State of New York: Adirondack Park Agency

In the matter of the apparent violation of Executive Law § 806 and 9 NYCRR Part 577 by:

AFFIDAVIT
Agency File E2004-043

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JOHN AND DAWN MAYE,

Re:	spon	den	ts	
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STATE OF NEW YORK)
) ss:
COUNTY OF ESSEX)

TREVOR FRAVOR, being duly sworn, deposes and says:

- 1. I am an Enforcement Officer for the Adirondack Park
 Agency (the "Agency"), an executive agency of the
 State of New York created pursuant to Executive Law §
 803, with offices located in the Town of North Elba,
 Essex County, New York, and have served in this
 position since 2004. In the course of my duties, I am
 responsible for investigating alleged violations of
 the Adirondack Park Agency Act, Adirondack Park Agency
 Rules and Regulations, the New York State Freshwater
 Wetlands Act, and the NYS Wild, Scenic and
 Recreational Rivers Act.
- 2. I am familiar with the file in this matter and am the Enforcement Officer who undertook Agency staff's most recent investigation into this matter. I make this

- affidavit in support of Agency staff's request for an Enforcement Committee determination in this matter.
- 3. Respondents own the subject property in the Town of Black Brook, Clinton County, pursuant to a deed recorded in the Clinton County Clerk's Office as Instrument #01-129018. Exhibit A.
- 4. The subject property is designated as tax map parcel 285-1-1 on the local tax map. Exhibit B.
- 5. The subject property is classified as Rural Use on
 Adirondack Park Land Use and Development Plan Map and
 is partially located within the Saranac River
 designated recreational river area. Exhibit C.
- 6. Based on my review of local tax assessment records (including a photograph), in 1999 Respondents constructed a 784 square foot single family dwelling on the subject property. Exhibit D.
- 7. Respondents did not seek or obtain a permit or variance from the Agency prior to such construction.
- 8. Agency staff have sought permission from Respondents to conduct a site visit on the subject property for purposes of investigating the alleged violations in this matter, and Respondents have repeatedly denied staff access to their property. Exhibit E.

9. Upon information and belief, the attached photograph from the enforcement file was taken by David Nettles, now deceased, showing Respondents' single family dwelling as it appears from the Saranac River.

Exhibit F; see Affidavit of Susan Parker, dated March 14, 2008, ¶ 5.

TREVOR FRAVOR

Sworn to before me this 18th day of March, 2008.

Notary Public

JILL LAWRENCE
Notary Parking State of New York
Qualified in Franklin County

valined in Franklin County No. 01LA6175333

,Commission Expires Oct. 9, 20