

Solution offered in Raquette Lake land dispute

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A new bill is expected to be introduced in the state Legislature this month that would offer a solution to a more-than-a-century-long dispute over land ownership in Raquette Lake.

The dispute stems from both the state of New York and private parties claiming ownership of the same properties. The private parties include individuals, the fire department, a public school, businesses and a utility company.

The contested land consists of 215 parcels and more than 1,000 acres in what was originally Township 40, in the Tottenfield and Crossfield Purchase in the 18th century. The parcels are located along the shores of Raquette Lake.

The state claims it purchased many of the properties in 19th-century tax sales and that they are part of the Forest Preserve, but residents and the other entities have disputed that, and many even hold deeds.

As a result of the conflict, many residents have feared the possibility of losing their land and have had to deal with the problems of not having clear titles, such as not being able to get title insurance or loans.

Finding a way to solve this dispute has proved elusive for numerous reasons, including the complexity of the state laws involving Forest Preserve, the cost associated with lawsuits that could resolve the issue, and poor documentation from the 19th century.

But now the parties hope they have solved the dilemma.

They have agreed on a deal that has been drafted in the form of legislation and is expected to be introduced next week in the Assembly and Senate. Because the state claims the land is Forest Preserve, the deal requires a constitutional amendment that would need to be approved in the Senate and Assembly twice, with an election between the votes. Then the constitutional amendment would be put on an election ballot and go before the voters of the entire state.

The parties are hoping to get it passed by both houses this month, then again early next year, so it could be put on the ballot in November 2013.

The deal would essentially include a land swap. Raquette Lake property owners would give the state about \$625,000 it could put toward the purchase of property for the Adirondack Forest Preserve. The town of Long Lake would collect the money from landowners and put into an escrow account until the state is ready to purchase property. The property would be purchased with the help of a third party, which would contribute toward the cost of the purchase.

The Raquette Lake landowners would receive clear titles of land ownership once the state purchases the Forest Preserve, a process that could take time.

Landowners who don't want to be part of this deal could opt out shortly after the amendment goes before voters. If it passes, the landowners would then likely need to resolve their disputed titles in an expensive court battle.

Jim Blanchard, whose family has lived in Raquette Lake since the 19th century, is one of the core group of Raquette Lake residents who has been very involved with discussions with the state for years. He praised the state Department of Environmental Conservation and Gov. Andrew Cuomo's administration for being willing to solve this long-standing problem. Blanchard said the negotiations "seems to be coming together better than it ever has before.

"It solves our title issues that have been a problem for 150 years," Blanchard said. "It's a solution. No solution is perfect, but this one is as good as it's been, so we support it. We were very happy that the other people involved are supporting it. It doesn't look like we have anybody fighting against it."

Blanchard was one of about 65 property owners in Raquette Lake who attended a meeting about the proposal on Saturday. He said the group unanimously supported it.

The DEC has a policy of not commenting on pending legislation, but spokeswoman Emily DeSantis did say her agency would like to see this issue resolved.

"While we cannot comment specifically on the legislation, it is in the public's interest to resolve the long-standing title disputes in a fair and equitable manner while ensuring that the state receives a significant parcel of land as part of the settlement," DeSantis wrote the Enterprise. "The DEC continues to work with the Raquette Lake

community, legislators, environmental groups and other stakeholders to resolve this complex issue."

The residents have had support from state Assemblywoman Teresa Sayward and state Sen. Betty Little, but they have been wary of environmental groups. But such groups appear to be very supportive of this proposal and would like to see it go through.

"This is the closest to an agreement in the 20 years that I've been an observer of this situation, and I think it is definitely something that could happen this legislative session," Adirondack Council spokesman John Sheehan said. "Ultimately, we think a resolution of this is in everyone's best interest."

Dave Gibson of Adirondack Wild agreed that it would in the best interests of everyone to put this issue in the past.

"I think it generally meets the test for Article 14 land exchanges," Gibson said, referring to the article of the state Constitution that established the Adirondack Forest Preserve. "There's a real public benefit to having this public land ownership question on such a large lake settled for all time. Obviously, it's a benefit for the owners and the future generations and also for the town and the county of Hamilton. And there's a benefit for New York to know what it owns and what it doesn't own."

Sayward, a co-sponsor of the bill, said it would have to go through the Assembly's Environmental Conservation Committee and the Judiciary Committee before going to the floor for a final vote.

"If we can get the bill to the floor, it will pass," Sayward said. "I think there are 30-some members that sit here in our house that have constituents that own property that is contested. So many of them are already aware of the issue, and some of them, we've had good conversations with a lot of these folks already."

Little, a sponsor of the Senate bill, said the bill will likely be introduced next week in the Rules Committee.

"This is a good resolution for an ongoing dispute," Little said. "People will have clear title to their properties, and they will be able to move on. There will be additional Forest Preserve land purchased to replace the land in question, and I think it's a good resolution."