

# Letter: Carleton Island project should not be approved

Feb 24, 2024



An updated site plan for Carleton Villa from the villa's website. Provided photo

While many concerns exist in relation to a proposed building phase on Carleton Island for restoration of

the Villa and creation of glampgrounds on land adjacent to the Villa, it appears that the present issue at hand is the granting of a Zoning Variance. It is my understanding that the Applicant is applying for both a Use Variance and an Area Variance.

According to the Cape Vincent Zoning Law, to be granted a Use Variance 4 criteria must be considered:

- (i) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

I would argue that the Applicant has not shown any financial evidence comparing the profitability of the Villa project with or without the glampgrounds. The Applicant has remained completely silent as to any projected financials for the Villa project without the glampgrounds. The Applicant has mentioned a \$300,000 income per year off the glampgrounds; however, these numbers seem extremely suspect and unsupported by "competent financial evidence". With 12 rental units going for a proposed \$150-200 per night, this figure would require 100% occupancy for 6 months. This alone is unreasonable and not "competent financial evidence." The prime summer season in our area lasts for 8 weeks. Additionally, from that figure, debt management for the extensive construction and infrastructure would need to be taken out, as well as, at least, staffing, utilities, taxes, supplies and repairs. Without more details how can it be shown that this campground project would even provide the financial return to overcome the issue that "the applicant cannot realize a reasonable return" under this standard of the zoning law?

- (ii) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

While the Villa is a unique aspect of the property, the remainder of the character of the property is no different than any other lot on the island. The majority of the properties on the island are single residences surrounded by large undeveloped acreage that provides no commercial financial benefit to their owners but maintains the character of the island and promotes the preservation of the Thousand Islands.

(iii) That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

The use variance, if granted, would absolutely alter the essential character of the neighborhood. As has been extensively discussed the neighborhood is low density, single family residential on large lots.

(iv) That the alleged hardship has not been self-created.

It seems that this hardship is absolutely self-created. It is impossible to believe that anyone would purchase this Villa without the knowledge that restoring it would require substantial funding. This Villa was not inherited nor purchased without published zoning laws, but purchased knowing the full state of the Villa and the character of the island and with every access to zoning and building laws and codes.

According to the Cape Vincent Zoning Law, to be granted an Area Variance 5 criteria must be considered:

(i) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

As extensively discussed, an undesirable change will be produced if an area variance is granted. From a community perspective, the island is low density residential and this project increases population, noise and lighting and changes the essential character for its residents. Furthermore, from an environmental perspective, clearing natural habitats that are intended to be protected by the 200-foot setback is clearly an undesirable change.

(ii) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

It is unclear if the Applicant has considered alternate avenues for fund-raising; however, it is further unclear, as discussed, if the proposed glampground project itself will actually provide for the benefit sought, i.e. raising funds to restore the Villa. As discussed above, the Applicant has not provided any evidence that the glampground project is even economically viable beyond the dubious unsubstantiated claim of a \$300,000 income, with no mention of ongoing expenses and capital costs.

(iii) Whether the requested area variance is substantial;

It would seem obvious that a 50% area variance is substantial.

(iv) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;

It would seem clear that commercial construction on an extra 100-feet of shoreline would adversely impact the physical and environmental conditions in the protected island neighborhood.

Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.

It seems that this hardship is absolutely self-created. It is impossible to believe that anyone would purchase this Villa without the knowledge that restoring it would require substantial funds. This Villa was not inherited nor purchased without published zoning laws, it was purchased with full knowledge of

the current state of the Villa and the character of the island and with every access to zoning and building laws and codes.

I understand, as I would argue most island residents do, the desire to have the Villa restored. I know myself and members of my family have long dreamed of being wealthy to the point that we could just buy it and restore it. However, we would not want to do this at the cost of destroying what the island is- which seems to be what the essence of the protections that the zoning code offers is all about.

Furthermore, it does not seem likely that the proposed glampground would ever provide the means necessary to achieve the goal of restoring the Villa, and it is certain that the Applicant has not provided any evidence showing otherwise.

When one steps back from focusing on construction details and instead focuses on the specific criteria for the granting of a Use Variance and an Area Variance, it seems clear that the variances are not warranted and should not be granted.

I truly hope that you take these points into serious consideration before approving permanent change to Carleton Island.

Carol Thomas

Cape Vincent