

Letter: Carleton Island plans call for more information

Oct 11, 2024



An excavator works on Carleton Island Tuesday April 9 clearing trees on a property that is undergoing a site plan review before the Cape Vincent Zoning board. The owner is proposing building a campground. Contributed.

CAPE VINCENT citizens, regarding the proposed plan for development of the North and South Bay areas of Carleton Island (Carleton Island Villa LLC applications), it has become apparent to me that we need clear, unbiased information about this proposal. Having served on your Planning Board for approximately 25 years, during which I chaired the Board much of that time, and having been a member of the committee that wrote the last major update of your Zoning Law, I offer the following site plan review information and comments:

THE PLAN

Site Plan Review applications were submitted to the Town Planning Board in the spring of 2024. Due to the fact that the development area is historically, culturally and environmentally sensitive, a special use permit must be granted by the Zoning Board of Appeals. The plan does not meet the requirements of the Town Zoning Law (i.e. setbacks from waterfronts). As such, the applicant has also applied to the Zoning Board of Appeals to grant a change to the law (AKA variance).

THE STATUS

Both ZBA applications have been tabled by the ZBA pending action by the Planning Board. The PB has deemed the revised application as complete, has sent referrals to involved agencies such as Historical Preservation and DEC as part of ENVIRONMENTAL QUALITY REVIEW for projects of this level of sensitivity

(AKA as SEQR). The PB has tabled the review process awaiting responses.

Following receipt of input and recommendations from involved agencies the PB will decide if any negative impacts on the environment are significant and, if so, require mitigation, if possible, or terminate the review. Following PB action the ZBA will be in a position to act on the two tabled applications.

TIME LINE

It is assumed that the PB will receive responses from other involved agencies sometime this fall to enable the PB to move forward. The developer may have violated a conservation easement that covers use of the property which is separate from the Planning Board review process. The court has issued an injunction (temporary stop-work order) pending its' decision which is likely to take a considerable amount of time.

RISKS

The developer's application is for restoration of the Villa. As a means to offset costs of restoration the developer proposes to build a commercial "glampground." The restoration is the primary component. However, the review has been focused more on the glamp ground than the restoration.

IMPORTANT

The developer's application provides no commitment or guarantee that restoration will be done. The PB and the developer must agree on a restoration schedule and time limits and make them a condition of approval if approval is granted. If that is not required by the Planning Board during its' review, the developer could simply walk away from the restoration component and leave the Town, grant agencies, donors and opponents to the project with nothing more than a villa in ruins. The applications are lacking other information (i.e. marina specifics, details of possible encroachment over private property (underwater rights owned by others in South Bay) and a mainland parking plan for as many as 150 customers. The review

process requires the developer to fund an escrow account to cover the costs to the Town for professional services (i.e. legal, engineering) prior to the application being accepted as complete. That step was not completed prior to acceptance. The Town Board has since negotiated an escrow agreement. Review costs are

estimated to be at least \$25,000. The amount of billing to date, pending billing or the amount that has actually been deposited in the escrow account are unknown to me at this time.

OBSERVATIONS AND OPINIONS

In fairness to the members of the Planning Board and the Zoning Board of Appeals, they have not experienced a project of

his type and complexity. As such, each voting member must pay close attention to ALL aspects of the Zoning Law, make sure the applicant has complied with requirements or waive requirements that may not apply and make decisions accordingly. There is considerable opposition to this project by those who understand the problems that a project can create if minimally planned and/or improperly administered by our Boards. Considering the risks stated above, they have good reasons to be opposed.

WHAT SHOULD YOU DO

Your Town Board has done its' best to provide information about this project via Board meetings, formal public hearings and their website. Hundreds of manhours were spent to provide us with a Zoning Law designed to protect our health and welfare. If you are interested in the workings of your government specific to this project, attend Town Board, Planning Board and Zoning Board meetings, ask questions and demand answers.

Cyril Cullen

Cape Vincent

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