



NEW YORK STATE SENATOR

Tony Avella

## Release: Senator Avella Stands WITH Local Homeowner in Fight to Keep Seawall Protecting Vulnerable Homes

TONY AVELLA July 25, 2014

| ISSUE: **CONSTITUENTS CORNER**



*The seawall, which has been ordered to come down by the Department of Environmental Conservation (DEC), left several properties unscathed during Hurricane Sandy*

**(BAYSIDE, NY)** On Thursday, July 24<sup>th</sup>, Senator Tony Avella joined Mr. Al Risi, a local homeowner, at a press conference urging the State Department of Environmental Conservation (DEC) to allow Mr. Risi to keep his seawall which left several water front properties unscathed after Hurricane Sandy. DEC ordered the seawall to come down several years ago, stating that an inappropriate permit was used by Mr. Risi for the construction. In fact, DEC is now demanding that Mr. Risi set back the seawall a total of

80 feet, which is five feet further than the original structure.

Despite paying an excess amount in fines for the violation, Mr. Risi was taken to court by DEC, who proceeded to place a lien on his home, levy an additional hundreds of thousands of dollars in fines, seize Mr. Risi's bank accounts and refuse to negotiate.

However, independent engineer and biologist reports confirm that should Mr. Risi comply with DEC's demands, his water front property will fall into the east river, exposing several of his neighbors to threats of significant erosion.

Senator Avella stated, "I am standing alongside Mr. Risi to ask the State DEC - what the heck are you doing? I have always been at the forefront of urging better enforcement by the State and the City of overzealous developers who construct monstrosities for their own profit, without any regard for the nearby community. But Mr. Risi simply protected his waterfront property from tidal waves. By constructing this seawall, he's not only protecting his own home, he is falling in line with the rest of the eight homes on this strip. Yet DEC has refused to talk to either one of us, demanding that Mr. Risi take out the seawall, leaving his home exposed to the unpredictable waters."

Mr. Risi added, "This house is my life and I need to protect it. When I bought this property, it was located in a valley, without any protection from the tidal waves. I built this seawall to become in line with the other homes on this strip. The fact is that the homes at this location require a seawall to take on the impact of the waves. My property went unscathed during Hurricane Sandy because of what I built. If I comply with DEC's demands, the impact on my house would be catastrophic. My neighbors will also become susceptible to major flooding. We are Flood Zone A properties, DEC should be able to understand that we are only trying to protect our homes."

Unfortunately, numerous requests for a sit down with DEC, made by Senator Avella in addition to Mr. Risi's attorney, have gone unanswered. Every day, Mr. Risi is accruing interest on fines resulting from a judgment issued in 2005. The judgment also stipulates that Mr. Risi must take down his seawall to a mere 20 foot property line.

Senator Avella concluded, "Mr. Risi is more than willing to compromise. He has already paid an excess amount in fines and he is willing to pay even more, despite the financial hardship it will present. The only thing he is **not** willing to do is jeopardize his property, which DEC demands be done. We have to do things differently now that New York City is prone to having a 100 year storm, every five years. DEC needs to take a step back and really think about their impossible demands in this case."

