS Supreme Court, Essex County. In response, with the representation of the Attorney General's office, Agency counsel John Banta, Agency attorney Sarah Reynolds, Agency enforcement officer Douglas Miller, and Agency project review officer John Quinn provided affidavits in support of the Agency's motion to dismiss Respondent's action. Those affidavits are attached hereto as Exhibit A.
4. The Court granted the Agency's motion in a decision and order issued August 16, 2007. The decision was served on Respondent's on August 31, 2007. A copy is attached hereto as Exhibit B.
5. On August 31, 2007, Agency staff telefaxed a letter to Respondent's lawyers advising them of ongoing construction on Respondent's new single family dwellings and that the June 27, 2007 Cease and Desist Order remained in effect (Exhibit C). In that letter, I asked whether Respondent would comply with that Order.

6. Agency staff commenced this proceeding by Notice of Apparent Violation ("NAV") served on Respondent on September 5, 2007, and Respondent timely responded to the NAV.

DATED: Ray Brook, New York
December 13, 2007

A handwritten signature in black ink, appearing to read "Paul Van Cott", written over a horizontal line.

Paul Van Cott, Esq.

AFFIRMATION OF PAUL VAN COTT
DATED DECEMBER 13, 2007

EXHIBIT A