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September 13, 2024

Via First Class Mail

Jefferson County Code, Fire Prevention and Building Code Department
175 Arsenal Street
Watertown, NY 13601

Re: *Carleton Island Unsafe Building*

Dear Sir or Madam,

This office represents Mr. James McQueeny, relating to his membership of a group of multiple property owners residing on Carleton Island, known as the Friends of Carleton Island. This letter is in connection with the purchase of real property in the Town of Cape Vincent, identified as tax map parcel no. 39.27-1-16, commonly known as the Carleton Villa (the "Villa") by Carleton Villa, LLC. The Villa is the subject of a pending special use permit application for approval to operate a "glamp ground" on the property currently before the Town of Cape Vincent Zoning and Planning Board.

Pursuant to Section 107.1 of the 2020 Existing Building Code of New York State (the "Code"), applicable to all towns in the State of New York, corrective action must be used to abate an unsafe structure where it "constitutes a clear and imminent threat to human life, safety or health." By this letter we request that the Code Enforcement Department take action "so as to extend to the public protection from the hazards of threat to human life, safety, or health." Id.

The Villa has deteriorated to the point where a collapse may be imminent. This structure is located adjacent to a public right-of-way that residents regularly use to travel around the island. Emergency measures must be immediately undertaken to abate the immediate danger that a collapse may pose to the public. In addition, my clients are very concerned about the potential for the discharge of lead or asbestos in the event of a collapse.

In connection with public applications for grant money, the property owner has unequivocally represented that it possesses a large amount of capital that could be used to stabilize the building, and further, that he himself agrees that stabilization is urgently necessary. We request that the Code Enforcement Office take immediate

action pursuant to Section 107.6 of the Code and order the owner to “abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.”

We hereby request that the Jefferson County Code Enforcement investigate the situation. This structure cannot be left to collapse on its own. Such an outcome may very likely result in harm to other residents of the island either as a result of the collapse itself or the emission of lead, asbestos and other harmful substances that would result from the collapse. People’s homes are located in close proximity to this structure.

Please respond to this letter no later than September 19th. My clients are very concerned about their safety and immediate communication is required.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

Brody D. Smith
Member