

From: [REDACTED]
To: <dwmiller@gw.dec.state.ny.us>
Date: 3/22/2007 3:13:18 PM
Subject: silver lake follow up

Doug,

Thanks for spending time with me on the phone today to explain how things work in the APA regarding jurisdiction and land subdivision. I wanted to summarize our discussion and urge you and Paul Van Cott to continue to exercise maximum vigilance in keeping a close eye on developments on Silver Lake.

As I mentioned to you on the phone, Leroy Douglas stated in public at the March 20, 2007 Blackbrook Town Planning Board meeting that he owns (in his words) 4.5 miles of lakefront on Silver Lake. He intends to subdivide ALL of his holdings over the coming few years into the maximum allowable number of lots and sell them off. He intends to subdivide in small increments to keep away from being jurisdictional within APA rules. John Davis and two other staff members of the Adirondack Council were personally at that meeting and heard him make this statement. You have seen how he raped the land in this first subdivision and I would expect that future efforts would be no different.

Here are a few things we discussed:

1) Knowing Douglas' intentions, can the APA rescind his letter of non-jurisdiction for the nine lot subdivision that you provided him in November, 2006 and ask him to prepare an entire master plan for all of his holdings to insure that the character of Silver Lake is not ruined slowly and inexorably over 5-10 years of sub-division. Note that his properties are not all contiguous and may be registered as different lots from before 1973.

2) Douglas has not yet fixed the wetland violation from 2006 on the land slated for this subdivision. In fact, he is in violation of the letter you sent him to repair the land since it was supposed to be completed in 2006. You will send him a letter that he must comply and request that he get an outside contractor to complete the work properly. You will also send a letter to the Town of BlackBrook supervisor and town code enforcement officer stating that this violation has not been corrected and is now being re-opened into an open enforcement file. Further, you will request that the town not give him a subdivision permit until this enforcement action is completely fixed to your satisfaction. Please be sure to communicate this to Blackbrook in writing. (I would like a copy of anything that you send to them as well sent to me [REDACTED])

3) If possible, the APA should revoke in writing the letter of non-jurisdiction sent to Douglas in November, 2006 for this subdivision due to his being in violation of an open enforcement case at this time. Again, send copies to the Blackbrook people and to me.

4) The 2003 clear cutting of trees along the shoreline on this same property was reported to the APA. Susan Parker handled this case. Paul Van Cott told me that this case was resolved by Douglas planting 12 trees along the shoreline. If you check out the Douglas website and the real estate listings section with a 360 degree view of this same property, you will see NO TREES! The new trees are not there. This is still in violation of the APA demand that he replant trees. Please open this file up and enforce your decree with him. Again, notify the town and me in writing that there is an active and open violation on this property. Here is a link to the exact page where you can see the cleared lake shore.

http://www.douglasresort.com/real_estate/index.html
(http://www.douglasresort.com/real_estate/index.html)

5) I will check on the town law regarding a need for a public road to access each lot in this subdivision and report back to you on that. If there is a requirement that a town road or homeowner association-owned road be put in place and that all properties have direct access to a road, that will mean that the road will be owned by another entity and become the 10th parcel, forcing the plan to become APA jurisdictional. I will let you know what I learn regarding that matter.

Doug and Paul, this is an urgent matter. Silver Lake could be in great jeopardy of becoming just like Fern Lake!!!! Your immediate and stern action is required. I am prepared to support whatever you can do here with my own legal team to back you up and help with research and other tasks. Please deal with this with all the force that the APA has in its arsenal. [REDACTED]

[REDACTED] I know that the Park is a tricky place to manage and that many things are not simply black and white, but rather gray and murky. But I also know that I can count on you to be vigilant in a case of supreme threat to a beautiful and pristine lake community.

[REDACTED]

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