

May 8, 2024

Mr. Frank Giaquinto, Planning Board Chairman
Town of Cape Vincent
1964 NYS Route 12E
Cape Vincent, New York 13618

Re: Proposed Carleton Villa Project
Carleton Island Rd 1
Cape Vincent, NY 13618

Subj: Review of Site Plan Application

File: 2203.004.001

Dear Mr. Giaquinto:

Barton & Loguidice, D.P.C. (B&L) has completed our initial review of the Site Plan Application submitted by Ron Clapp on behalf of Carleton Villa LLC (Applicant) for the above referenced project. To date, B&L has received the following documents for review and comment:

- Special Use Permit Application, prepared and signed by Ron Clapp, dated February 2, 2024;
- Site Plan Review Application, prepared and signed by Ron Clapp, dated March 6, 2024;
- Part 1 of the Full Environmental Assessment Form and attachments, signed by Ron Clapp, dated February 28, 2024; and
- Site Plan (1 Sheet), prepared by The Nadi Group, dated January 25, 2024.

Project Description

The Applicant is proposing the construction of twelve (12) 14'x40' cabins, one (1) 1,200 square foot central comfort station and associated site improvements, on a 6.9-acre parcel (Tax Parcel ID No. 39.27-1-16) located at Carleton Island Rd 1 on Carleton Island in the Town of Cape Vincent, Jefferson County, New York. An existing onsite structure (i.e., Carleton Villa) will be renovated/restored for use as a hotel and restaurant. Proposed site improvements include waterfront/beach enhancements, docks, connecting pathways and utilities. A private sewer system is proposed to collect sanitary sewer waste and water supply is proposed to be provided by private well(s).

The proposed project is located in the Town of Cape Vincent Islands District (I). The proposed facility is most similar to the Town Zoning Code description for a "recreational resort". This use is permitted on Carleton Island through the issuance of a site plan review and special use permit.



B&L offers the following comments to the Planning Board for consideration in its review.

Environmental Review (in accordance with the SEQRA)

The proposed project is considered an Unlisted Action under the provisions of the State Environmental Quality Review Act (SEQRA). It is B&L's understanding that the Planning Board previously passed a resolution declaring their intent to act as Lead Agency and coordinated with the involved agencies (and notified interested Parties) in order to determine which entity is going to serve as the Lead Agency in the SEQRA review process. The 30-day coordinated review period was completed and only one response, from NYS Office of General Services (OGS), has been received to date.

B&L was requested by the Town to review the submitted Part 1 EAF. This review has concluded and B&L offers the following comments related to the Project and SEQR EAF Part 1:

Full Environmental Assessment Form Part 1

1. Section A – Please provide more detail in the description of the proposed project. Additional information should include, but is not limited to, utility installations/needs, proposed dock lengths, proposed structure dimensions, number of rooms proposed in the Villa, size of the proposed restaurant, and description of site improvements (i.e., roads, pathways, beach expansion, etc.). It is recommended that work proposed for Phase 1 be clearly delineated from Phase 2 work in the description.
2. Section B – Please remove Jefferson County Planning from the table. In their letter to the Town, dated April 1, 2024, it was confirmed that the proposed project is not required to be reviewed by Jefferson County Planning.
3. Question C.4.b, Existing Community Services – The NYS Police Troop D also would serve this project site.
4. Question C.4.d, Existing Community Services – Burnham Point State Park also serves this project site.
5. Question D.1.b.b, Acreage of Disturbance – Please confirm that the total acreage of physical disturbance includes temporary and permanent ground disturbances. Please update the site plan to include limits of disturbance.
6. Question D.1.g.iii, Building Space Heated/Cooled – Please include the Carleton Villa square footage if the Villa is not currently heated/cooled.
7. Question D.1.h, Impoundment of Liquids – Please confirm the stormwater management practices (i.e., basins, ponds, etc.) that will be proposed for treatment of stormwater runoff from new impervious areas. If any of these will result in the impoundment of stormwater, please revise answer accordingly. Please provide the Stormwater Pollution Prevention Plan (SWPPP) to the Town for review.
8. Question D.2.b, Wetlands - Please provide documentation that a wetland delineation was completed for the site.
9. Question D.2.b.iv, Aquatic Vegetation – Please confirm if proposed beach expansion and/or dock installations will cause or result in the destruction or removal of aquatic vegetation. Aerials appear to show shallow aquatic vegetation in these work areas. Revise answer accordingly.



10. Question D.2.b.v, Reclamation/Mitigation – Please provide a response to this question.
11. Questions D.2.c & D.2.d, Water/Sewer Demand – Please confirm the total anticipated water usage/demand per day and sanitary wastewater generation. Calculations should be provided for proposed design flows and discharge volumes.
12. Question D.2.c.v, Water Supply – Are there any existing wells on site that will be utilized for the proposed project? If so, please label location(s) on the Site Plan.
13. Question D.2.e, Impervious Cover – Please confirm that the proposed acreage of impervious cover includes all new buildings and impervious paths (i.e., gravel, stone).
14. Question D.2.j, Traffic – Given that the project location currently has no traffic dedicated to the parcel, it seems reasonable to evaluate the new traffic demand generated by the project. This is assumed to be by boat, and should include consideration for guest transport, restaurant patrons, and transport for supplies/goods and solid waste disposal. Vehicular parking for guests on the mainland should also be considered in this response.
15. Question D.2.m & D.2.n – It is understood that the clearing of vegetation will be minimized, but the removal of any vegetation will alter the existing natural barriers that are in place to shield light and provide visual and noise screening. Targeting locations for additional plantings will be warranted.
16. Question D.2.r – Solid waste generation from construction is noted for a duration of 6 months. Earlier, construction is indicated to encompass two Phases and span more than three years. Dumpster/waste storage/recycling location is not identified on Site Plan. How will recyclables and solid waste materials be brought to the noted disposal facilities? Question E.1.b, Land Uses and Covertypes on the Project Site – The site appears to include forested cover. Please confirm the design of the “permeable walking paths”.
17. Question E.2.e – Drainage status of project site soils appears to be about 60% moderately well drained and 40% well drained (based on USDA NRCS Web Soil Survey information). Confirm percentages shown and adjust accordingly.
18. Question E.2.i & E.2.j & E.2.k – The Full EAF Clarification Summary Report states that shoreline portions of the project site are located within the 100-year floodplain, but the majority of the site is within Zone C. Yet, a “yes” response is indicated for 100-year floodplain, 500-year floodplain, and designated floodway. Confirm and adjust as necessary on the EAF.

Based on the volume of comments and changes to the Part 1, B&L recommends that an updated Part 1 be supplied to the interested and involved agencies, highlighting the EAF locations where information was modified from the original version sent out as part of the coordinated review. An abbreviated comment period should be provided to the interested and involved agencies to provide input on any newly included or changed project items.

Additional Information and Anticipated Permits/Coordination

In addition to the items noted in the comments above, B&L expects that the following information and/or documents will be submitted to the Town in support of the application:



1. The Applicant should provide evidence from service providers that adequate service/capacity can be provided to the expanded site (i.e., gas, telecommunications, power). Connection locations and proposed modifications should be indicated on the Site Plan.
2. Provide documentation that a wetland delineation was completed for the project and confirm regulatory permit needs from the ACOE/NYSDEC, if any.
3. Provide a letter from the Cape Vincent Fire Department acknowledging receipt of the Site Plan and verifying approval of proposed access for fire and emergency vehicles.
4. Written documentation from the New York State Historic Preservation Office (SHPO) as evidence of their review of the subject property and determination of effect (e.g., letter of "No Effect", letter of "No Adverse Effect").
5. Provide an Official Species List and applicable Determination Key Consistency Letters from the USFWS website. Provide a response from the NYSDEC related to records of state-protected species at and near the project site.
6. Local and State Permits, as required, including approval of the proposed sanitary and water systems from the NYS Department of Environmental Conservation and Dept. of Health.
7. Federal Permits, as required.

B&L requests the Applicant submit an itemized response to the comments provided herein at their earliest convenience.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

BARTON & LOGUIDICE, D.P.C.

A handwritten signature in blue ink, appearing to read 'Ken M. Knutsen', is positioned above the name and title of the signatory.

Kenneth M. Knutsen, P.E.
Senior Vice President

A handwritten signature in blue ink, appearing to read 'Johanna E. Duffy', is positioned above the name and title of the signatory.

Johanna E. Duffy, PWS, CWB®
Associate

KJK/JED/jjb

cc: Planning Board Members
Paul Aubertine, Town Supervisor
James Burrows, Town Attorney