

To: Cody Higgins (via email codyh32686@gmail.com)
From: Todd Atkinson
Re: Cape Vincent Zoning Board – Special Use Permit Application
Date: November 27, 2023

Dear Cody,

I've just learned of the Special Use Permit Application submitted by Ron Clapp c/o Carleton Island LLC with respect to the Carleton Island Villa lot.

The proposed use appears entirely inconsistent with the current land uses on the island, all of which are private and residential.

Mr. Clapp's references to hunting lodges and other public uses appears misleading. The one "hunting lodge" on the head of the island is a private residence and has no commercial activities. Years ago, the Riverhead Lodge operated on the head of the island in a larger residence and lodged no more than 8 guests at a time, all of whom were guests of the lodge and supervised closely.

Many, many years ago the island had a British fort, a British shipbuilding facility, farms and a school house, but in modern time the island has been used only as private residences, the majority of which are on more 5 acres and 300 feet of waterfront.

Mr. Clapp's proposal is to have 46 campsites on less than 5 acres, so perhaps as many as 150 occupants on a 5-acre parcel. Mr. Clapp also proposes to reconstruct the Villa for use as a restaurant and bed and breakfast, a project many consider infeasible, so most likely the Villa waterfront would become only a lounging area for campers. All of this is entirely inconsistent with the current land uses on the island.

Mr. Clapp also proposes to develop the North Bay, an area recognized for its historic significance.

How such a use of the Villa lot would benefit the broader Cape Vincent community is not immediately obvious. Would Cape Vincent collect an occupancy tax sufficient to offset the diminished value of surrounding properties? Would the new town docks and parking areas be filled with island campers who spend little in the village? Would boat ramp fees and marina gas sales warrant such a use of the island? Would the real estate taxes realized on the proposed improvements be substantial, and offset loss of revenue by shore-based accommodations and restaurants, as well as the diminished value of other island properties?

If the Board intends to give consideration to this proposal, conditions on the permit should be considered and included to protect the interests of the many other island residents. A few that come to mind are:

1. Mr. Clapp should be required to prepare and present plans for how the safety of all guest and campers will be assured, how they will be transported to and from the island, how they would be accommodated and transported in the event of severe weather, how trespass and damage to other island properties will be prevented, etc.
2. Mr. Clapp should be required to take all reasonable actions to prevent the remaining Villa structure from being an “attractive nuisance”, i.e., restricting access, and limiting and supervising all construction activities.
3. Mr. Clapp’s use of North Bay and South Bay should not be disproportionate to other land owners’ use and should not interfere with other landowners’ quiet enjoyment of their waterfront property. More specifically, the size of the docks Mr. Clapp intends to build, and the number of boats visiting those docks, should be expressly limited.
4. None of the improvements intended by Mr. Clapp should impede the existing rights of way across the Villa lot and adjoining properties.
5. Mr. Clapp should be required to erect a substantial perimeter fence that prevents campers and guests from trespassing on adjoining properties.
6. Campers and guests should not be permitted to bring motor vehicles or pets to the island.
7. Campers should not be permitted to have open fires on any of the campsites.
8. Garbage and refuse should be collected and removed from the island daily, all in a manner that does not create a public nuisance.
9. The facilities constructed for toilets and showers should conform to all Cape Vincent building and sanitation codes, as well as the standards maintained at NY State Parks.
10. Mr. Clapp should be required to maintain a supervisory / security staff to oversee the camping facilities 24/7 and should post a bond for any damage or nuisance caused by guests or campers to adjoining properties.

I’d welcome the opportunity to discuss the foregoing concerns with you at your convenience.

Sincerely,

Todd G Atkinson
Owner of Lots 28-1-1.2 and 28-1-1.727
(402) 305-9811