

Judge denies motion for appeal, keeps Carleton Island restrictions in place

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Judge James P. McClusky denied an appeals motion for Carleton Villa on Thursday, keeping the restrictions in place. Watertown Daily Times

CAPE VINCENT — State Supreme Court Judge James P. McClusky on Thursday declined to disturb an earlier decision that set conditions upon which limited work could occur on a proposed campground on Carleton Island.

The Thousand Islands Land Trust was granted an injunction in May, preventing Ronald Clapp, the owner of Carleton Villa, from clearing or excavating land near the St. Lawrence River shoreline as he attempts to build 12 cabins and a bath house for camping, docks, and then restore the villa.

Clapp, of Lantana, Florida, purchased the island property in the town of Cape Vincent in July 2022 and hopes to turn some of the area around the villa into campgrounds/glamgrounds. He has said he would use revenue from the campground to pay for the renovations on the villa.

Clapp was represented Thursday by Anthony P. Luisi of Harris Beach while TILT was represented by Phillip A. Oswald of Rupp Pfalzgraf LLC.

Luisi said they were looking for more clarification on the language of the easement, while Oswald argued that the injunction was proper and should not be modified.

TILT has contended that a conservation easement and declaration of restrictions it was granted in 1986 encumbers the villa property, limiting its development and preserving its natural environment. The easements and restrictions were developed by the former St. Lawrence-Eastern Ontario Commission in 1986 as Patten Development planned to subdivide the island for low-impact, single-family residents on minimum lots of five acres.

This spring, Clapp disagreed with TILT's interpretation of the property restrictions and in April workers began clearing trees and other vegetation with an excavator, prompting TILT to bring its legal action. Clapp then contended that, as the work had already been completed, no controversy existed. However, he would not assure that more work would not take place. Photos of the work in April show several piles of tree trunks and limbs piled high along TILT's property line beneath the ruins of historic Fort Haldimand.

The injunction halts work done within 100 feet of the St. Lawrence River shoreline. If Clapp wants to build structures on the shoreline, he will need to get permission either from the court or the Thousand Islands Land Trust.

"There was prohibited work" in the 100-foot shoreline, McClusky said during the court appearance Thursday.

McClusky denied the motion for the appeal and kept the current restrictions in place.

The project has drawn severe opposition from the owners of the remainder of the 1,400-acre island. A group, the Friends of Carleton Island, formed in December to discourage the town of Cape Vincent from approving special-use permits and zoning variances to allow for commercial development on the island.

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