

Planning Board Public Hearing
January 29, 2020

Chairman Chris Maron called the hearing to order at 7:17 p.m. with the following members present: Mr. Dwight Anson, Ms. Cynthia Fairbanks, Ms. Mary Lou Fitzgerald, Ms. Robin Severance, and Mr. Ken White. Also in attendance was Mr. George Hainer, Building Codes/Zoning Officer. Guests in attendance: Peter Gibbs, Kevin Hall, Anthony Fainberg, Diane August, James Starbuck, Wendy Meguid, Michael Fergot, Richard Fritz, and Heidi Sweet.

Chairman Maron: The first item is Todd August, Tax Map No. 76.2-1-24.100, a minor subdivision/Class B project. As the chairman of the Planning Board, I'm going to recuse myself from voting on this project. We heard part of it before, but can you briefly explain the project again?

Kevin Hall: I'm the land surveyor on this project. This is the same map that was submitted December 2, 2019. The Augusts' own four acres on Lake Champlain with 660 feet of lake frontage. The building that was here burned in 2018. We're proposing to subdivide into two lots: a 2.7 acre lot with an existing single family dwelling and new septic system, and a 1.3 acre lot that will use the existing septic system. The new boundary line was arrived at by the minimum lake frontage (200 feet) requirement the stone wall that Todd wants to keep on his parcel. We marked the end of that and maintained the 30 foot setback to create a building envelope. The new house will use this septic system and a new system will be built for Lot 1. There's a cottage/camp on Lot 2 that meets the minimum standards for a single family dwelling. I submitted this map to the APA to get an updated jurisdictional determination; they sent a new letter stating this is non-jurisdictional.

Chairman Maron: Are there any questions from the Planning Board to the sponsor?

Ms. Robin Severance: Kevin, is the septic system built to accommodate the original house big enough to accommodate today's standards?

Peter Gibbs (Engineering Ventures): My work on the project was to define the existing septic system and how it would work into a two lot subdivision. The existing line comes from the two-story house. There are two 1,000 gallon septic tanks that flow into distribution blocks and leach lines. The one story camp by the water has a pump station that pumps up into the first septic tank. My recommendation was that the new house could use the existing septic system. The one story camp would use the first tank, the proposed single family home would go into the second septic tank and both would leach into the existing leach field. A new septic system would be built for the existing home on Lot 1.

Mr. Hall: It's more than adequate to service a single family.

Ms. Severance: Thank you.

Chairman Maron: Other questions? Now the public has an opportunity to ask questions of the project sponsor.

Mr. Hall: We should introduce the project sponsor.

Diane August: Hi. I'm Diane August, Todd's sister.

Anthony Fainberg: I'm her husband Tony.

Chairman Maron: No questions from the public? Now there's an opportunity for the public to ask questions or direct statements.

Richard Fritz: I want to make sure everybody has the distribution that I submitted a couple weeks ago and that everybody has had a chance to read it.

Chairman Maron: After the questions I'll go ahead and read those. Are there any questions from the audience for the project sponsor? Next is an opportunity for the public to ask questions or direct statements to the Planning Board. Are there any statements you'd like to make? I've got a number of letters here.

Mr. Fritz: We had asked for some time to submit information and that was granted provided it was submitted at least two weeks in advance to allow the Augusts' side time to review and respond. We submitted the information more than two weeks ago. Tonight I gave you three letters from owners on Barksdale Road which indicate they're not in favor of the subdivision of the four acre property or any subdivision of approximately one acre on Barksdale Road. We had submitted a point of law, which would make this application null and void. There are four letters from people who had knowledge and experience of the stable properties. During the year of 1973 (May 23, 1973) there were not two single family residences on that property. There was one, which burned. The other is a guest cottage. If that's the case, then their application is null and void. The information should be read and maybe reviewed by town council.

Chairman Maron read the email from Timothy R. Smith (see Attachment 1)

Chairman Maron: It sounds like he's saying that while the APA says there were two single family dwellings there, he's maintaining that one is a guest cottage and therefore not a single family dwelling.

A copy of the APA jurisdictional determination from January 28, 2020 was shown (Attachment 9A-9D).

Chairman Maron: Number four of the APA letter states, "It is our understanding that the project consists of the following: The property was improved by a single family dwelling constructed circa 1916 that burned and was removed in 2018. According to the survey map provided January 16, 2020, the property is currently improved with a single family

dwelling constructed in 1920, a garage, a shed and a camp for which no construction dates were provided. Be advised, if documentation shows that the “camp” structure was improved with septic and kitchen facilities as of May 22, 1973, it would also be considered a single family dwelling.”

Mr. Hall: I didn’t ask them to make that determination. That’s the little camp down on the lake. Under the definition of a single family dwelling it constitutes a principal building.

Chairman Maron read letters from Harry Quinlan, Simone Stephens, Bruce Ware, and Lynn Weir Grivakes (Attachments 2-5) who all state that the small cottage near the main building was only a guest cottage during 1973.

Chairman Maron read letters from Candace Weir, Richard Fritz, and Heidi Sweet (Attachments 6-8) in which they each voice their opposition to the subdivision.

Chairman Maron: Are there any more questions? Now is an opportunity for the Planning Board to ask questions or direct statements to the sponsor and the public.

Mr. Ken White: I understand that you have some objections to this subdivision, but I haven’t heard why. Why don’t you want this to happen?

Mr. Fritz: It has to do with the whole area of Barksdale Road and its atmosphere. The problem we have is with creating the subdivision. It’s probably important to take the letters into consideration, as well as the point of law and the interpretation of it.

Mr. White: I’ve been down there and I don’t see that subdividing would have a big impact on the properties that are already there.

Mr. Fritz: The other properties are much larger; at least two acres. It simply doesn’t fit into what we appreciate living there.

Mr. White: But by subdividing you’re not condensing or losing any property; you’re just placing boundary lines that aren’t things you can see.

Ms. Severance: Can you see that property from yours?

Mr. Fritz: Not from the house, but from near the road.

Ms. Severance: So it’s just the principle of it that’s your issue.

Mr. Fritz: It’s the principle of it, yes. It’s not so much that we would object to looking at a house there from our property, but it’s the principle of subdividing and making a much smaller lot on Barksdale Road.

Ms. Severance: Mr. Gibbs, can you tell me how big your Barksdale Road property is?

Mr. Gibbs: It's 0.99 of an acre.

Ms. Severance: If everybody could take a look at this map up here. It's of Barksdale Road and the area. Because we don't live there, we need to be able to understand how any changes impact it. It looks as though Town law and APA law say one acre. That's what we have to rely on. We want to sympathize with anyone who has a concern, but the Board must stand on the law. There are other properties down there that are not even two acres. If the law says, then these people are not violating a law, they're making a request. Is that correct?

Mr. George Hainer: That's correct.

Ms. Severance: That puts it in a different light; then it becomes a neighbor issue and we want to help everybody come to an agreement on this. Because we don't live there, we're trying to understand the impact it has. You want to maintain the aesthetics and integrity of the community and that's what you're referring to. It's not the building of a house, it's-

Mr. Fritz: The subdivision of the property. The point of law I brought should be carefully reviewed and then related to the interpretation of the APA section, which I don't have. If you have it, I need to get a copy.

Ms. Severance: We do. Have you seen a copy of this map with the different lot sizes?

Mr. Fritz: No. The point of law should be very carefully reviewed and in consideration of the fact that the other building on the property is a guest cottage. Does whether or not a septic system is connected to a building determine if it's a guest cottage or not? I would say guest cottages could have septic systems.

Ms. Severance: Guest cottage – is that a building term?

Mr. Hainer: I looked up the assessor's property records today and it states that the guest cottage – the house there – is 1,399 square feet. It has on site sewer, public water, electric, hot air furnace, one kitchen, one and a half baths, four bedrooms, a fireplace, screened-in porch, and crawlspace. From that point of view, both houses provided permanent divisions for living, sleeping, cooking, eating, and sanitation, which is what a single family dwelling is.

Mr. Fritz: It has do to with the use. It was a guest cottage. I don't care how many rooms it has or whatever else; a guest cottage would have amenities.

Mr. Hainer: Because we stand in the shoes of the Adirondack Park Agency, we have to enforce our law as they enforce theirs. They didn't have a definition of a guest cottage in the APA law until 1979. When they basically took over in 1973, they grandfathered certain things in. All of the little cabins by the lake were considered principal buildings if there were over 300 square feet.

Mr. Hall: (Referencing the projected map) There was an APA permit that separated the orange from the green. Before he sold the orange to Weir, Bumpstead applied for an APA permit to subdivide the four acres into a 0.8 acre piece, he intended to keep the larger piece. This is the map that was submitted and approved by the APA back in '80. The buyers didn't want two lots; they wanted the whole four acres, so the subdivision never got materialized. It was approved as subdivision in 1980 and it was a smaller lot than what we're proposing now. Todd and Diane have two-thirds, one-third interest, respectively. They're entitled to divide things up. How many property lines do you see when you drive home? You never see them; they're lines on a piece of paper.

Ms. Severance: Thanks.

Mr. Gibbs: Is it worth it to look at No. 4 of the APA letter again? They call them a single family dwelling constructed in 1916 and a single family dwelling constructed in 1920.

Mr. Fritz: I can't see the document, but I would request that you postpone the decision until we have the opportunity to have our lawyers look at it and express their views. We presented our documents two weeks ago, allowing the August side time to review it. I request the same thing so our lawyers can represent us properly.

Mr. Hall: This is not a new document. This is a further explanation of the original NJR that was submitted and he has a copy. This was only submitted to make sure there was no misunderstanding from the APA. It has no new information, so I have to request that the board not postpone.

Chairman Maron: You're saying this letter from January 28th is the same as the letter that was submitted on September 30, 2019?

Mr. Hall: The APA wrote and signed the September letter. It's the same project I presented to them in December, or actually January, and requested that they validate their original determination that the subdivision the board is looking at now is the same subdivision they made September's determination on. There's no new information here.

Mr. Hainer: As I said, the Agency didn't have a definition of guest cottage until 1979. Structures built before then that contained dwelling units – permanent provisions for living, sleeping, eating, cooking, and sanitation are considered single family dwellings or mobile homes by the agency. If a dwelling met those criteria in 1973 it was grandfathered in. Because this is a Class B project, the town stands in the shoes of the APA. This was sent to make sure we weren't doing anything out of the ordinary and that they didn't have a protest.

Section 2.063 on the Subdivision Calculation and Recording (Town of Westport Land Use Law) spells out the grandfather clause in our law that mimics the APA act stating that the principal building is improved with one or more existing units as of August 1, 1973. They allow a lot to be created around the unit and related land or buildings to that unit, such that at a minimum, the created lot satisfies the minimum lot size requirements for the land use district. Such lot and the unit thereon shall not be

considered for purposes of the density calculation, which shall apply only to the remaining unimproved land on the parcel. The definition of a principal building under the Town Land Use Law is a single family dwelling constitutes a principal building. The definition of a single family dwelling under our law is, "A detached building, not including a mobile home, used as a living quarters for one family. The term shall include a seasonal cottage."

From the history that I've read on this property, it was a tourist accommodation. In 1980, Bumpstead had a restaurant and hotel there and everything was rented out. There's another provision that if it's a tourist accommodation, then any structure over 300 square feet with facilities for kitchen and sanitation is considered a principal building, in which case you can put an acre around it. The APA is not zoning as we do and can allow smaller lot sizes. This subdivision is something that can be done as far as what we're bound to in our law.

Mr. Fritz: We're not talking about the size of the building or septic or anything else. It was a guest cottage on May 23, 1973. If it was, then the application should be null and void. It was not a single main residence for a family. There was not a family living in there on May 23, 1973.

Ms. Cynthia Fairbanks: You're calling it a guest cottage because of the way it was used, but that is not according to the definition we just heard. It could be a single family house and just not lived in.

Mr. Fritz: But we're talking about function here, use and function. That's the point of law that Tim Smith is working with – that it was used as a guest cottage at that particular time. That's the basis of it.

Mr. White: Are you looking for some guidance?

Chairman Maron: No. This is just the public hearing, so at some point we'll close it and move onto the consideration of the project.

Ms. Severance: Let's do that.

Mr. White: Yes, let's do it.

Chairman Maron: Unless there are any other further comments or questions we'll close the public hearing and move on to the meeting of the Planning Board. The public hearing is adjourned at 8:03 p.m.

Respectfully submitted,

Julie Schreiber, Secretary

Dick Fritz

From: Timothy R. Smith <timsmith@lakeplacidlaw.com>
Sent: Monday, December 16, 2019 5:12 PM
To: dickfritz2@gmail.com
Subject: August Property

The 9-30-19 APA non-jurisdictional letter for the proposed two-lot subdivision of the August property was implicitly predicated, in numbered paragraph 4 of that letter, on the proposition that as of the 1973 effective date of the APA Act the 4.09 acre property in question was improved by two separate single family dwellings, one built circa 1916 and the other built circa 1920. To the extent that such proposition may have not been true (for example if one of the so-called single family dwellings was in fact a guest cottage), the APA determination would fail, and be null and void, and the same would be true as to the Town of Westport approval now being sought.

RECEIVED

JAN 14 2020

BY: _____

Attachment - 1

Dick Fritz

From: Heidi Sweet <heidisweet@sbcglobal.net>
Sent: Monday, January 13, 2020 3:41 PM
To: Dick
Subject: Fwd: Barksdale Road reworked per your request all the best. Hq

Sent from my iPhone

Begin forwarded message:

From: Helen Hutchison <hhutch@nbnet.nb.ca>
Date: January 13, 2020 at 3:24:39 PM EST
To: Heidi Sweet <heidisweet@sbcglobal.net>
Subject: Barksdale Road reworked per your request all the best. Hq

I am very familiar with Barksdale Road. I started coming to Barksdale road in 1958. I went to school in Westport from 1960/68 . I currently, and for the past 30 years, own 156 Barksdale road, The Stable. (originally a horse stables, then the Stable Inn, then our family residence and now my retreat with Helen Hutchison. In 1960, My mother was married to my step father Alexis V. Boisseau and together they owned The Stable Inn which constituted approximately 33 acres and 8 +- buildings. Ironically the "Stable " was no longer part of The Stable Inn. There was a main residence (128 Barksdale road, which burned in 2018) and several other buildings on the property. At no time was the main residence called The Stable, only The Stable Inn. Close to the main residence was a small guest cottage which is still standing. For the full year of 1973 this building was only a guest cottage. In 1973 the main house, the studio, the guest cottage and the stable had heating systems for potential year round use.

Harry Quinlan
Fredericton, NB, Canada

Sent from my iPhone

RECEIVED

JAN 14 2020

BY: _____

A-2

January 5, 2020

Since 1959 I have been spending every summer, except 1979, on Barksdale Road. My mother-in-law lived at 88 Barksdale Road. I have now lived there for over 36 years. I was married in 1959 at the Studio building on Barksdale Road which burned in 2017. It was across the road from the main residence, 128 Barksdale Rd.

I am fully aware of the 4 acre property at 128 Barksdale Rd. Westport, NY. During the full year of 1973 there was a main residence (which burned in 2018) and an adjacent small house which was a guest cottage.

Simone S. Stephens
88 Barksdale Road
Westport, NY

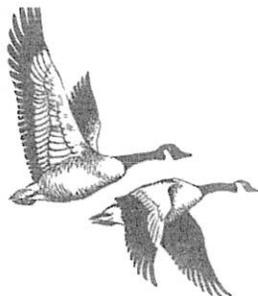
Simone S. Stephens

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JAN 14 2020

BY: _____

A-3



Venture North Associates

I have lived in Westport, NY most of my adult life. I am very familiar With the 4 acre property at 128 Barksdale Road, Westport, NY.

In 1973 I worked on the property. For the full year of 1973 there was a main residence (which burned in 2018) and an adjacent small building which was only a guest cottage.

Bruce Ware
6528 Main Street
Westport NY, 12993

RECEIVED

JAN 14 2020

6528 Main Street, Westport, New York 12993
Office Phone: 518-962-8624 Fax: 518-962-4300

BY: _____



VentureNorth Net



A-4

From: **Lynn Frawley** lynnfrawley@earthlink.net
Subject: **Re: Revised Statement**
Date: **January 12, 2020 at 10:00 AM**
To: **Heidi Sweet** heidisweet@sbcglobal.net



Yes, you have my approval.

On Jan 12, 2020, at 8:11 AM, Heidi Sweet <heidisweet@sbcglobal.net> wrote:

For your approval, thanks.
Heidi & Dick

January 12, 2020

In 1969 my husband, Tass Grivakis and I bought a residence on Young Bay with a driveway connected to Barksdale Road, Westport, NY, which I still own. My family owned a residence on Young Bay and I have been coming to Barksdale Road since 1948. I am very familiar with the property at 128 Barksdale Road. For the full year of 1973 there was a main residence (which burned in 2018) and a small adjacent building which was only a guest cottage.

Lynn Weir Grivakes
12 Knotty Pine Way
Westport, NY 12993

RECEIVED

JAN 14 2020

BY: _____

A-5

January 29, 2020

Planning Board of Westport, NY
Town of Westport
22 Champlain Avenue
Westport, NY 12993

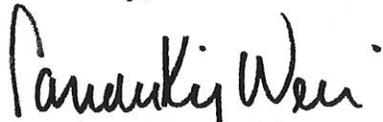
Re: 128 Barksdale Road, Westport NY

Dear Board Members:

As a longtime resident of Barksdale Road, I wish to clearly state my position as being totally opposed to the subdivision of 128 Barksdale Road. We have all abided by the zoning rules for over forty years and I see no reason for the Board to now allow for an exception to the current zoning laws. Moreover, by definition I would be the most impacted neighbor by any such subdivision. As my multiple property lots surround this proposed subdivision, we would by far experience the greatest fallout from this alteration to the existing zoning laws.

I thank you very much for your consideration and all your hard work.

Sincerely,


Candace King Weir

104, 111, 112, 114, 116 and 149 Barksdale Road
Westport NY 12993

January 29, 2020

Planning Board of Westport, NY
Town of Westport
22 Champlain Avenue
Westport, NY 12993

Dear, Board Members

I am not in favor of a 1.3 acre subdivision at 128 Barksdale Road.

I highly value enjoying Young Bay and the surrounding properties which are at a minimum of 2 acres.

Ethel DuPont and her husband Hamilton Barksdale recognized the beauty of the location at 128 Barksdale Road and over 100 years ago built a main residence overlooking the lake which sadly burned in 2018.

128 Barksdale Road is a wonderful property which should remain one single lot!

Richard E. Fritz
94 Barksdale Road
Westport, NY 12993

A handwritten signature in cursive script that reads "Richard E. Fritz". The signature is written in black ink and is positioned above a horizontal line.

January 29, 2020

Planning Board
Town of Westport
22 Champlain Avenue
Westport, NY 12993

Dear Board Members,

I am not in favor of the 1.3 acre subdivision at 128 Barksdale Road.

As a resident of Barksdale Road I highly value and enjoy Young Bay and the surrounding properties which are at a minimum of 2 acres.

More than 100 years ago Ethel DuPont and her husband Hamilton Barksdale recognized the beauty of the location at 128 Barksdale Road and built a main residence overlooking the lake, sadly this beautiful home was destroyed by fire in 2018.

128 Barksdale Road is a wonderful property and should remain a single lot.

Very truly yours,



Heidi T. Sweet
94 Barksdale Road
Westport, NY 12993



**Adirondack
Park Agency**

ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

January 28, 2020

Kevin Hall, L.S.
PO Box 97
Elizabethtown, NY 12932

RE: Jurisdictional Determination J2019-0648A

Dear Mr. Hall:

By letter J2019-0648 we informed you that your proposed replacement of a single family dwelling and two-lot subdivision would not require a permit from the Agency. You have since provided a survey map to clarify the proposal and we can now advise that the proposal as shown on the survey map received on January 16, 2020 still does not require a permit from this Agency, provided the facts submitted are accurate and complete, and provided there is compliance with the restrictions below.

Although a permit or variance is not required from this Agency, please be aware that a permit and/or variance may be required from the Town of Westport which administers an Agency-approved local land use program (ALLUP). This means that the Town has authority over Class B regional projects and administers the statutory shoreline restrictions as defined in the Adirondack Park Agency Act and further defined in the ALLUP.

Please be advised that this letter makes no representation as to the approvability of your project pursuant to the Town administered ALLUP. Be sure to contact the Town's Code Enforcement Officer or Zoning Administrator to determine the Town's requirements and the procedures and standards to be followed for such projects. Also, please be aware that variances approved by towns acting pursuant to an ALLUP are subject to review by the Agency and under certain circumstances can be reversed by the Agency.

Description

It is our understanding that the project consists of the following:

1. The property is a 4.09±-acre parcel having shoreline on Lake Champlain and is located in the Town of Westport, Essex County, on Barksdale Road, tax map designation 76.2-1-24.100.

2. The property is owned by Lake Champlain August Properties, LLC, as described in a deed recorded on June 16, 2015 as Instrument Number 2015-2208 in the Essex County Clerk's Office.
3. According to the information you submitted, the property was part of a larger parcel as of the May 22, 1973 enactment date of the Adirondack Park Land Use and Development Plan in that the owner on that date, Alexis Boisseau, owned adjoining tax parcels 76.2-1-21.1, 21.2, 21.3, 23 and 24.2.
4. The property was improved by a single family dwelling constructed circa 1916 that burned and was removed in 2018. According to the survey map provided January 16, 2020, the property is currently improved with a single family dwelling constructed in 1920, a garage, a shed and a camp for which no construction dates were provided. Be advised, if documentation shows that the "camp" structure was improved with septic and kitchen facilities as of May 22, 1973, it would also be considered a single family dwelling.
5. You propose a two-lot subdivision of the property as shown on the survey map entitled, "Map of Survey of the August Subdivision," dated December 2, 2019. For purposes of Agency review, the survey map has been stamped "Final".

No additional subdivision or new land use and development is proposed at this time.

If any of the above is incorrect, please contact the Agency as a different determination could result.

For Your Information

This determination is based upon the existing laws, regulations and Park Plan Map administered by the Agency. If they change before substantial commencement of the proposed project, this determination may also change.

The property is located in a Rural Use land use area on the Adirondack Park Land Use and Development Plan Map.

Agency staff has determined that there are no wetlands subject to Agency jurisdiction on the property, based on interpretation of wetland maps available for Essex County. However, field inspection by Agency staff is the only way to confirm the presence, location and size of wetlands (particularly along the shoreline). If you have reason to believe that any wetlands would be affected by the proposal, you are encouraged to contact the Agency to arrange a site visit prior to undertaking the project.

The property is not located in a statutory critical environmental area.

The property is not located in a designated river area pursuant to the New York State Wild, Scenic and Recreational Rivers System Act.

Since the Town of Westport administers an ALLUP, you should contact the local zoning administrator or code enforcement officer to determine the Town's requirements and the procedures and standards to be followed for such projects. If your project is determined to be a Class B regional project, the local government will notify the Agency of your application and the Agency may participate as a party of interest in the local review.

Restrictions

Although the proposed project described above does not require an Agency permit, the following restrictions are imposed by law. Please note that the Town of Westport may have more restrictive requirements and standards than those administered by the Agency.

1. Shoreline restrictions apply to any shoreline parcel; again, please contact the Town to ensure compliance. Again, please be aware that variances approved by towns acting pursuant to an ALLUP may, under certain circumstances, be reversed by the Agency.
2. The project must be undertaken in accord with Agency regulations implementing the Freshwater Wetlands Act, which prohibits subdividing, polluting, filling, dredging, draining or construction in a wetland unless an Agency permit is first obtained. From your description of the project and the map supplied, it appears that the project will not involve or affect any wetland.
3. A new on-site sewage disposal system may not be located within 100 feet of any wetlands without an Agency permit. Sewage disposal systems are measured horizontally from the closest part of a leaching facility to the edge of the wetlands.

The New York State Department of Health has additional sewage disposal system standards which must also be met.

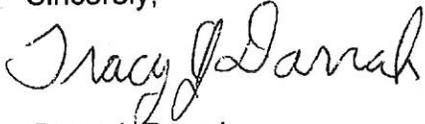
4. The local land use regulations administered by the Town also limit the use of property and specify lot size and dimensions, setbacks for structures, building height and septic system requirements.
5. No structure other than residential radio and television antennas and certain agricultural structures may exceed 40 feet in height without an Agency permit. For Agency purposes, height is measured from the highest point of the structure to the lowest point of finished or natural grade.

Kevin Hall, L.S.
January 28, 2020
Page 4

The proposal may require approvals from other government entities. We also recommend that you check with county, other state and with federal agencies as necessary prior to undertaking your project.

If you have any questions, please feel free to contact the Agency again.

Sincerely,



Tracy J. Darrah
Project Administrator

TJD:DWM:mp

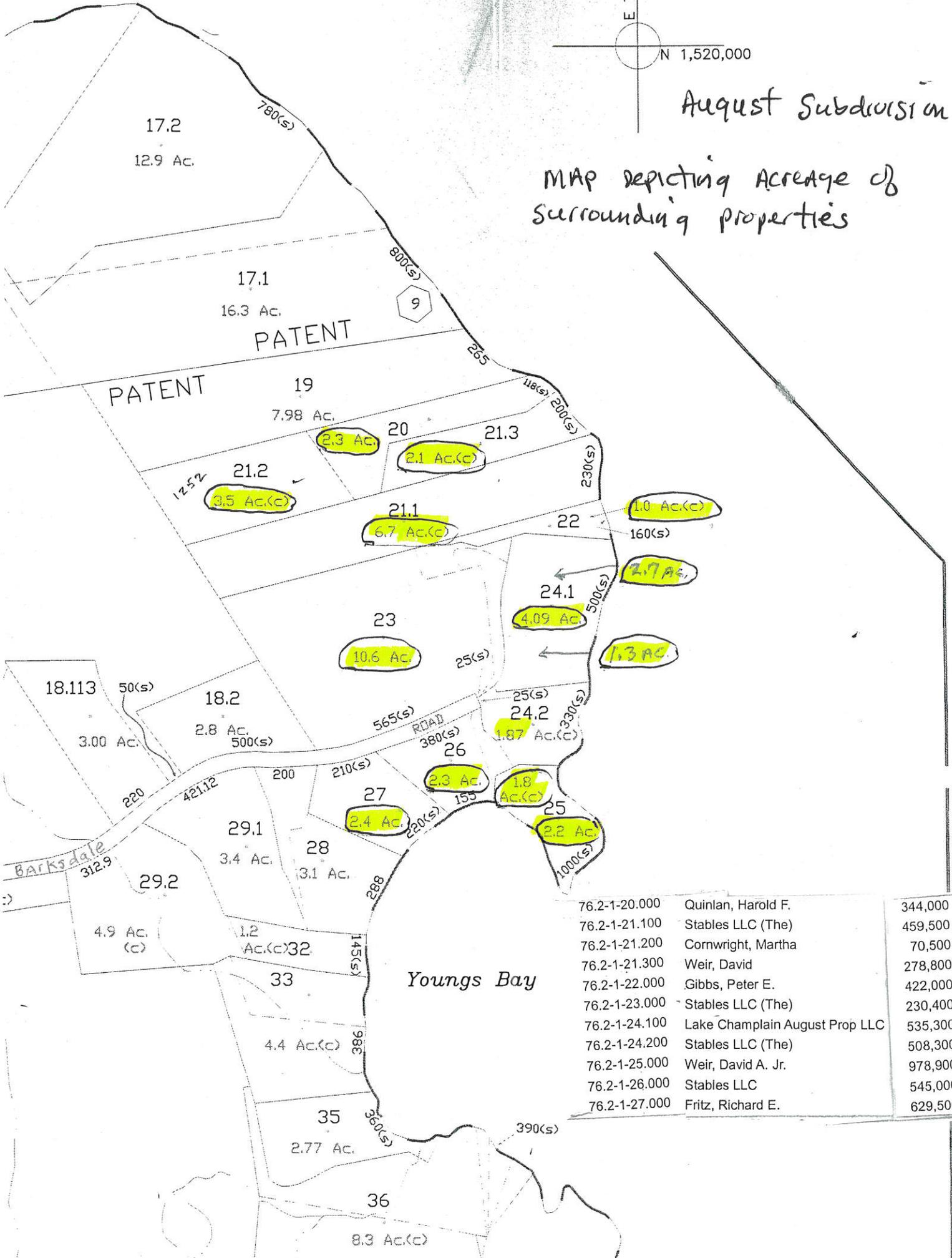
cc: Todd August
Town of Westport (via email)

A-9D

E 744
N 1,520,000

August Subdivision

MAP depicting Acreage of
surrounding properties



76.2-1-20.000	Quinlan, Harold F.	344,000
76.2-1-21.100	Stables LLC (The)	459,500
76.2-1-21.200	Cornwright, Martha	70,500
76.2-1-21.300	Weir, David	278,800
76.2-1-22.000	Gibbs, Peter E.	422,000
76.2-1-23.000	Stables LLC (The)	230,400
76.2-1-24.100	Lake Champlain August Prop LLC	535,300
76.2-1-24.200	Stables LLC (The)	508,300
76.2-1-25.000	Weir, David A. Jr.	978,900
76.2-1-26.000	Stables LLC	545,000
76.2-1-27.000	Fritz, Richard E.	629,500

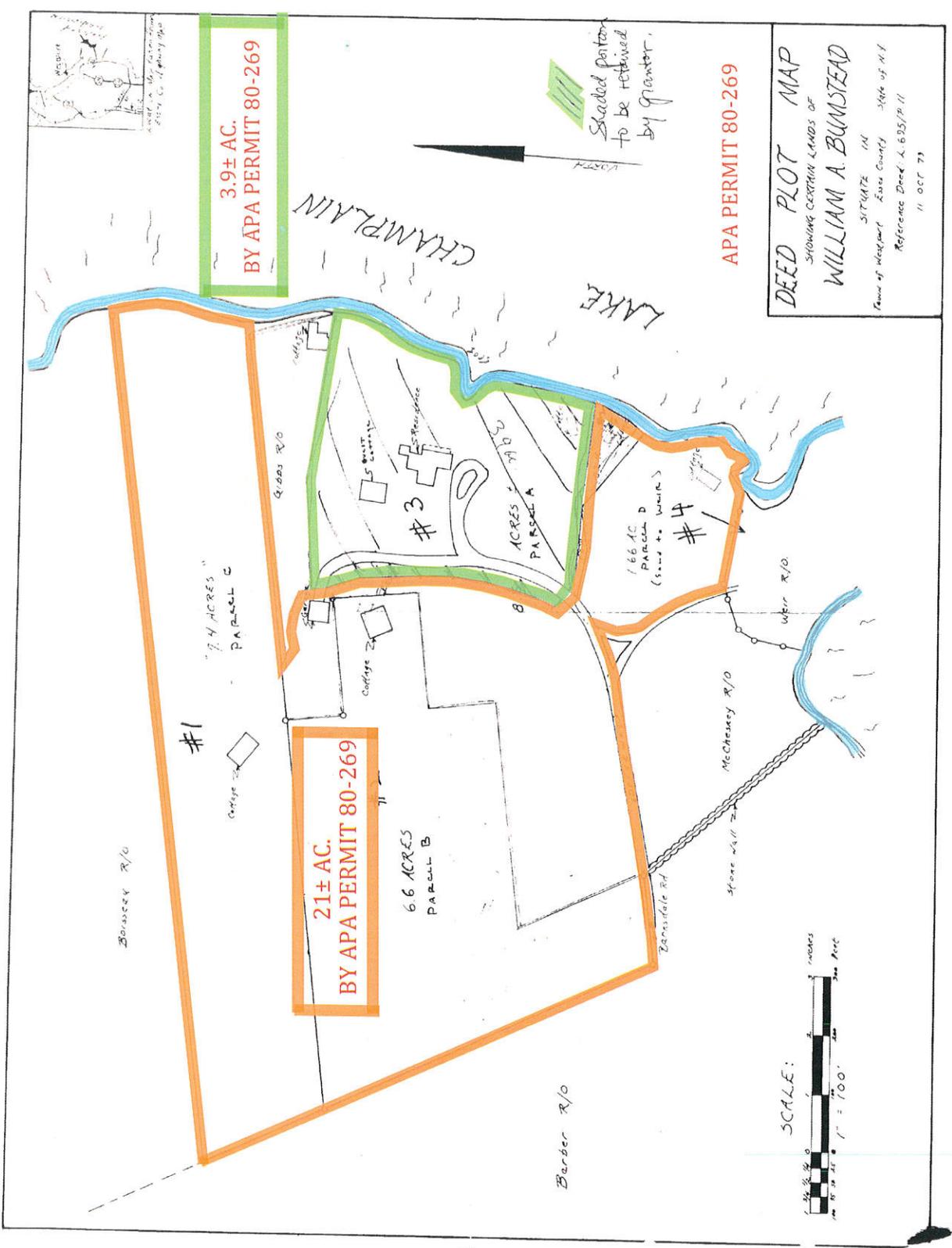


**3.9± AC.
BY APA PERMIT 80-269**

**21± AC.
BY APA PERMIT 80-269**

APA PERMIT 80-269

DEED PLOT MAP
SHOWING CERTAIN LANDS OF
WILLIAM A. BUNNSTEAD
SITELATE 1st
Town of Westport Essex County State of N.H.
Reference Deed: A-695/P-11
11 OCT 73



Shaded portion
to be returned
by grantor.



REFERENCE DEEDS

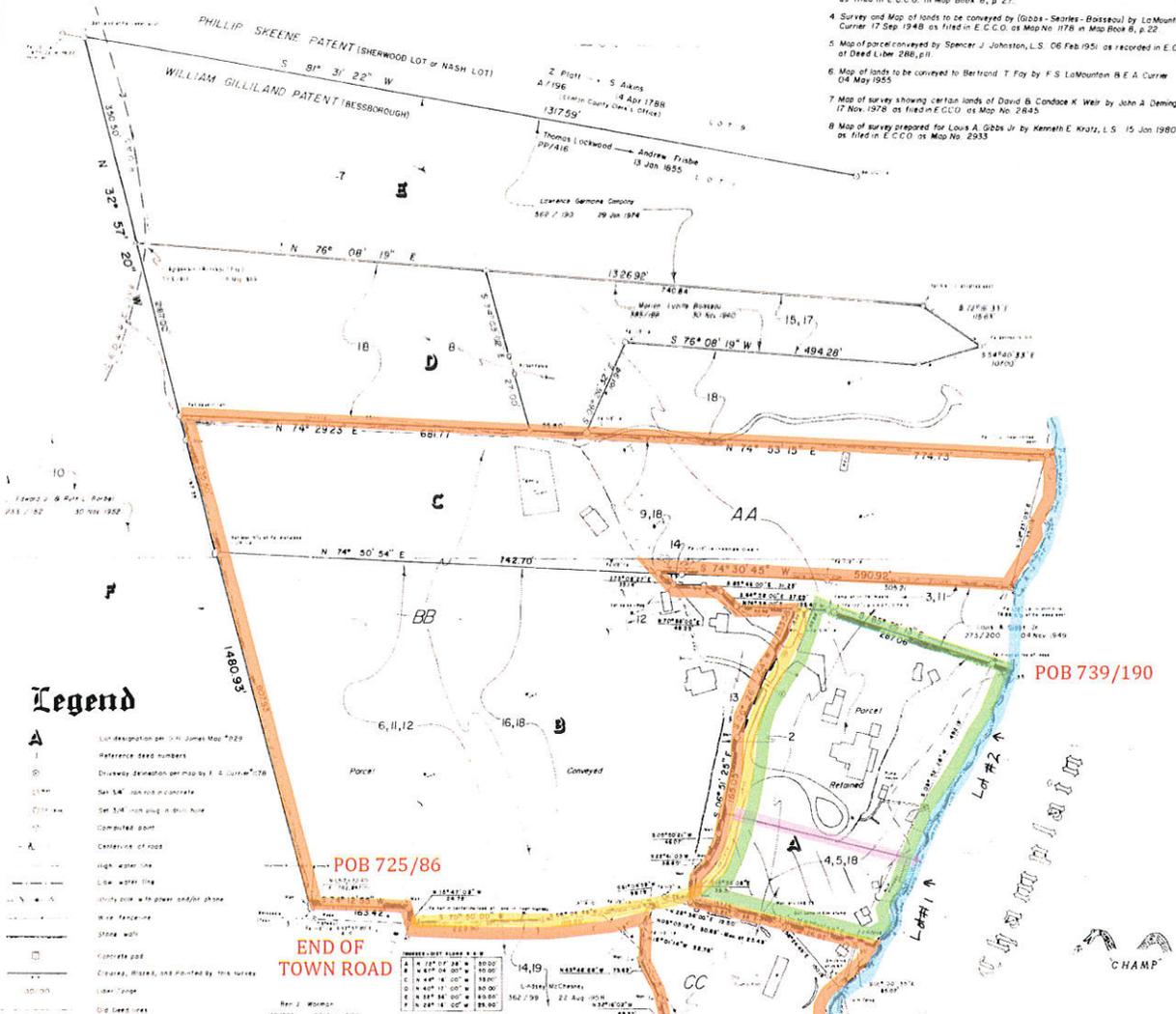
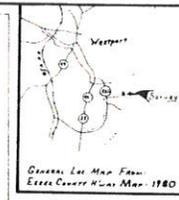
- 1. Eugene J. Suter 217/134 18 Oct 1937
- 2. Norman S. Suter 226/216 13 Aug 1940
- 3. New York 231/42 16 Aug 1945
- 4. Margaret M. Ferguson 253/747 27 Oct 1947
- 5. William B. Bousso 260/146 26 July 1948
- 6. New York 276/166 13 Aug 1940
- 7. James S. & Nellie S. Daniels 226/139 13 Aug 1940
- 8. Louis A. Gibbs 242/271 14 Aug 1945
- 9. Lyle E. & Dorothy S. Series 261/383 14 Sept 1948
- 10. Lyle E. & Dorothy S. Series 263/255 22 Oct 1948
- 11. Garnett Bousso 263/251 23 Oct 1948
- 12. Danforth & Julia Jackson 288/308 27 Feb 1951
- 13. Alexis V. & Garnett Bousso 300/387 23 Sept 1952
- 14. Danforth Jackson 307/146 13 July 1953
- 15. Alexis V. & Garnett Bousso 311/117 09 Nov 1953
- 16. Bousso/Series 362/97 30 Aug 1958

BASE DEEDS

- AA Hamilton M. Barksdale 54/162 23 Nov 1926
- BB Ethel Barksdale 67/279 28 Apr 1927
- CC Ethel Barksdale 155/3 17 Sep 1929

REFERENCE MAPS

- 1. Plan of property of Westport, N.Y. for H. M. Barksdale by F. O. Sinclair C.E. 13 Nov 1916 as filed in E.C.C.O. in Liber 157, p. 69
- 2. Map showing lands of the Barksdale Estate by G.H. Jones 24 Nov 1932 as filed in E.C.C.O. as Map No 829 in Map Book 6, p. 23
- 3. Map of land to be conveyed by Ferguson to Gibbs by Ralph L. Bates, L.S. 03 Aug 1943 as filed in E.C.C.O. in Map Book 8, p. 27
- 4. Survey and Map of lands to be conveyed by (Gibbs - Series - Bousso) by LaMountain B. Currier 17 Sep 1948 as filed in E.C.C.O. as Map No 1178 in Map Book 6, p. 22
- 5. Map of parcel conveyed by Spencer J. Johnston, L.S. 06 Feb 1951 as recorded in E.C.C.O. of Deed Liber 200, p. 11
- 6. Map of lands to be conveyed to Bertrand T. Fay by F.S. LaMountain & E.A. Currier 04 May 1955
- 7. Map of survey showing certain lands of David & Constance K. Weir by John A. Deming, L.S. 17 Nov 1978 as filed in E.C.C.O. as Map No 2845
- 8. Map of survey prepared for Louis A. Gibbs Jr. by Kenneth E. Kratz, L.S. 15 Jan 1980 as filed in E.C.C.O. as Map No 2933



Legend

- A Lot designation per G.H. Jones Map 7929
- 1 Reference deed numbers
- 2 Driveway delineation per map by F.A. Currier 1978
- 3 Set 5/4" iron rods in concrete
- 4 Set 5/4" iron rods in brick hole
- 5 Computed point
- 6 Centerline of road
- 7 High water line
- 8 Low water line
- 9 Utility pole with power and/or phone
- 10 Wire fence line
- 11 Stone wall
- 12 Concrete pad
- 13 Chain, Wood, and painted by 1978 survey
- 14 Lumber
- 15 Old Deed lines

NOTES

All measured distances made with a CASER Light F. E. M. T., corrected for grid scale and reduced to sea level at +68' F.

All bearings shown are oriented to grid North.

The low water line is accepted as the property line by this survey based upon the findings of Champion and St. Lawrence Railroad Co. vs. Valentine, 19 Barbour 484, (Scheneectady Supreme Court - 1853)

Utilities easements not designated herein.

Atlas of Essex County, N.Y. 1876 shows road extending to Lakeshore and Liber 73, p. 310 states a strip of land to the lakeshore used mostly as a highway.

SCALE



1" = 100'



SOURCE OF ORIENTATION & COORDINATES
 ORIENTATION
 U.S.C. & G.S. 5th Ed. Flying
 COORDINATES
 New York East Zone
 U.S.C. & G.S. 5th Ed. Flying
 N. 4367658.6
 E. 732368.09

Area of parcel retained = 4.09 Ac
 Area of parcel conveyed = 19.73 Ac

87-65
 BUMSTEAD, W.A.

MAP OF SURVEY
 SHOWING CERTAIN LANDS OF
WILLIAM ALLEN BUMSTEAD
 Ref. Deed - Liber 895 p. 11, Oct. 1979
 SITUATE IN
 LOT 1
 WILLIAM GILLILAND PATENT
 TOWN OF WESTPORT COUNTY OF ESSEX
 STATE OF NEW YORK
 SURVEY COMPLETED 09 Dec 1980 John A. Deming, L.S.