


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit 2024-0051</p>
<p>In the Matter of the Application of</p> <p>BOQUETTE FARM PARTNERS Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act, 9 NYCRR Part 578, and 9 NYCRR Part 577</p>	<p>Date Issued: June 13, 2024</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Boquette Farm Partners</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Willsboro, Essex County.

This authorization shall expire unless recorded in the Essex County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the Essex County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

PROJECT SITE

The project site is a 294.2±-acre portion of a 333.7±-acre parcel of land located on Point Road and River Lane in the Town of Willsboro, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The project site does not include the 39.5±-acre portion of the 333.7±-acre parcel of land located on River Lane in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The 333.7±-acre parcel is identified as Tax Map Section 31.14, Block 2, Parcel 1.002 and Tax Map Section 31.9, Block 1, Parcel 10, and is described in a deed from Peter S. Paine to Boquette Farm Partners, dated February 21, 1997, and recorded February 28, 1997 in the Essex County Clerk's Office in Book 1136 at Page 144. The project site is subject to the following conservation easements held by The Nature Conservancy:

- The PSP Conservation Easement dated February 16, 1990, amended September 1, 1996, and recorded in Deed Book 1125 at Page 259 in the Essex County Clerk's Office;
- The HEP, Jr. Conservation Easement dated February 23, 1990, amended October 26, 1998 and March 1, 2001, and recorded in Deed Book 1278 at Page 176 in the Essex County Clerk's Office; and
- The Boquette Farm Partners, Eagle Eye Partners, Peleax Partners, Peter S.Paine, Jr, Hugh E. Paine, Jr. Conservation Easement dated January 4, 2002 and recorded in Deed Book 1315 at Page 183 in the Essex County Clerk's Office.

The project site contains shoreline on Lake Champlain, contains shoreline on the Boquet River, and is located within the designated Boquet River Recreational River area. The project site also contains wetlands located along the shoreline of the Boquet River and in several locations in the mid-central portion of the project site. Additional wetlands not described herein or depicted on the Subdivision Map may be located on or adjacent to the project site.

The project site is improved by a pre-existing single-family dwelling and accessory structures. The dwelling is served by on-site water supply and on-site wastewater treatment systems.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision of the 294.2±-acre project site to create Lot 1, a 280±-acre lot containing pre-existing residential development, and Lot 2, a 14.2±-acre lot containing athletic fields and an accessory structure (pavilion).

The project is shown on a Subdivision Plan titled "Map of Limited Survey Prepared for Boquette Farm Partners and Diddle LLC," prepared by Kevin A. Hall, LS, dated February 20, 2024, and received by the Agency on February 20, 2024. A reduced-scale copy of the Subdivision Plan is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands in the Adirondack Park.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Resource Management lands located within any designated recreational river area in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision in a Resource Management land use area in the Adirondack Park.

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The project shall not be undertaken until this permit has been recorded in the Essex County Clerk's Office.
2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project. Copies of this permit and Subdivision Plan shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2024-0051, issued June 13, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Subdivision Plan. Any subdivision of the project site not depicted on the Subdivision Plan shall require a new or amended permit.
6. The deed of conveyance for Lot 2 shall contain a covenant restricting the property against the construction of any single family dwelling, mobile home, or other principal building as that term is defined under the Adirondack Park Agency Act. The deed shall state that the covenant shall run with, touch and concern the

land, and that the covenant shall be enforceable by the Adirondack Park Agency and the State of New York.

7. The undertaking of any new land use or development on the project site within one-quarter mile of the Boquet River shall require a new or amended permit. The undertaking of any activity involving wetlands shall also require a new or amended permit.
8. The construction of any additional dwelling or other principal building on the project site shall require a new or amended permit. The construction of any accessory structure on the project site shall require prior written Agency authorization.
9. Construction of any guest cottage on Lot 1 shall require prior written Agency approval.
10. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Boquet River.

Docks and boathouses as defined under the Town of Willsboro land use code are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 100 feet of the mean high water mark of Lake Champlain or within 400 feet of the mean high water mark of the Boquet River in the Town's LC-R land use district.

Additional restrictions may apply under existing Conservation Easements.

11. Greater than one-quarter mile of the Boquet River, no structures greater than 100 square feet in size shall be constructed within 100 feet, measured horizontally, of the mean high water mark of Lake Champlain in the Town of Willsboro's LC-R land use district. Boathouses and docks, as defined under the Town of Willsboro land use code, are excepted from this requirement.

Additional restrictions may apply under existing Conservation Easements.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Willsboro;
- b. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or

- upon the ability of the public to provide supporting facilities and services made necessary by the project;
- c. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state;
- d. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values;
- e. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- f. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- g. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

PERMIT issued this 13th day
of June, 2024.

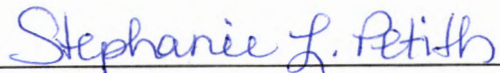
ADIRONDACK PARK AGENCY

BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 13th day of June in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Stephanie L. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025


Notary Public

N.Y.S. GRID NORTH
- 1927 DATUM -
MAP REFERENCE #8

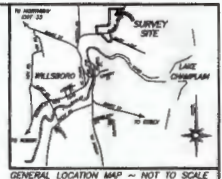
~ MAP REFERENCES ~

1. SHEET 2 OF 3 DATED NOVEMBER 11, 1983 BEING A PORTION OF A MAP OF SURVEY PREPARED AND CONTROLLED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, COUNTY OF WILKESBARRE, INC. TO CONVEY LANDS TO SPOKOR J. JOHNSON, L.S. AND FREDERICK W. VOLKMAR, L.S.
2. MAP OF SURVEY PREPARED FOR E. WILKINS DATED BY ROBERT E. KENTZ, L.S. DATED AUGUST 1, 1983 AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 2011.
3. MAP OF SURVEY PREPARED FOR PETER S. PAINE, JR. BY ROBERT E. KENTZ, L.S. DATED AUGUST 11, 1983 AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 2245.
4. MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED FOR PETER S. PAINE AND WILKESBORO SENIOR HOUSING CORP. BY NEVIN A. HALL, L.S. DATED DECEMBER 29, 1989 AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 4245. MAP REVISED MARCH 13, 1991 AND FEBRUARY 14, 1991.
5. COMPASS BEARING SURVEY FOR EAGLE EYE PARTNERS DATED JANUARY 1, 1994 BY NEVIN A. HALL, L.S. AND BEING A PART OF THE COMPOSITE AND BEING SHEETS 1 & 2 OF A DEED FROM PETER S. PAINE, JR. TO EAGLE EYE PARTNERS, DATED MARCH 30, 1993 OF PROPERTY OWNED BY FRANCIS W. PAINE, PETER S. PAINE & NEVIN A. HALL AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 4245. THE DEED PLAT BEING LAST REVISED BY NEVIN A. HALL, L.S. ON OCTOBER 16, 1996.
6. SURVEY MAP SHOWING CERTAIN LANDS TO BE CONVEYED TO THE WILKESBORO CENTRAL SCHOOL DISTRICT, DATED FEBRUARY 2, 1989 BY S.A. SUPERANO, P.C. AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 4245.
7. MAP OF SUBDIVISION PREPARED FOR BOUQUETTE FARM PARTNERS, LLC DATED AUGUST 28, 2008 BY NEVIN A. HALL, L.S. AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 5828.
8. MAP OF SURVEY PREPARED FOR CORNELL UNIVERSITY BY NEVIN A. HALL, L.S. DATED FEBRUARY 13, 2016 AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 7463.
9. MAP OF LIMITED SURVEY PREPARED FOR PETER S. PAINE, JR. BY NEVIN A. HALL, L.S. DATED OCTOBER 13, 2021 AND FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 10007.

TM# 31.9-1-11
NOW OR FORMERLY
CORNELL UNIVERSITY
PARCEL 2
BK. 754 PG. 205 - FEBRUARY 22, 1982
FROM
E. WILKINS DUNN
MAP REF. #2 - E.C.C.O. MAP No. 3011

TM# 31.9-1-18.004
EAGLE EYE PARTNERS, LLC
BK. 1130 PG. 180 - DECEMBER 17, 1996
FROM
PETER S. PAINE &
PETER S. PAINE, JR.

RECEIVED
Date February 20, 2024



~ LEGEND ~

- CA (Scale bar)
- PROPERTY LINE AND BOUNDARY (Solid line)
- BOUNDARY LINE ALONG CORNER OF ROAD (Dashed line)
- ROADS & DISTANCE FROM FIELD (Double line)
- ROADS & DISTANCE FROM MAP REF. OF ROAD (Double line with dots)
- BOUNDARY LINE ALONG BOUNDARY (Dashed line with dots)
- BOUNDARY LINE OF ROAD (Dashed line)
- RAILROAD (Line with cross-ticks)
- APPROXIMATE BOUNDARY OF ACRES (Dotted line)
- TM# 31.10-1-3 (Scale bar)

200 0 200 400 600
GRAPHIC SCALE - FEET

FARRELL A.K.A. ESSEX CO. RT. No. 62
F.K.A. ESSEX CO. RT. 27B

TM# 31.5-1-14
WILLSBORO CENTRAL SCHOOL DISTRICT
BK. 1203 PG. 281 - FEB. 24, 1999
FROM
ROBERT A. & CHRISTINE L. DUNN
FORMERLY
ROBERT A. & CHRISTINE L. DUNN
BK. 811 PG. 313 - AUGUST 71, 1988
FROM
ARTHUR & BARBARA JODKES
MAP REF. #6 - E.C.C.O. MAP No. 5080

TM# 31.8-1-05.170
LOT 3
68.2± AC.
(2.8± AC. BY ROAD BOUNDS)
PSP-4 ~ 82.7± AC. BY
E.C.C.O. MAP No. 4075
APA LAND USES - LOW INTENSITY
- HAMLET

TM# 31.8-1-05.12
WILLSBORO SENIOR HOUSING CORP.
BK. 998 PG. 134 - AUG. 30, 1991
BK. 1000 PG. 104 - JAN. 8, 1993
BK. 1004 PG. 330 - AUG. 23, 1993
FROM
PETER S. PAINE, JR.
MAP REF. #4
E.C.C.O. MAP No. 4240

TM# 31.8-1-06.1
PELEX PARTNERS, LLC
BK. 2062 PG. 108 - NOVEMBER 19, 2021
FROM
PETER S. PAINE, JR.
MAP REF. #9 - E.C.C.O. MAP No. 7885

TM# 31.8-1-10.000
LOT 2
14.2± AC.
(0.9± AC. BY ROAD BOUNDS)
PSP-5 ~ 13.3± AC. BY
E.C.C.O. MAP No. 4075
APA LAND USE - RESOURCE MANAGEMENT

TM# 31.8-1-15.111
NOW OR FORMERLY
WILLSBORO INDUSTRIES, INC.
BK. 457 PG. 150 - AUGUST 16, 1987
FROM
WILLSBORO INDUSTRIES, INC.
FORMERLY - PART OF FIRST PLAT
WILLSBORO CHERRY COMBINES, INC.
BK. 458 AT PG. 151 - AUGUST 16, 1987
FROM
GEORGE-PROVIC CORPORATION
MAP REF. #1

TM# 31.9-1-14
LAURENCE L. & DIANE L. JACQUES
BK. 715 PG. 223 - SEPT. 10, 1980
FROM
ALFRED THAY
TM# 31.10-1-10.002 OR RIVER ROAD
LOT 1
REMAINING LANDS OF
BOUQUETTE FARM PARTNERS
BK. 1136 PG. 144 - FEBRUARY 21, 1997
FROM
PETER S. PAINE
• PSP-1 ~ 280± AC. &
• PSP-2 ~ 39.5± AC. BY
E.C.C.O. MAP No. 4075
APA LAND USE - RESOURCE MANAGEMENT

FILED IN THE ESSEX CO. CLERK'S OFFICE AS MAP No. 10007
MAP OF LIMITED SURVEY
PREPARED FOR
BOUQUETTE FARM PARTNERS
AND
DIDDLE LLC
PREPARED TO SHOW TWO OF THE PARCELS OF PROPERTY OWNED BY
BOUQUETTE FARM PARTNERS - TM#31.09-1-10 & TM#31.09-1-35.11
DESCRIBED IN A DEED FROM PETER S. PAINE, JR. DATED 11.30 PAGE 144,
TOWN OF WILLSBORO ~ COUNTY OF ESSEX ~ STATE OF NEW YORK
SCALE 1" = 200'
PRELIMINARY
FEBRUARY 20, 2024

FINAL
P2024-0051

~ NOTES ~

1. UNLAWFUL ALTERATION OF RECORD TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2508, SUBSECTION 2, OF THE NEW YORK STATE EDUCATION LAW.
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
3. PROPERTY IS SUBJECT TO A CONDEMNATION EASEMENT WITH THE MAJOR CONDEMNATION ORIGINALLY RECORDED IN DATE BOOK 242 AT PAGE 28 AND ALL LATER AMENDED BY A DEED RECORDED IN BOOK 1580 AT PAGE 272.
4. SOME FEATURES ARE SHOWN FROM AERIAL PHOTOS.
5. CURVES AND WINDINGS, IF ANY, NOT SHOWN.
6. THIS MAP PREPARED AS PART OF THE JURISDICTIONAL RECORD PROCEDURE WITH THE JURISDICTIONAL PANEL.

200 0 200 400 600
GRAPHIC SCALE - FEET

NO-78-169-(2024)