

## TILT ‘discouraged’ after seeing land clearing on Carleton Island

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The Thousand Islands Land Trust estimates that 90-95% of the understory and 30-35% of trees on the property adjacent to Carleton Villa were cleared. Provided photo

CAPE VINCENT — Thousand Islands Land Trust Executive Director Jake Tibbles said Thursday that the organization is “discouraged” by the land clearing around the property adjacent to the historic Carleton Villa on Carleton Island.

TILT is still doing a detailed assessment on what exactly was cleared to find out how much of the understory and how many trees were removed. Tibbles said that a preliminary assessment shows that roughly 90-95% of the understory and 30-35% of trees on the property was cleared.

Understory is vegetation, brush, or anything smaller than a normal tree.

TILT, which owns property adjoining the villa property, owned by Ronald Clapp, claims in a lawsuit against Clapp that it has a conservation easement and a declaration of restrictions that was created in 1986 by Patten Corp. Northeast, the former owner of the property.

The conservation property includes the entirety of the villa property and TILT's property.

Tibbles said that under the terms of the Carleton Island easement, the landowner must give TILT a 30-day notice before doing excavation or clearing work. There was no notification, he said.

"That is designed to ensure that the landowner and the land trust have the opportunity to discuss what will be cleared and to ensure that there are no activities that would be conducted that would be in violation of the easement," he said. "There's very specific restrictions on how much of the shoreline buffer zone can be cleared."

He suspects that if Clapp reached out to TILT that there would've been some work that would've been allowed by the land trust and permitted under the easement.

Tibbles said there is concern that the site plan potentially violates the easement.

Clapp, who is from West Palm Beach, Florida, purchased the property in July 2022 and is hoping to turn some of the area around the historic villa into campgrounds/glampgrounds. He has said he would use money from the campgrounds/glampgrounds to pay for the renovations on the villa.

The plans call for 13 guest rooms in the main villa and 12 cabins for camping/glamping.

TILT has had conversations with Clapp, and he was aware of the conservation easement, Tibbles said, including the terms and conditions and giving the land trust the 30-day notice.

"If the landowner was obtaining legal advice, it should have been clear that there was steps that needed to be taken prior to any work being conducted on the site, and that did not happen," Tibbles said. "It's TILT's legal obligation to uphold the terms and conditions of the easement."

Tibbles said filing legal action was "a last resort" but that it was needed in this scenario.

"We really had no other option but to step in and ensure that irreparable damage wasn't caused to the conservation values protected under the easement," he said.

Tibbles said there are many aspects of the easement that will need to be debated legally in order to fully understand the scope of the terms and conditions and whether the terms allow for the activities proposed.

Attempts to reach Clapp on Thursday were unsuccessful.

A temporary restraining order was issued Friday by the state Appellate Division, Fourth Department, halting the project for now. A hearing is scheduled for April 26 in front of Judge James P. McClusky.

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Jonathon Wheeler

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