

STATE OF NEW YORK: ADIRONDACK PARK AGENCY

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In the matter of the apparent
violations of § 809(2)(a) of
the Adirondack Park Agency Act
by:

LEWIS FAMILY FARM, INC.

CEASE AND DESIST ORDER
Agency File #E2007-041

Respondent, on lands situated in
the Town of Essex, Essex County
(Tax Map Parcel 49.3-2-27)
LUA: Resource Management/Hamlet/Rural Use

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NOTICE: YOU ARE HEREBY ORDERED, PURSUANT TO 9 NYCRR §581-2.4, TO
CEASE AND DESIST ANY AND ALL LAND USE AND DEVELOPMENT RELATED TO
THE CONSTRUCTION OF THE SINGLE FAMILY DWELLINGS ON THE SUBJECT
PROPERTY AS DESCRIBED IN PARAGRAPHS 3 AND 4 BELOW. ANY SUCH
CONSTRUCTION ACTIVITY IS PROHIBITED UNTIL THIS MATTER IS
RESOLVED, THE ENFORCEMENT CASE IS CONCLUDED, AND/OR AN AGENCY
PERMIT AUTHORIZING SUCH LAND USE AND DEVELOPMENT IS ISSUED AND
RECORDED. YOUR FAILURE TO ABIDE BY THIS ORDER MAY RESULT IN THE
IMMEDIATE REFERRAL OF THE APPARENT VIOLATIONS IN THIS MATTER TO
THE ATTORNEY GENERAL FOR CIVIL PROSECUTION.

WHEREAS:

1. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any single family dwelling on Resource Management lands in the Adirondack Park.
2. Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the undertaking of any subdivision of Resource Management lands in the Adirondack Park.
3. Agency investigation reveals that Respondent is undertaking the construction of two post-1973 single family dwellings on Tax Map Parcel 49.3-2-27. These dwellings are located immediately to the north and east of the intersection of Whallons Bay Road and Christian Road on the subject property. No permit was obtained from the Agency prior to the undertaking of the construction of these two single family dwellings.

4. Agency investigation reveals that Respondent is undertaking a subdivision into sites of the subject property pursuant to the construction of the two post-1973 single family dwellings described in Paragraph 3 above, as well as the construction of a third, proposed replacement single family dwelling also located immediately to the north and east of the intersection of Whallons Bay Road and Christian Road. No permit was obtained from the Agency prior to the undertaking of this subdivision into sites of the subject property.

NOW, THEREFORE, IT IS ORDERED:

- I. Pursuant to 9 NYCRR §581-2.4, Respondent and its agents shall cease and desist from any and all land use and development related to the construction of the single family dwellings described in Paragraphs 3 and 4 above until this matter is resolved and the enforcement case is concluded.
- II. This order shall bind Respondent, its agents, successors and assigns.
- III. Respondent may address any and all communications with the Agency concerning this matter to Enforcement Attorney Sarah Reynolds at the Agency's headquarters.

Dated: June 27, 2007
Ray Brook, New York

ADIRONDACK PARK AGENCY

BY: Mark Sengenberger
Mark Sengenberger
Acting Executive Director

To: David Cook, Esq. (via fax and mail)