



ST. LAWRENCE-EASTERN ONTARIO COMMISSION

317 WASHINGTON ST., WATERTOWN, N. Y. 13601-3788

PHONE (315) 785-2460

FRANCIS G. HEALEY, Chairman

DANIEL J. PALM, Executive Director

August 4, 1986

Mr. Joseph Maillet
Vice President
Patten Corporation Northeast
P.O. Box 918
North Adams, MA 01247

Dear Mr. Maillet:

Re: Carleton Island Subdivision
Town of Cape Vincent
Jefferson County, NY
SLEOC Project #86-J-6

Subsequent to 7/2/86 Commission review of referenced project, negotiations have refined the nature of Patten Corporation Northeast's obligations in concluding full compliance with the Commission's project review process. I take the opportunity, through this letter, to outline both Patten Corporation Northeast's obligations in the matter (I) and its means to satisfy the Commission that those obligations have been met (II).

- I. Summarized below are those obligations assumed by Patten Corporation Northeast, as Commission project review staff understand them.
 1. Buffer Zone - The 100' buffer zone around the island will be managed as follows:
 - a) Protection shall be by transfer of conservation easement to Thousand Island Land Trust with appropriate language included in each deed. Construction or placement of any structures, permanent or temporary, shall be prohibited, with the exception of duckblinds, docks, and boat houses. Occupancy of the buffer area for residential purposes shall be prohibited. No less than 50 percent of the land surface of the buffer strip is to be retained in its natural vegetative cover condition, as it may exist through natural succession. Each 300' parcel must have one contiguous strip

of at least 100' parallel to shore and 100' normal to shore retained in natural vegetative condition in perpetuity. Man-caused fires will be considered a management technique that is not permitted. Portions of down trees extending outside of the 100' buffer strip can be removed.

2. Forest Preserve - The Forest Preserve will be managed as follows:
 - a) Protection shall be by conservation easement, duly noted in deeds for subdivided lots numbered 3-7, 14-17, and 19, specifying the controls in land use and development-detailed in Patten Corporation Northeast's prepared "Deed of Conservation Easement In Gross - Carleton Forest Preserve" dated (draft) 6/18/86 and "Attachment A: Forest Management Objectives." The conservation easement will be held by either Patten Environmental Trust or Thousand Island Land Trust. Reference to Attachment A must be incorporated into the "Deed of Conservation Easements In Gross - Carleton Forest Preserve."
3. Fort Haldimand - The eight-acre Fort Haldimand site will be deeded to the Thousand Island Land Trust. All property corners will be monumented by a New York State licensed land surveyor and each monument will be tied in to a physical feature where possible. This will be accomplished by the Patten Corporation.
4. Indian Burial Site - The five-acre site will be protected by conservation easement that shall be included in deed language for lots numbered 19 and 20. The easement shall prohibit, except by permission of the conservation easement holder, grading of land surface, excavation or exhumation activities, placement of structures and motor vehicle traffic. The subject easement will be transferred to the Thousand Island Land Trust. The total five-acre land area is to be permanently monumented at six points by a NYS licensed land surveyor employed by the Patten Corporation. Built into the easement will be language that will release all parties from responsibilities laid out in the easement if such release is authorized in writing by both the NYS Historic Preservation Officer and a representative of the NYS Museum.
5. Buffer Zone Around Fort Haldimand - The ten-acre buffer zone (coincident with National Register of Historic Places boundary description) shall be protected by conservation easement duly recorded in deeds for lots numbered 1, 2 and 20. Boundaries of the area, external to the Fort parcel lines, shall be permanently monumented by a NYS licensed land surveyor--each of the two such lines to have a minimum of four monuments installed by Patten

Corporation to facilitate property owners' easy recognition of the external boundaries of the Fort parcel buffer zone. Subject monuments shall be tied into a physical feature where possible. The conservation easement shall be transferred to the Thousand Island Land Trust and require that minimum 30-days notice must be provided Thousand Island Land Trust of any proposed grading of land surface, excavation, or exhumation activity proposed. All parties may be relieved from the responsibility for adhering to the conservation easement upon written approval by the NYS Historic Preservation Officer and a representative of the NYS Museum.

6. Further Subdivision of Parcels - The restrictions of 300' of shoreline and five-acre minimums (standard criteria) remains on all future subdivided parcels except as identified below:

Lot 1 - This lot may be divided into two parcels. Construction of structures is permitted on both parcels. Restrictions applying to management of the 100' buffer zone, as noted in I. 1. above shall apply.

Lots 2, 3, 6, 8, 10, 11, 15, 17 - The standard criteria of 5 acres and 300' of shoreline minimums apply.

Lots 4, 5, 7, 9, 12, 13, 14, 16, 18, 19, 20 - One lot not meeting the standard criteria can be created as long as the parcel contains a minimum of 100' of shoreline and 5 acres of land. No structures are permitted between the inland side of the 100' buffer zone and the waterward portion of the parcel that is less than 300' in width (parallel to shoreline). Standard shore structures are permitted as identified in the Buffer Zone conservation easement.

7. Financial Consideration - The Patten Corporation will donate either \$2,000 per year for the next five (5) years or \$10,000 in one lump sum this year. The option of payment is to be made by Patten Corporation. In addition, Patten Corporation will assist Thousand Island Land Trust in publishing 3,000 copies of a brochure similar to that developed for Patten Environmental Trust. This assistance includes layout and graphic design and printing of the brochure.

- II. Summarized below are the means, agreed to by Patten Corporation Northeast, by which the Corporation will satisfy the Commission that obligations outlined in I. above have been met.

1. Conservation easements transferred to Thousand Island Land Trust (regarding protection of 100' shoreline buffer zone, Indian burial site, and buffer zone around Fort Haldimand) and to Thousand Island Land Trust, Patten Environmental Trust or other trust (regarding the forest preserve) shall be filed with the Jefferson County, NY Clerk's Office. The text and any boundary descriptions associated with each conservation easement are to be previewed for approval, prior to filing with the Jefferson County Clerk's Office, by the chief executive officers, or their designees, of Patten Environmental Trust, Thousand Island Land Trust, and the St. Lawrence-Eastern Ontario Commission.
2. Deed Restrictions shall be employed to control further subdivision of parcels. All deed restrictions are to be filed with the Jefferson County, NY Clerk's Office. The text and any boundary descriptions associated with each deed restriction are to be previewed for approval, prior to filing with the Jefferson County Clerk's Office, by the Executive Director of the St. Lawrence-Eastern Commission.
3. The eight-acre Fort Haldimand site will be deeded to the Thousand Island Land Trust. The deed will be filed with the Jefferson County, NY Clerk's Office. The text and any boundary descriptions associated with that deed transfer are to be previewed for approval, prior to filing with the Jefferson County Clerk's Office, by the chief executive officers, or their designees, of Thousand Island Land Trust and the St. Lawrence-Eastern Ontario Commission.
4. Patten Corporation Northeast has donated \$10,000 to the Thousand Island Land Trust. No further substantiation of that donation is required by the Commission.
5. Patten Corporation Northeast shall cause the boundary lines of the Fort Haldimand site, buffer zone around Fort Haldimand and Indian burial site to be permanently monumented by a New York State licensed land surveyor. Monuments will be tied in to permanent physical features where possible. A property boundary map portraying bearings and distances of all boundary lines and tie-in lines, and location and nature of all monuments, properly stamped and signed by a land surveyor licensed to practice in the State of New York will be provided to the St. Lawrence-Eastern Ontario Commission and any Trust(s) to receive the deed or conservation easement regarding those three land areas. The chief executive officers, or their designees, of the Commission and trust(s) shall approve the boundary maps and placement of monuments prior to the map data being incorporated into deeds or easements to be filed with the Jefferson County, NY Clerk's

Office. The purchasers of subdivided lots numbered 1, 2, 19, and 20 shall receive approved copies of maps describing the bounds of the Fort, Fort buffer zone, and/or Indian burial site, as appropriate.

6. Patten Corporation Northeast's assistance to Thousand Island Land Trust in publication of a brochure is a matter of good faith cooperation between those two parties. No further substantiation of progress in that effort is required by the Commission.

The above parts I. and II. constitute our understanding and expectations regarding all agreements pertaining to satisfactory conclusion of Patten Corporation Northeast's remaining obligations to the Commission's project review process. It is our further understanding that all obligations on the part of Patten Corporation Northeast will be fulfilled, satisfactory to the Commission, no later than 60 days from the date of this letter (e.g., on or before October 3, 1986).

Respectfully,



Thomas M. Cutter
Chief, Project Review and Analysis

TMC/kms

cc: Richard Boynton, Vice President, Patten Corporation Northeast
Rob Apple, Director, Patten Environmental Trust
Kenneth Deedy, Thousand Island Land Trust
Daniel Palm, Ph.D., Executive Director, St. Lawrence-Eastern
Ontario Commission

Ray Smith, NYS OPR&HP
(518) 474-0479

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**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

SEE INSTRUCTIONS IN HOW TO COMPLETE NATIONAL REGISTER FORMS
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC Fort Haldimand (NYS DHP Unique Site No. A 045-05-0001)

AND/OR COMMON

same

2 LOCATION

STREET & NUMBER
Carleton Island

NOT FOR PUBLICATION

CITY, TOWN
Cape Vincent

CONGRESSIONAL DISTRICT
30th

VICINITY OF

STATE
New York

CODE

036

COUNTY
Jefferson

CODE

045

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE
<input type="checkbox"/> DISTRICT	<input type="checkbox"/> PUBLIC	<input type="checkbox"/> OCCUPIED	<input type="checkbox"/> AGRICULTURE <input type="checkbox"/> MUSEUM
<input type="checkbox"/> BUILDING(S)	<input checked="" type="checkbox"/> PRIVATE	<input checked="" type="checkbox"/> UNOCCUPIED	<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK
<input type="checkbox"/> STRUCTURE	<input type="checkbox"/> BOTH	<input type="checkbox"/> WORK IN PROGRESS	<input type="checkbox"/> EDUCATIONAL <input type="checkbox"/> PRIVATE RESIDENCE
<input checked="" type="checkbox"/> SITE	PUBLIC ACQUISITION	ACCESSIBLE	<input type="checkbox"/> ENTERTAINMENT <input type="checkbox"/> RELIGIOUS
<input type="checkbox"/> OBJECT	<input type="checkbox"/> IN PROCESS	<input type="checkbox"/> YES: RESTRICTED	<input type="checkbox"/> GOVERNMENT <input type="checkbox"/> SCIENTIFIC
	<input type="checkbox"/> BEING CONSIDERED	<input type="checkbox"/> YES: UNRESTRICTED	<input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> TRANSPORTATION
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> OTHER: Unused

4 OWNER OF PROPERTY

NAME
Mr. John MacFarlane

STREET & NUMBER
Young Drug Company, Box 5, 865 Centennial Avenue

CITY, TOWN
Piscataway

VICINITY OF

STATE
New Jersey

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.
Jefferson County Clerk's Office

STREET & NUMBER
191 Arsenal

CITY, TOWN
Watertown

STATE
New York

6 REPRESENTATION IN EXISTING SURVEYS

TITLE
Statewide Inventory of Historic Resources

DATE
September, 1967

FEDERAL STATE COUNTY LOCAL

DEPOSITORY FOR SURVEY RECORDS
New York State Office of Parks and Rec., Div. for Historic

CITY, TOWN
Albany

STATE
New York
Preservation

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input type="checkbox"/> GOOD	<input checked="" type="checkbox"/> RUINS	<input checked="" type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

Fort Haldimand is an eighteenth-century fortification on Carleton Island, Jefferson County, New York. The island is situated at the source of the St. Lawrence River in the northeast corner of Lake Ontario. Carleton, a small island of approximately 1,400 acres, lies one mile off the St. Lawrence River shoreline opposite Burnham Point State Park on Cape Vincent. The two segments of Wolfe Island in Frontenac County, Ontario, form adjacent bodies of land to the north and west of Carleton Island. A notable smaller island in the vicinity is Bayfield.

The nomination includes the fort site itself, and a margin of land outside the fort on the bluff area including the defensive works and known midden areas. Below the bluff to the southwest lies a topographically distinct feature, a low, narrow isthmus that connects a small headland to the main island. The headland and isthmus define two bay areas known as North and South Bays. Within North Bay lies an eighteenth-century shipwreck and another of unknown age. The nomination boundary has been drawn to incorporate the shipwreck zone by crossing the mouth of North Bay and following the mean high water mark along the bay shore on the headland south-eastward to the head of the bay. The dry land acreage involved is approximately 18, while the additional bay acreage is approximately 7, for a total of 25 acres. All the area below the mean high water mark is the property of New York State. It is also under the jurisdiction of the U.S. Army Corps of Engineers.

Known locally as the "Old Fort" when Durham began his historical inquiries in the 1880's, the context of the ruins was a matter of conjecture to local residents (Durham, 1889:18). However, the earlier researches of Hough (1854), quoted extensively in the Durham text (1889:21-26), established the fact that the fort was British and no earlier than the French and Indian War (1754-60) (Durham, 1889:23).

Hough's account described the fortification and adjacent development. Commenting on the isthmus area, Hough states (Durham, 1889:22): "Traces occur showing that cannon were planted on conspicuous points, and the trace of a submerged wharf is still seen, as are also wrecks of vessels in the bottom of the river adjacent." On the eastern side of the fortification "may be seen the cemetery...." Hough also furnishes an excellent description of the fortification itself (Durham, 1889:22-23):

Several chimneys occur outside of the intrenchment and on the peninsula in front of the fort. About a dozen still stand within the works, which are built of stone, in a permanent and massive manner, the flues being very small, and the bases enlarged and well founded. Near the brow of the hill is a circular well about ten feet in diameter, and supposed to be at least as deep as the level of the river, but being partly filled with rubbish,

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INVENTORY -- NOMINATION FORM**

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this could not be determined. Here are also excavations supposed to be for magazines.

The plan of the fort shows it to be after the system of Vauban, and forms three-eighths of a circle of about 800 feet diameter; the abrupt face of the hill, which was doubtless protected by a stockade not requiring those defenses which were furnished to the rear. The ditch is excavated in rock, is four feet deep, and twenty-two feet wide. The covered way is twenty-four feet wide, the counterscarp vertical, the outer parapet four feet high, and the glacis formed of materials taken from the ditch.

The rampart within the ditch, was of earth, and is very much dilapidated. Ravelins were made before each re-entrant angle, and at the alternate salient angles, bastions were so placed as to command the fort and its various approaches very effectually.

Durham (1889:108-111) enlarges upon Hough's description of the fort's defensive works, providing additional technical information, a plan and a cross-section. Durham (1889:112) mentions indications of a sally port near the east salient as well as two points of access at the northwest and southeast ends of the fort. These latter features were inferred from bridge timbers over the defensive ditch as well as two roadways leading from these points to other areas of the island. Durham (1889:113) also mentions that a chimney "near the bank of the river northwest of the fort" marks the spot "where it is fairly presumable the hospital was located."

With the end of the Revolutionary War, the terms of the peace treaty left the disposition of Carleton Island in question (Bond, 1960:14-16). A British garrison was maintained on the island, but this continually dropped in size as British interest shifted to Kingston and Oswego. Passing travelers in 1788 and again in 1791 noted progressing deterioration of the fortification's buildings and works. At the outbreak of the War of 1812, a small American force surprised a three-man garrison at the fort, capturing it and the island. Carleton Island was ceded to the U.S. by the boundary settlement of 1817. Hough's 1854 account records the continuing deterioration of the installation (Durham, 1889:23):

The premises had fallen into decay, and were entirely without defensive works; a few iron cannon were lying on the beach or under water near the shore, and the gates had been robbed of their hinges for the iron, which had been pawned by the soldiers.

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Durham (1889:121-123) provides additional history on the island itself. In 1821 a lumbering concern set up operations there. Durham believes that this industry brought the "greatest spoilation" to the fort site. Throughout the nineteenth century, small parcels of land were developed into private summer residences, especially on the small headland. Conspicuous among these residences is the Wyckoff villa in Queen Anne style. Although still standing, the structure is badly deteriorated. The headland residences are still present, but the bulk of the island, including the fort site, is in the hands of a single private owner and unoccupied.

Figure 1 shows the area encompassed by the nomination and the resources included. The fortification retains some of the structures seen there by Hough, including a barracks chimney (Photo 2); a magazine (Photo 3); the well (Photo 4); portions of the parapet (Photo 5); and the ditch, covered-way and glacis (Photo 6).

Hough (Durham, 1889:22) relates that:

--- The premises have at all times furnished a great abundance of relics among which were coins, buttons, etc., whose inscriptions and devices without exception indicate an English origin, and a period not earlier than the French war.

Recorded archaeological investigations in the area have been few. In the early 1920's, the Field Exploration Committee of the New York Historical Society conducted excavations by "Digging into the refuse deposits adjacent to the fort..." (Calver and Bolton, 1950:55). The published report describes the material remains recovered, these being buttons and other uniform insignia, heart-shaped coat hooks, musket stock plates, and shoe buckles.

In 1966, the State University of New York at Oswego conducted a Field School of one week's duration, excavating within the fort. This work was directed by Dr. Peter Pratt. Carmi Wells (n.d.), a student on the project, wrote a brief report on the work. Artifacts recovered included: musket shot, buttons or parts thereof, rum bottles, pipe stems, sleeve links, stoneware ceramic, glass fragments from various vessels, wooden screws, spoons, gunflints, porcelain fragments, pocket knives, and various other unidentified objects. The only faunal remains recovered were fish bones, rodent teeth and bone buttons.

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Since 1970, an amateur archaeologist, Mr. William Ennis, has been excavating midden areas noted earlier. Mr. Ennis is presently preparing a report of his findings to be circulated when completed.

During the summers of 1975 and 1976, R. Joseph Murphy (n.d.a, n.d.b) directed the underwater excavation of a portion of the shipwreck in the North Bay (Photos 7 and 8). The ship's dimensions indicate that the vessel is a British warship of the brig or snow class. It is not known which British ship is represented by the wreck. However, it is most likely the Haldimand (Murphy, n.d.b:15). Artifacts recovered include the following: square iron nails, pipe stems and bowls, iron pins, lead balls and shot, rum bottle fragments, buttons, earthenware fragments, and other unidentified scraps of various materials. Apart from the remains recovered in the course of excavation, an inventory was made of other objects previously found on the bay bottom. Items in this inventory are a sword, bar shot, a knife, a bayonet, scissors, a hook and ring, a bale seal, a coin, a cannon, a button, two pewter tea cups, and a lockplate. Identifiable faunal remains recovered were pig, fowl, cow, deer, and fish (Murphy, n.d.b:19).

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input checked="" type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input type="checkbox"/> ARCHITECTURE	<input type="checkbox"/> EDUCATION	<input checked="" type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input checked="" type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input checked="" type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1778

BUILDER/ARCHITECT

William Twiss

STATEMENT OF SIGNIFICANCE

Fort Haldimand and its immediate environs is significant with regard to both its intrinsic historic value and its research potential. The founding of the fort and the part it played in the Revolutionary War is related by Bond (1960:1-16). When General Haldimand became governor and military commander in Quebec in June 1778, replacing Sir Guy Carleton, one of his first concerns was insuring the loyalty of the Iroquois Confederacy to Britain. To accomplish this end, Haldimand proposed the construction of a military installation at Kingston, Ontario. From Kingston, Oswego could be secured giving the British a strategic position relative to their Indian allies. A large party departing Montreal for Kingston, stayed on Carleton Island which at that time had become a transshipment point for a British trader at Niagara (Durham, 1889:44-55). Lieutenant William Twiss, in charge of construction, saw the advantages of the island over the proposed Kingston site. A Royal Navy Lieutenant, advising on naval matters, joined the party and concurred with Twiss's opinion. Haldimand's approval for this new location was soon forthcoming. Construction was begun in late summer 1778.

Fort Haldimand assumed new importance for the British with Sullivan's Indian expedition of 1779 whereby the American army displaced the Indian allies of Britain, destroying many of their settlements and burning their crops. General Haldimand sent Sir John Johnson to retaliate against this action in order to insure future Indian cooperation. Johnson's force arrived on Carleton Island on September 27, 1779 after a slow march from Montreal, too late that year to undertake a major campaign. Tensions between the British and the Indians were high at this point. With winter coming, most of the Indians left Carleton Island for Niagara with only a few dispossessed families wintering on Carleton, including Joseph Brant's sister, Molly.

During the winter of 1779-80, the defences at Fort Haldimand were improved. In February of 1780, the Iroquois wintering on Carleton sent a message to General Haldimand pleading for action to avenge the Sullivan destruction of their homeland.

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Throughout 1780, the fort served as a stopover for raiding parties to and from the Mohawk Valley. In September, Johnson, with a reassembled force, stayed briefly in preparation for his raid against Schoharie. This year also saw a great increase in the amount of trade goods coming to Fort Haldimand for transfer from smaller river bateaux to ships sailing Lake Ontario.

By early 1781, the fort had been considerably improved, including construction of the surrounding ditch cut and blasted from the limestone bedrock at the surface. The continuing British investment to improve Fort Haldimand was in anticipation of an expected American campaign into Canada. One traveler estimated the investment at 100,000 pounds (Weaver, n.d.:2).

The summer of 1781 saw continuing activity at Fort Haldimand as raiding parties launched sorties and returned with prisoners. Prisoner interrogation was conducted at the fort throughout the conflict and provided the British with important intelligence. With Cornwallis's surrender at Yorktown in the fall of 1781, military activity on the frontier was greatly reduced. Until April 25, 1783 and the arrival to Quebec of the Royal Proclamation for a Cessation of Arms, Fort Haldimand saw little activity. The subsequent disposition of this fort has been described in the preceding section.

From a research perspective, the data potentially recoverable affords material for a broad range of research designs. Two possible research strategies are here suggested. The remnant structural evidence offers a comparative basis for the study of British defensive fortifications in the New World. Innovation appears to be the response of British engineers to a new set of defensive requirements encountered on the North American continent. For Fort Haldimand, Durham notes (1889:114): "The probability is, that Lieutenant Twiss, had been instructed in the various systems then in vogue, the most prominent of which in his time were Coehorn, Vauban, and Cormontaigne, and adapted from either or all of them such points as he saw fit, and modified them to suit the situation and the nature of the ground to be fortified, and the nature and extent of the protection required." Durham states (1889:114) that Lieutenant Twiss went on to become one of the best engineers the British had in America during the Revolutionary War.

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While documentary sources allude to the extent of population heterogeneity and to the fact that relationships were not always amicable, artifactual patterning would provide additional insights into the adaptations of behavior made to accommodate this diversity. The rapid changes in population size on the island may also find reflection in artifact patterning.

9. MAJOR BIBLIOGRAPHICAL REFERENCES

See Continuation Sheet

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY 25 Zone Easting Northing
 UTM REFERENCES E. 18 395160 4891485
 F. 18 395260 4891660

A	18	395660	4891340	B	18	395460	4891285
	ZONE	EASTING	NORTHING		ZONE	EASTING	NORTHING
C	18	395340	4891340	D	18	395130	4891325
	ZONE	EASTING	NORTHING		ZONE	EASTING	NORTHING

VERBAL BOUNDARY DESCRIPTION

See Continuation Sheet

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME / TITLE

Charles A. Florance

ORGANIZATION

NYS Office of Parks and Rec., Div. for Historic Preservation

DATE

STREET & NUMBER

Agency Bldg. #1, Empire State Plaza

TELEPHONE

(518)474-0479

CITY OR TOWN

Albany

STATE

New York

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

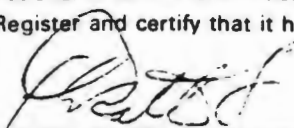
NATIONAL

STATE

LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE



TITLE Deputy Commissioner for Historic Preservation DATE 7/26/78

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I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE

DIRECTOR, OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION

ATTEST:

DATE

KEEPER OF THE NATIONAL REGISTER

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Bond, Major C. C. J.

1960 "The British Base at Carleton Island" Ontario
History, Volume 52, No. 1, pp. 1-16.

Calver, William L. and Reginald P. Bolton

1950 History Written with Pick and Shovel. The New York
Historical Society, New York. pp. 55-60.

Durham, J.H.

1889 Carleton Island in the Revolution: The Old Fort
and Its Builders by "Carleton." C. W. Bardeen,
Syracuse, NY.

Hough, Franklin B.

1854 History of Jefferson County, New York. Joel Munsell,
Albany; Sterling and Riddell, Watertown.

Murphy, R. Joseph

n.d.a Preliminary Report: Underwater Archaeological
Investigation, Carleton Island, St. Lawrence River,
New York. (January, 1976).

n.d.b Excavation of Revolutionary War Vessel and Ethno-
historical Study of the Area. Final Report.
(Received Office of Parks and Recreation, February
14, 1977).

Weaver, John C.

n.d. Title unknown. Xeroxed excerpt from a paper delivered
at the Jefferson County Historical Society, March
15, 1973. Division for Historic Preservation re-
search file, Albany, NY.

Wells, Carmi

n.d. Report of the 1966 Excavations at Fort Haldimand,
Carleton Island. Ms. State University of New York
at Oswego.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

FOR NPS USE ONLY

RECEIVED

DATE ENTERED

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

Fort Haldimand
Jefferson County

CONTINUATION SHEET

ITEM NUMBER 10 PAGE 1

While the boundaries herein described are arbitrary, they are adjusted to incorporate areas where archaeological remains are known to exist. From a point (A) 340 m north-west of the eastern tip of land at the mouth of South Bay and at the mean high water mark, the boundary will run UTM Grid N 52° W a distance of approximately 520 m to again intersect the mean high water mark (Point F). The boundary continues along the mean high water mark to that point (E) of land forming the eastern side of the mouth of North Bay. From this point, the boundary passes across the mouth of North Bay on a line UTM Grid S 10° W a distance of approximately 160 m to intersect the point of land (D) constituting the western side of the mouth of North Bay. The boundary then continues along the mean high water mark to the easternmost point of that mark (C) at the head of North Bay. The boundary will then cross the isthmus, following a course UTM Grid E 27° S a distance of 140 m to intersect the mean high water mark at the head of South Bay (Point B). Following the mean high water mark, the boundary returns to the starting point (A) on the north shore of South Bay.

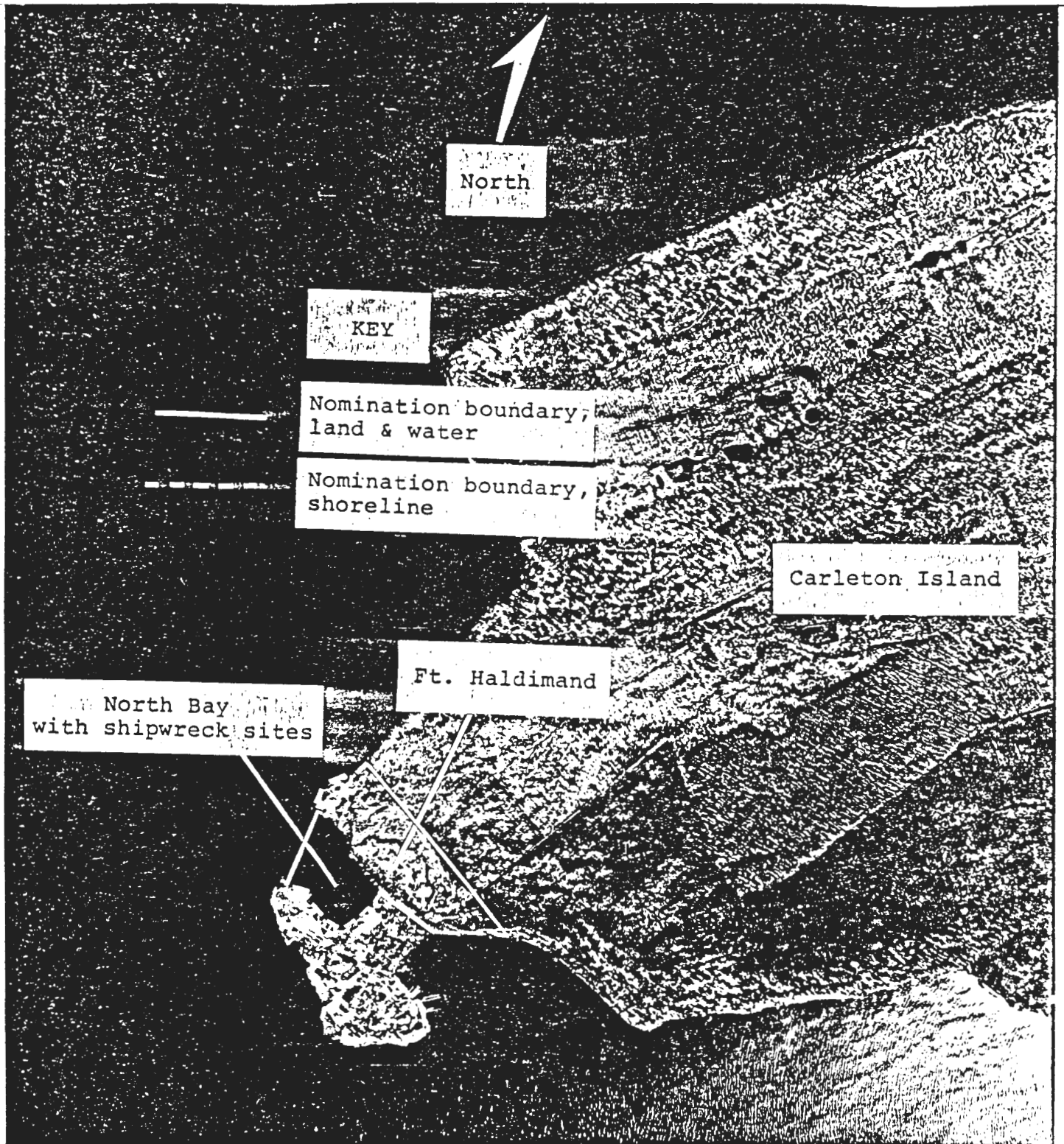
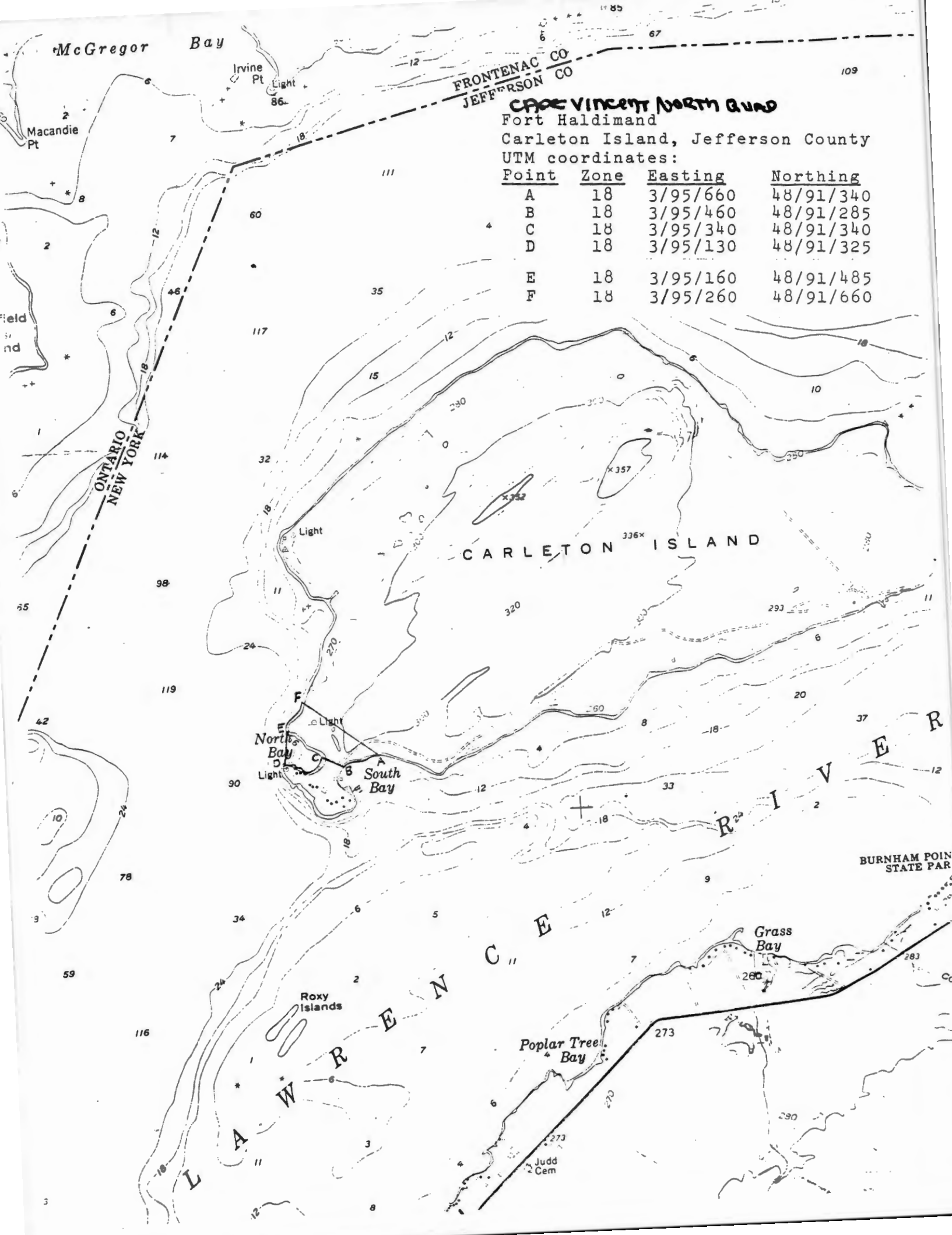


Figure 1

Xerox copy of a 1971 aerial photograph at original scale (1:12,000) showing the western half of Carleton Island and the Fort Haldimand nomination area. Original photography by Dickerson, Czerwinski and Warneck, Watertown, New York.





ST. LAWRENCE-EASTERN ONTARIO COMMISSION

317 WASHINGTON ST., WATERTOWN, N. Y. 13601

PHONE (315) ~~788-0450~~ 785-2460

FRANCIS G. HEALEY, Chairman

DANIEL J. PALM, Executive Director

M E M O R A N D U M

July 28, 1986

TO: Joseph Maillet, Vice President, Patten Corporation;
Richard Boynton, Vice President, Patten Corporation;
Rob Apple, Director, Patten Environmental Trust;
Kenneth Deedy, Thousand Island Land Trust;
Alison MacLean, Thousand Island Land Trust.

FROM: Daniel J. Palm, Ph.D., Executive Director, St. Lawrence-
Eastern Ontario Commission

A handwritten mark, possibly initials or a signature, located to the right of the 'FROM:' line.

SUBJECT: Carleton Island Agreement Revisions

The following addendum revises my memo dated July 21, 1986. These revisions are based upon verbal agreement between Joe and I on July 25, 1986.

Item No. 5 - In the third line remove material in parenthesis and replace with "That portion within the National Register Area".

Item No. 6 - Lot 1 - Remove all words in the paragraph and replace with "This lot may be divided into two parcels. Construction of structures is permitted on both parcels."

M E M O R A N D U M

July 21, 1986

TO: Joseph Maillet, Vice President, Patten Corporation;
Richard Boynton, Vice President, Patten Corporation;
Rob Apple, Director, Patten Environmental Trust;
Kenneth Deedy, Thousand Island Land Trust;
Alison MacLean, Thousand Island Land Trust.

FROM: Daniel J. Palm, Ph.D., Executive Director, St. Lawrence-
Eastern Ontario Commission

SUBJECT: Carleton Island Agreement

Summarized below are the agreements reached during our 18 July 1986 meeting. Please review them and advise if there are any differences of opinion on what you feel was agreed upon compared to what is set forth below.

1. Buffer Zone - The 100' buffer zone around the island will be managed as follows:
 - a) Protection shall be by transfer of conservation easement to Thousand Island Land Trust with appropriate language included in each deed. Construction or placement of any structures, permanent or temporary, shall be prohibited, with the exception of duckblinds, docks and boathouses. Occupancy of the buffer area for residential purposes shall be prohibited. No less than 50% of the land surface of the buffer strip is to be retained in its natural vegetative cover condition, as it may exist through natural succession. Eg. 50% of the vegetation is to be unmanaged in order to permit natural succession to occur. Each 300' parcel must have one contiguous strip of at least 100' parallel to shore and 100 ft. normal to shore retained in natural vegetative condition in perpetuity. Man-caused fires will be considered a management technique that is not permitted. Portions of down trees extending outside of the 100 ft. buffer strip can be removed.
2. Forest Preserve - The Forest Preserve will be managed as follows:
 - a) Protection shall be by conservation easement, duly noted in deeds for subdivided lots numbered 3 - 7, 14 - 17 and 19, specifying the controls in land use and development detailed in Patten Corporation, N.E. prepared "Deed of Conservation Easement In Gross - Carleton Forest Preserve" dated (draft) 6/18/86 and "Attachment A: Forest Management Objectives". The conservation easement will be held by either Patten Environmental Trust or Thousand Island Land Trust. Reference to Attachment A must be incorporated into the "Deed of Conservation Easements In Gross - Carleton Forest Preserve."

3. Fort Haldimand - The 8 acre Fort Haldimand site will be deeded to the Thousand Island Land Trust. All property corners will be monumented by a New York State licensed land surveyor and each monument will be tied in to a physical feature where possible. This will be accomplished by the Patten Corporation.
4. Indian Burial Site - The 5 acre site will be protected by conservation easement that shall be included in deed language for lots numbered 19 and 20. The easement shall prohibit, except by permission of the conservation easement holder, grading of land surface, excavation or exhumation activities, placement of structures and motor vehicle traffic. The subject easement will be transferred to the Thousand Island Land Trust. The total 5 acre land area is to be permanently monumented at six points by a NYS licensed land surveyor employed by the Patten Corporation. Built into the easement will be language that will release all parties from responsibilities laid out in the easement if such release is authorized in writing by both the NYS Historic Preservation Officer and a representative of the NYS Museum.
5. Buffer Zone Around Fort Haldimand - The 10 acre buffer zone shall be protected by conservation easement duly recorded in deeds for lots numbered 1 (~~3 acre portion divided from Miller 7 acre lot~~), 2 and 20. Boundaries of the area, external to the Fort parcel lines, shall be permanently monumented by a NYS licensed land surveyor - each of the two such lines to have a minimum of 4 monuments installed by Patten Corporation to facilitate property owners' easy recognition of the external boundaries of the fort parcel buffer zone. Subject monuments shall be tied into a physical feature where possible. The conservation easement shall require that minimum 30 days notice must be provided Thousand Island Land Trust of any proposed grading of land surface, excavation or exhumation activity proposed. All parties may be relieved from the responsibility for adhering to the conservation easement upon written approval by the NYS Historic Preservation Officer and a representative of the NYS Museum.
6. Further Subdivision of Parcels - The restrictions of 300' of shoreline and 5 acre minimums (standard criteria) remains on all future subdivided parcels except as identified below:

Lot 1 - ~~This lot may be divided into two parcels as follows: A lot of three acres bordering the Fort Haldimand parcel may be created on which structures may be constructed. The remaining 4 acres of Lot 1 are to be covered by a conservation easement that precludes any additional structures from being constructed. (Its use is to afford Mr. Miller additional privacy.)~~

Lots 2, 3, 6, 8, 10, 11, 15, 17 - The standard criteria of 5 acres and 300' of shoreline minimums apply.

~~remove lot 1~~
According
to attache

According
to a standard

Lots 4, 5, 7, 9, 12, 13, 14, 16, 18, 19, 20 - One lot not meeting the standard criteria can be created as long as the parcel contains 100' of shoreline and 5 acres of land. No structures are permitted between the inland side of the 100' buffer zone and the waterward portion of the parcel that is less than 300' in width (parallel to shoreline). Standard shore structures are permitted as identified in the Buffer Zone conservation easement.

7. Financial Consideration - The Patten Corporation will donate either \$2,000 per year for the next five (5) years or \$10,000 in one lump sum this year. The option of payment is to be made by Patten Corporation. In addition, Patten Corporation will assist Thousand Island Land Trust in publishing 3,000 copies of a brochure similar to that developed for Patten Environmental Trust. This assistance includes layout and graphic design and printing of the brochure.
8. A news conference will be held on July 28. Thousand Island Land Trust and the Patten Corporation will arrange this conference.



ST. LAWRENCE-EASTERN ONTARIO COMMISSION

317 WASHINGTON ST., WATERTOWN, N. Y. 13601-3788

PHONE (315) ~~788-0450~~
785-2460

FRANCIS G. HEALEY, Chairman

DANIEL J. PALM, Executive Director

July 3, 1986

CERTIFIED MAIL

Patten Corporation Northeast
PO Box 918
North Adams, MA 01247

Re: Carleton Island Subdivision
Town of Cape Vincent, Jeff. Co., NY
SLEOC Project #86-J-6

Dear Sirs:

The Commission has determined that data submission is complete for the proposed project. After review, it was decided that the project, as proposed, would not have any significantly adverse impacts upon the scenic, historical, recreational or natural resources of the St. Lawrence River and Eastern Lake Ontario area.

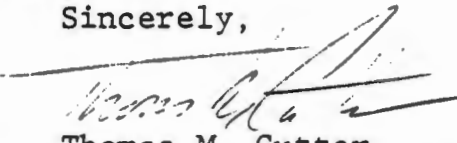
Accordingly, your plans are no longer subject to review by the Commission providing that:

- 1) an agreement addressing management of the 8 acre Fort Haldimand parcel, 10 acres of archaeologically sensitive upland adjacent to the Fort parcel, a 5 acre "indian burial site" occupying portions of lots No. 19 and 20, a 100 ft. deep "shoreline buffer strip" and 300 or more acre "Carleton Forest Preserve", and including considerations for financing said management, shall be reached between the Patten Environmental Trust and St. Lawrence-Eastern Ontario Commission within 60 days of the date of this correspondence;
- 2) the instrument of protection for the 100 ft. "shoreline buffer strip", "Carleton Forest Preserve", 5 acre "indian burial site" and 10 acres of archaeologically sensitive uplands adjacent to Fort Haldimand (including minimum 30-day prior notification to the Patten Environmental Trust, by the owner, of any proposed land grading, excavation or exhumation) shall be by conservation easement;
- 3) the instrument of protection for the 8 acre Fort Haldimand parcel shall be by transfer of property title to Patten Environmental Trust;

- 4) the conservation easement regarding the 100 ft. "shoreline buffer strip" will contain conditions on land use and vegetative management mutually agreed to between Patten Environmental Trust and the St. Lawrence-Eastern Ontario Commission; and
- 5) the proposed project is not altered in such a manner as to cause significantly adverse impacts upon the resources of the Commission service area.

Thank you for your cooperation. Please contact Commission offices should you have any questions or comments concerning Commission review of your project.

Sincerely,



Thomas M. Cutter
Chief, Project Review & Analysis

cc: Julia Stokes, Ass't. Commissioner
NYS OPR&HP
Otis Radley, Supervisor, T. Cape Vincent

TMC:lb

To: Dan Palm
From: Tom Cutter
Re.: Patten Development Corp., N.E. land management criteria

1. Carleton Forest Preserve (the Forest Preserve)
2. Fort Haldimand 8 acre Parcel (the Fort parcel)
3. Indian Burial Site of 5 acres (the Indian Burial parcel)
4. 100 ft. shoreline buffer strip (shoreline buffer strip)
5. Land subdivision constraints
6. 10 acres of archaeologically sensitive upland area (in two separate areas) adjacent to the 8 acre Fort parcel that are included in parcel
included in parcel listed on the State and National Registers of Historic Places (the Fort parcel buffer zone)

1. The Forest Preserve - Protection shall be by conservation easement, duly noted in deeds for subdivided lots numbered 3 - 7, 14 - 17 and 19, specifying the controls in land use and development detailed in Patten Corporation, N.E. (PCNE) prepared "Deed Of Conservation Easement In Gross - Carleton Forest Preserve dated (draft) 6/18/86 and "Attachment A : Forest Management Objectives ".
Note: T. Cutter has not established a clear and binding connection between the "Deed Of Conservation Easement In Gross ..." and "Attachment A". That connection must be assured. Re. the text of the "Deed Of Conservation Easement In Gross ...", T. Cutter questions items numbered: 3.e. - as being too liberal - there must be protective measures prohibiting dissection of forest lands - perhaps only hauling/skid roads or paths should be allowed, and roadways designed or used for any other purpose prohibited; 4.b. - does this clause prohibit transfer of ownership absent minimum 5 acres with minimum 300 ft of shoreline?. Other concerns: where does the document specify that harvest of wood, fibre, plant specimens and/or hunting or other disturbance or control of wildlife is controlled?

PCNE or the Patten Environmental Trust (PET) must post the peripheral boundary of the forest preserve with permanent signs using sign design, spacing and language compatible with NYS posting regulations. PET to assign conservation easements affecting the forest preserve to the Thousand Island Land Trust (TILT). TILT to maintain posting signs, inspect and enforce the easements in perpetuity.

PCNE and/or PET to provide TILT with aerial photo coverate of the forest preserve of a least 1" = 500' annotated to show the forest preserve boundary and including images of permanent natural or cultural features sufficient for TILT to re-establish the forest preserve boundary on the ground.

2. The fort parcel - PCNE to deed parcel to PET, and PET to deed parcel to TILT. Site management: with permission of TILT, only educational and scientific uses may be permitted - Site improvements, that would attract or accomodate visitors to or on the site are to be prohibited - evolution or creation of bike trails, motor vehicle accesways, utility corridors, vegetative disturbances and disturbances to soil and bedrock, and brush hogging activities are to be prohibited.

PCNE or PET is to turn over the parcel deed to TILT with all property corners permanently monumented by a NYS licensed land surveyor. PCNE or PET to install posting of the fort parcel against all types of trespass excepting foot traffic - posting to be to standards of NYS posting regulations. TILT to be responsible for signing maintenance, compliance inspections and enforcement.

3. Indian Burial Parcel - Shall be protected by conservation easement that shall be included in deed language for lots numbered 19 and 20. The total 5 acre land area is to be permanently monumented at 6 points (minimally) by a NYS licensed land surveyor, and posted as inviolate, excepting for foot traffic, using signing compatible with NYS posting regulations. The conservation easement is to be transferred by PCNE to PET and thence to TILT. Built in to the easement may be language that will release all parties from responsibilities laid out in the easement if such release is authorized in writing by both the NYS Historic Preservation Officer and a representative of the NYS Museum.

4. Shoreline Buffer Strip - Protection shall be by conservation easement with appropriate language included in each deed transferred in perpetuity. Construction or placement of any structures, permanent or temporary, shall be prohibited, with the exception of duckblinds, docks and boathouses. Occupancy of the buffer area for residential purposes shall be prohibited. No less than 66.67% of the land surface of the buffer strip is to be retained in its natural vegetative cover condition, as it may exist through natural succession. Eq. 66.67% of the vegetation is to be unmanaged in order to permit natural succession to occur. Each parcel must have one contiguous strip of at least 125 ft. parallel to shore and 100 ft. normal to shore retained in natural vegetative condition in perpetuity. Man-caused fires will be considered a management technique that is not permitted. Portions of down trees extending outside of the 100 ft buffer strip can be removed. Excavation, filling or removal of vegetation on the remaining 33.33% of the buffer strip shall be permitted only for the following purposes: 1) to maintain sightlines from upland areas to waters of the St. Lawrence River; 2) to maintain a single pedestrian accessway from upland areas to the water's edge; and 3) to maintain a single vehicular accessway, of width to accommodate vehicles of conventional wheelbase size, to service duckblind, dock and/or boathouse structures.

5. Land Subdivision Constraints - No lot may be subdivided excepting it result in all consequent lots being of at least 5.00 contiguous land acres with no less than 300 contiguous feet of natural St. Lawrence River shoreline. An exception to that constraint may be afforded wherein each of the original 20 subdivided lots may be subdivided to yield a single lot of 5.00 acres area or greater with a minimum of 150 contiguous feet of natural St. Lawrence River shoreline. A further exception may be afforded to lot numbered 1, wherein said lot number 1 may be subdivided into 2 parcels only as long as no portion of the land area included in lot number 1 is ever developed (wherein a conservation easement, duly recorded in transfer of deed to lot number one obtains) - excepting that a roadway may be constructed on natural or gravel bed to afford physical access to

shoreline structures on parcel(s) contiguous to the original lot number 1.

6. Fort Parcel Buffer Zone - Shall be protected by conservation easement duly recorded in deeds for lots numbered 1, 2 and 20. Boundaries of the area, external to the Fort parcel lines, shall be permanently monumented by a NYS licensed land surveyor - each of the two such lines to have a minimum of 4 monuments installed to facilitate property owners' easy recognition of the external boundaries of the fort parcel buffer zone. PCNE shall transfer the conservation easement to PET, and thence to TILT. PCNE or PET shall provide TILT with aerial photo coverage of the fort parcel buffer zone, at scale no less than 1" = 500', with all boundaries of the zone annotated on the photo(s), and with image encompassing sufficient number of cultural or natural permanent control point visible to enable TILT to re-establish the zone's boundaries. The conservation easement shall require that minimum 30 days notice must be provided TILT or its assignee of any proposed grading of land surface, excavation or exhumation activity proposed. All parties may be relieved from the responsibility for adhering to the conservation easement upon written approval by the NYS Historic Preservation Officer and a representative of the NYS Museum.

Fiscal Arrangements - an endowment, or equal, sufficient to enable TILT to properly conduct periodic site compliance inspections, enforce conservation easements (including litigation) and maintain all necessary signing, in perpetuity.



ST. LAWRENCE-EASTERN ONTARIO COMMISSION

317 WASHINGTON ST., WATERTOWN, N. Y. 13601

PHONE (315) ~~788-0750~~ 785-2460

FRANCIS G. HEALEY, Chairman

DANIEL J. PALM, Executive Director

M E M O R A N D U M

July 28, 1986

TO: Joseph Maillet, Vice President, Patten Corporation;
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Rob Apple, Director, Patten Environmental Trust;
Kenneth Deedy, Thousand Island Land Trust;
Alison MacLean, Thousand Island Land Trust.

FROM: Daniel J. Palm, Ph.D., Executive Director, St. Lawrence-
Eastern Ontario Commission

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Lots 2, 3, 6, 8, 10, 11, 15, 17 - The standard criteria of 5 acres and 300' of shoreline minimums apply.

~~remove lot 1~~
According
to address

According
to address

Lots 4, 5, 7, 9, 12, 13, 14, 16, 18, 19, 20 - One lot not meeting the standard criteria can be created as long as the parcel contains 100' of shoreline and 5 acres of land. No structures are permitted between the inland side of the 100' buffer zone and the waterward portion of the parcel that is less than 300' in width (parallel to shoreline). Standard shore structures are permitted as identified in the Buffer Zone conservation easement.

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317 WASHINGTON ST., WATERTOWN, N. Y. 13601-3788

PHONE (315) 785-2460

FRANCIS G. HEALEY, Chairman

DANIEL J. PALM, Executive Director

August 26, 1986

Mr. Robert Apple
Executive Director
The Patten Environmental Trust
P.O. Box 1280
Montpelier, VT 05602

Re: Carleton Island Subdivision
Town of Cape Vincent
Jefferson County, NY
SLEOC Project #86-J-6

Dear Rob:

As per our 8/12/86 phone conversation, I had expected by now to receive further "Deed of Conservation Easements" documentation from Attorney David Malone. You noted during that phone conversation that many of the deficiencies uncovered in our review of your 8/6/86 data submission would undoubtedly be cleared up by documents soon to be sent to Commission offices by Attorney Malone.

Hopefully this letter to you, and Attorney Malone's data submission, will "cross" - in the mails, and Commission concern over apparent delays in finalizing deed easements' texts will be allayed. However, I feel it prudent to now outline Commission review comments on the deed easements' texts submitted 8/6/86 in advance of receiving Attorney Malone's pending submission.

Our comments are as follows:

1. Patten Corp. NE (PCNE) apparently elects to prepare separate deed easements covering, respectively: the shoreline buffer zone; the burial ground; and the forest preserve. Draft texts for those three easements were received in your 8/6/86 submission. Not yet received is easement text concerning the buffer zone around Fort Haldimand. Also yet to be received are: text and boundary descriptions associated with deed transfer of the eight-acre Fort Haldimand parcel to the Thousand Island Land Trust (TILT); and text associated with deed restrictions to be employed in controlling further subdivision of parcels throughout the entire 1350+ acre island parcel.

Progress in Commission receipt of a full set of draft texts concerning deed easements/restrictions seems to have bogged down. You and I had best clearly identify reasons for delays and establish means to expedite full receipt, review, final wording and formal filing of all deed easements/restrictions well in advance of the October 3, 1986 deadline.

2. PCNE evidently prefers to file a whole host of deed easements/restrictions with the Jefferson County Clerk's Office. PCNE might consider the less expensive and cumbersome alternative of filing one, or a very few, easement/restriction document(s) and simply refer to them in each deed subsequently filed. A large portion of each easement document is repetitive text, and consolidation of text into one document may greatly simplify both preparation and filing of an effective instrument covering all deeds' easements and restrictions.

3. Re. Deed of Conservation Easement In Gross - Carleton Island Shoreline Buffer Zone

a. Commission understanding is that this easement is to be fully transferred to TILT. Accordingly, item #9, last sentence (4th page - Assignment of Grantee's Interest) should be amended to read: "Assignee shall be the Thousand Island Land Trust, Inc." On 2nd line of item #9 the word "may" should read "shall".

b. 1st page, 1st Whereas: referenced "Attachment A" was not included in 8/16/86 data submission. Please submit same.

c. Nowhere in the text is the 100 ft. deep shoreline buffer zone identified as to location and dimensions. By Commission understanding, that zone encompasses all lands within 100 ft. (horizontal distance) of the St. Lawrence River shoreline (for example: all lands 100 ft. landward of shoreline elevation 246.8 ft. International Great Lakes Datum).

d. 2nd page, item #2.(a): rewrite end of statement to read: "...aesthetic, scenic, woodland and successional vegetative features and values of the Property."

e. 3rd page, item #3: text must be expanded to accomodate/include the following:

- (1) temporary, seasonal or permanent occupancy of the shoreline buffer zone for residential purposes shall be prohibited.
- (2) man-caused fires in protected vegetation areas in the "zone" are a management technique that is not permitted.
- (3) portions of downed trees extending outside the 100 ft. buffer zone may be removed.
- (4) the "...one contiguous strip of at least 100' parallel to the shore retained in natural vegetative condition." must also be 100 ft. deep (eg. normal to the shoreline).
- (5) In select sites a lot may encompass less than 300 ft. shoreline (but no less than 100 ft. of shoreline). In such cases, the entire 50% of uncut/unmanaged vegetation must be in a single block measuring 100 ft. deep (normal to the shoreline) and one-half the shoreline frontage wide. Thus, a lot with 230 ft. of shoreline would have an uncut/unmanaged vegetative block retained that measures 100 ft. deep and 115 ft. wide (parallel to shoreline).

f. 3rd page, item 4(b); 2nd line: "be" should read "by".

g. 2nd page, 3rd Whereas, 3rd - 4th lines: "woodland" should read "vegetative cover".

h. 2nd page, 4th Whereas: has PCNE or Patten Environmental Trust (PET) been granted such exemption?

i. 2nd page, 5th Whereas: has grantee been certified as a "qualified organization" - and if so, by whom?

j. 2nd page, Purpose statement: should include wetland, watershed and successional vegetative features and values of the Property.

k. 2nd page, item 2(b), 3rd line: "unreasonable" should read "unreasonably".

4. Re. Deed of Conservation Easement In Gross - Carleton Indian Burial Ground

a. Several observations contained in 3a.-k. above apply to this easement as well.

b. 2nd page, Purpose statement: must encompass archaeological features, values and artifacts as well.

c. 2nd page, item #2.(a): ibid.

d. 3rd page, item #3: language should be added to the effect that, if so authorized in writing by the NY State Historic Preservation Officer and an authorized representative of the NY State Museum, all parties may be relieved from compliance with prohibitions detailed in item #3(a).

e. This particular easement will apply to purchases of lots #19 & 20 only. Should easement text reflect that fact?

5. Re. Deed of Conservation Easement In Gross - Carleton Forest Preserve

a. Several observations contained in 3a.-k. above apply to this easement as well.

b. This particular easement will apply to purchasers of lots #3-7, 14-17 and 19 only. Should easement text reflect that fact?

c. Re. 3rd page, item #3(b): the siting of mobile homes anywhere on the island parcels is prohibited -- is mention of mobile homes in this specific easement likely to confuse matters?

d. Re. 3rd page, item #3(c): a relatively common farming practice is to allow domestic stock to graze woodlands. Such use of forest preserve lands must be prohibited.

e. Re. 3rd page, item #3(e): include construction of utility corridors in the prohibition.

6. Other

a. Please refer also to my letter of 8/4/86 to Joseph Maillet, which comprehensively details required data submissions.

b. We have yet to see deed text references to prohibitions against:

- (1) further subdivision of any of the original 20 lots within 12 months of purchase
- (2) placement of trailers, motor-homes or mobile homes anywhere on the subject parcels
- (3) commercial quarrying, mining or excavation
- (4) subdivision of lots containing less than 5 acres land area and less than 300 contiguous feet of shoreline (excepting for lots #1, 4, 5, 7, 9, 12, 13, 14, 16, 18, 19 & 20, which may be subdivided so as to "yield" one min. 5 acre lot each with a shoreline footage of 100-299 ft. length).

c. Please provide the Commission with a copy of an easement reportedly provided to Niagara Mohawk Power Corporation by Mr. John MacFarlane.

d. Please provide the Commission with copies of, or information otherwise detailing, any rights or privileges to land use that Mr. John MacFarlane may have granted. Are there, for example, any agreements, rights or privileges concerning use of duck blinds or duck hunting areas on any of the 20 subdivided lots?

Your latest submission, of a property map annotated to detail further subdivision of lots #12 & 18, has been received by the Commission. It is our understanding that PCNE's representations to prospective buyers of the original 20 lots is already encumbered by the absence of clearly stated and formally agreed upon deed easement and restriction texts. It would seem imprudent to consider immediate further subdivision of any of the original 20 lots until we have concluded all arrangements for deed easements/restrictions language. Once this is concluded, the Commission will expedite review of the proposed subdivision.

While composing this letter, Rob, I have heard from both you and Mr. Malone. A copy of this letter is going to both of you in hopes of expediting conclusion of our work in this matter.

Respectfully,

Thomas M. Cutter
Coastal Development
Specialist III

cc: Mr. David Malone
Attorney
P.O. Box 276
Little Falls, NY 13365

To: Dan Palm
From: Tom Cutter
Re.: Patten Development Corp., N.E. land management criteria

1. Carleton Forest Preserve (the Forest Preserve)
2. Fort Haldimand 8 acre Parcel (the Fort parcel)
3. Indian Burial Site of 5 acres (the Indian Burial parcel)
4. 100 ft. shoreline buffer strip (shoreline buffer strip)
5. Land subdivision constraints
6. 10 acres of archaeologically sensitive upland area (in two separate areas) adjacent to the 8 acre Fort parcel that are included in parcel

included in parcel listed on the State and National Registers of Historic Places (the Fort parcel buffer zone)

1. The Forest Preserve - Protection shall be by conservation easement, duly noted in deeds for subdivided lots numbered 3 - 7, 14 - 17 and 19, specifying the controls in land use and development detailed in Patten Corporation, N.E. (PCNE) prepared "Deed Of Conservation Easement In Gross - Carleton Forest Preserve" dated (draft) 6/18/86 and "Attachment A : Forest Management Objectives".

Note: T. Cutter has not established a clear and binding connection between the "Deed Of Conservation Easement In Gross ..." and "Attachment A". That connection must be assured. Re. the text of the "Deed Of Conservation Easement In Gross ...", T. Cutter questions items numbered: 3.e. - as being too liberal - there must be protective measures prohibiting dissection of forest lands - perhaps only hauling/skid roads or paths should be allowed, and roadways designed or used for any other purpose prohibited; 4.b. - does this clause prohibit transfer of ownership absent minimum 5 acres with minimum 300 ft of shoreline?. Other concerns: where does the document specify that harvest of wood, fibre, plant specimens and/or hunting or other disturbance or control of wildlife is controlled?

PCNE or the Patten Environmental Trust (PET) must post the peripheral boundary of the forest preserve with permanent signs using sign design, spacing and language compatible with NYS posting regulations: PET to assign conservation easements affecting the forest preserve to the Thousand Island Land Trust (TILT). TILT to maintain posting signs, inspect and enforce the easements in perpetuity.

PCNE and/or PET to provide TILT with aerial photo coverate of the forest preserve of a least 1" = 500' annotated to show the forest preserve boundary and including images of permanent natural or cultural features sufficient for TILT to re-establish the forest preserve boundary on the ground.

2. The fort parcel - PCNE to deed parcel to PET, and PET to deed parcel to TILT. Site management: with permission of TILT, only educational and scientific uses may be permitted - Site improvements, that would attract or accomodate visitors to or on the site are to be prohibited - evolution or creation of bike trails, motor vehicle accesways, utility corridors, vegetative disturbances and disturbances to soil and bedrock, and brush hogging activities are to be prohibited. unless approach by SHPO.

PCNE or PET is to turn over the parcel deed to TILT with all property corners permanently monumented by a NYS licensed land surveyor. PCNE or PET to install posting of the fort parcel against all types of trespass excepting foot traffic - posting to be to standards of NYS posting regulations. TILT to be responsible for signing maintenance, compliance inspections and enforcement.

3. Indian Burial Parcel - Shall be protected by conservation easement that shall be included in deed language for lots numbered 19 and 20. The total 5 acre land area is to be permanently monumented at 6 points (minimally) by a NYS licensed land surveyor, and posted as inviolate, excepting for foot traffic, using signing compatible with NYS posting regulations. The conservation easement is to be transferred by PCNE to PET and thence to TILT. Built in to the easement may be language that will release all parties from responsibilities laid out in the easement if such release is authorized in writing by both the NYS Historic Preservation Officer and a representative of the NYS Museum.

4. Shoreline Buffer Strip - Protection shall be by conservation easement with appropriate language included in each deed transferred in perpetuity. Construction or placement of any structures, permanent or temporary, shall be prohibited, with the exception of duckblinds, docks and boathouses. Occupancy of the buffer area for residential purposes shall be prohibited. No less than 66.67% of the land surface of the buffer strip is to be retained in its natural vegetative cover condition, as it may exist through natural succession. Eg. 66.67% of the vegetation is to be unmanaged in order to permit natural succession to occur. Each parcel must have one contiguous strip of at least 125 ft. parallel to shore and 100 ft. normal to shore retained in natural vegetative condition in perpetuity. Man-caused fires will be considered a management technique that is not permitted. Portions of down trees extending outside of the 100 ft buffer strip can be removed. Excavation, filling or removal of vegetation on the remaining 33.33% of the buffer strip shall be permitted only for the following purposes: 1) to maintain sightlines from upland areas to waters of the St. Lawrence River; 2) to maintain a single pedestrian accessway from upland areas to the water's edge; and 3) to maintain a single vehicular accessway, of width to accommodate vehicles of conventional wheelbase size, to service duckblind, dock and/or boathouse structures.

5. Land Subdivision Constraints - No lot may be subdivided excepting it result in all consequent lots being of at least 5.00 contiguous land acres with no less than 300 contiguous feet of natural St. Lawrence River shoreline. An exception to that constraint may be afforded wherein each of the original 20 subdivided lots may be subdivided to yield a single lot of 5.00 acres area or greater with a minimum of 150 contiguous feet of natural St. Lawrence River shoreline. A further exception may be afforded to lot numbered 1, wherein said lot number 1 may be subdivided into 2 parcels only as long as no portion of the land area included in lot number 1 is ever developed (wherein a conservation easement, duly recorded in transfer of deed to lot number one obtains) - excepting that a roadway may be constructed on natural or gravel bed to afford physical access to

shoreline structures on parcel(s) contiguous to the original lot number 1.

6. Fort Parcel Buffer Zone - Shall be protected by conservation easement duly recorded in deeds for lots numbered 1, 2 and 20. Boundaries of the area, external to the Fort parcel lines, shall be permanently monumented by a NYS licensed land surveyor - each of the two such lines to have a minimum of 4 monuments installed to facilitate property owners' easy recognition of the external boundaries of the fort parcel buffer zone. PCNE shall transfer the conservation easement to PET, and thence to TILT. PCNE or PET shall provide TILT with aerial photo coverage of the fort parcel buffer zone, at scale no less than 1" = 500', with all boundaries of the zone annotated on the photo(s), and with image encompassing sufficient number of cultural or natural permanent control point visible to enable TILT to re-establish the zone's boundaries. The conservation easement shall require that minimum 30 days notice must be provided TILT or its assignee of any proposed grading of land surface, excavation or exhumation activity proposed. All parties may be relieved from the responsibility for adhering to the conservation easement upon written approval by the NYS Historic Preservation Officer and a representative of the NYS Museum.

Fiscal Arrangements - an endowment, or equal, sufficient to enable TILT to properly conduct periodic site compliance inspections, enforce conservation easements (including litigation) and maintain all necessary signing, in perpetuity.

August 4, 1986

Mr. Joseph Maillet
Vice President
Patten Corporation Northeast
P.O. Box 918
North Adams, MA 01247

Dear Mr. Maillet:

Re: Carleton Island Subdivision
Town of Cape Vincent
Jefferson County, NY
SLEOC Project #86-J-6

Subsequent to 7/2/86 Commission review of reference project, negotiations have refined the nature of Patten Corporation Northeast's obligations in concluding full compliance with the Commission's project review process. I take the opportunity, through this letter, to outline both Patten Corporation Northeast's obligations on the matter (I) and its means to satisfy the Commission that those obligations have been met (II).

- I. Summarized below are those obligations assumed by Patten Corporation Northeast, as Commission project review staff understand them.
 1. Buffer Zone - The 100' buffer zone around the island will be managed as follows:
 - a) Protection shall be by transfer of conservation easement to Thousand Island Land Trust with appropriate language included in each deed. Construction or placement of any structures, permanent or temporary, shall be prohibited, with the exception of duckblinds, docks, and boat houses. Occupancy of the buffer area for residential purposes shall be prohibited. No less than 50 percent of the land surface of the buffer strip is to be retained in its natural vegetative cover condition, as it may exist through natural succession. (For example, 50 percent of the vegetation is to be unmanaged in order to permit natural succession to occur.)

Each 300' parcel must have one contiguous strip of at least 100' parallel to shore and 100' normal to shore retained in natural vegetative condition in perpetuity. Man-caused fires will be considered a management technique that is not permitted. Portions of down trees extending outside of the 100' buffer strip can be removed.

2. Forest Preserve - The Forest Preserve will be managed as follows:

a) Protection shall be by conservation easement, duly noted in deeds for subdivided lots numbered 3-7, 14-17, and 19, specifying the controls in land use and development detailed in Patten Corporation Northeast's prepared "Deed of Conservation Easement In Gross - Carleton Forest Preserve" dated (draft) 6/18/86 and "Attachment A: Forest Management Objectives." The conservation easement will be held by either Patten Environmental Trust or Thousand Island Land Trust. Reference to Attachment A must be incorporated into the "Deed of Conservation Easements In Gross - Carleton Forest Preserve."

3. Fort Haldimand - The eight-acre Fort Haldimand site will be deeded to the Thousand Island Land Trust. All property corners will be monumented by a New York State licensed land surveyor and each monument will be tied in to a physical feature where possible. This will be accomplished by the Patten Corporation.

4. Indian Burial Site - The five-acre site will be protected by conservation easement that shall be included in deed language for lots numbered 19 and 20. The easement shall prohibit, except by permission of the conservation easement holder, grading of land surface, excavation or exhumation activities, placement of structures and motor vehicle traffic. The subject easement will be transferred to the Thousand Island Land Trust. The total five-acre land area is to be permanently monumented at six points by a NYS licensed land surveyor employed by the Patten Corporation. Built into the easement will be language that will release all parties from responsibilities laid out in the easement if such release is authorized in writing by both the NYS Historic Preservation Officer and a representative of the NYS Museum.

5. Buffer Zone Around Fort Haldimand - The ten-acre buffer zone (coincident with National Register of Historic Places boundary description shall be protected by conservation easement duly recorded in deed for lots numbered 1, 2 and 20. Boundaries of the area, external to the Fort parcel lines, shall be permanently monumented by a NYS licensed land surveyor--each of the two such lines to have a minimum of four monuments installed by Patten Corporation to facilitate property owners' easy recognition of the external boundaries of the Fort parcel buffer zone. Subject monuments shall be tied into a physical feature where possible. The conservation easement shall be transferred to the Thousand Island Land Trust and require that minimum 30-days notice must be provided Thousand Island Land Trust of any proposed grading of land surface, excavation, or exhumation activity proposed. All parties may be relieved from the responsibility for adhering to

the conservation easement upon written approval by the NYS Historic Preservation Officer and a representative of the NYS Museum.

- 6. Further Subdivision of Parcels - The restrictions of 300' of shoreline and five-acre minimums (standard criteria) remains on all future subdivided parcels except as identified below:

Lot 1 - This lot may be divided into two parcels. Construction of structures is permitted on both parcels. Restrictions applying to management of the 100' buffer zone, as noted in I. 1. above shall apply.

Lots 2, 3, 6, 8, 10, 11, 15, 17 - The standard criteria of 5 acres and 300' of shoreline minimums apply.

Lots 4, 5, 7, 9, 12, 13, 14, 16, 18, 19, 20 - One lot not meeting the standard criteria can be created as long as the parcel contain 100' of shoreline and 5 acres of land. No structures are permitted between the inland side of the 100' buffer zone and the waterward portion of the parcel that is less than 300' in width (parallel to shoreline). Standard shore structures are permitted as identified in the Buffer Zone conservation easement.

- 7. Financial Consideration - The Patten Corporation will donate either \$2,000 per year for the next five (5) years or \$10,000 in one lump sum this year. The option of payment is to be made by Patten Corporation. In addition, Patten Corporation will assist Thousand Island Land Trust in publishing 3,000 copies of a brochure similar to that developed for Patten Environmental Trust. This assistance includes layout and graphic design and printing of the brochure.

- Remove* 8. A news conference will be held on July 28. Thousand Island Land Trust and the Patten Corporation will arrange this conference.

- 11. Summarized below are the means, agreed to by Patten Corporation Northeast, by which the Corporation will satisfy the Commission that obligations outlined in I. above have been met.

- 1. Transfers of conservation easements to Patten Environmental Trust, Thousand Island Land Trust or other Trust shall apply to protection of the 100' shoreline buffer zone; forest preserve; Indian burial site; and buffer zone around Fort Haldimand. All conservation easements are to be filed with the Jefferson County, NY Clerk's Office. The text and any boundary descriptions associated with each conservation easement are to be previewed for approval prior to filing with the Jefferson County Clerk's Office, by the chief executive officers or their designees, of Patten Environmental Trust, Thousand Island Land Trust, and the St. Lawrence-Eastern Ontario Commission.

- What for* 2. (Deed Restrictions affecting subdivided land parcel owners shall apply to restrictions on further subdivision of parcels.) All deed restrictions are to be filed with the Jefferson County, NY, Clerk's Office. The text and any boundary descriptions

associated with each deed restriction are to be previewed for approval, prior to filing with the Jefferson County Clerk's Office, by the Executive Director of the St. Lawrence-Eastern Commission.

- 3. The eight-acre Fort Haldimand site will be deeded to the Thousand Island Land Trust. The deed will be filed with the Jefferson County, NY, Clerk's Office. The text and any boundary descriptions associated with that deed transfer is to be previewed for approval, prior to filing with the Jefferson county Clerk's Office, by the chief executive officers, or their designees, of Thousand Island Land Trust and the St. Lawrence-Eastern Ontario Commission.
- 4. Patten Corporation Northeast has donated \$10,000 to the Thousand Island Land Trust. No further substantiation of that donation is required by the Commission.
- 5. Patten Corporation Northeast shall cause the boundary lines of the Fort Haldimand site, buffer zone around Fort Haldimand and Indian burial site to be permanently monumented by a New York State licensed land surveyor. Monuments will be tied in to a permanent physical feature where possible. A property boundary map portraying bearings and distances of all boundary lines and tie-in lines, and location and nature of all monuments, properly stamped and signed by a land surveyor licensed to practice in the State of New York will be provided to the St. Lawrence-Eastern Ontario Commission and any Trust(s) to receive the deed or conservation easement regarding those three land areas. The chief executive officers, or their designees, of the Commission and trust(s) shall approve the boundary maps and placement of monuments prior to the map data being incorporated into deeds or easements to be filed with the Jefferson County, NY, Clerk's Office. The purchasers of subdivided lots numbered 1, 2, 19, and 20 shall receive approved copies of maps describing the bounds of the Fort, Fort buffer zone, and/or Indian burial site, as appropriate.

The above parts I. and II. constitute our understanding and expectations regarding all agreements pertaining to satisfactory conclusion of Patten Corporation Northeast's remaining obligations to the Commission's project review process. It is our further understanding that all obligations on the part of Patten Corporation Northeast will be acquitted, satisfactory to the Commission, no later than 60 days from the date of this letter (e.g., on or before September 30, 1986).

complete ? S. Gillet

Respectfully,

Thomas M. Cutter
Chief, Project Review and Analysis

TMC/kms

cc: Richard Boynton, Vice President, Patten Corporation Northeast

Rob Apple, Director, Patten Environmental Trust
Kenneth Deedy, Thousand Island Land Trust
Daniel Palm, Ph.D., Executive Director, St. Lawrence-Eastern
Ontario Commission