

Todd G. Atkinson

January 15, 2024

Edward Hludzinski, Chair
Zoning Board of Appeals
Town of Cape Vincent
P.O. Box 915
Cape Vincent, NY 13618

Re: Proposed Development on the head of Carleton Island

Dear Chairperson,

I understand that Mr. Clapp is now preparing applications for both a zoning variance and a special use permit. To date, in my view, Mr. Clapp's applications have been superficial, and lack the detail and expert assessments necessary for the Board of Appeals to consider the applications properly.

I also understand that one or both of Mr. Clapp's applications will require compliance with the State Environmental Quality Review Act (SEQRA). SEQRA imposes significant responsibilities upon the Board of Appeals, and the incompleteness of Mr. Clapp's applications imposes an undue burden on the Board of Appeals. The Board of Appeals should be supported by detailed plans and proper assessments to fulfill those responsibilities, and either Mr. Clapp should be required to provide those detailed plans and expert assessments, or he should escrow funds to allow the Board to have that work undertaken.

Mr. Clapp has suggested that he intends to restore the Villa, a project that I have heard will cost as much as \$20 million dollars or more. His additional proposal to install a dozen or so prefabricated cabins and to build commercial docks, together with necessary infrastructure, will require further substantial investment. If he has the resources to undertake those projects, he should provide the Board the support necessary for it to fulfill its responsibilities. He also should attend the hearings in person, and be accompanied by the experts necessary to answer the many issues raised by the projects.

At a minimum, Mr. Clapp should be required to:

- Provide an expert's assessment demonstrating that the proposed developments will not unduly impact the land or water, or any protected or endangered plants and animals (I

understand that some of the work already undertaken in South Bay severely impacted beaver habitat, and that the areas to be developed have been identified as important habitat for several other species).

- Provide detailed plans for the proposed septic system, together with an expert's assessment as to whether that system will function properly and in compliance with New York State Department of Health regulations, and without unduly impacting groundwater, surface water or the river.
- Provide detailed plans for the commercial docks planned for North Bay and South Bay, demonstrating how those docks and their commercial use will not unduly impact the nationally recognized historic and archeological artifacts in North Bay, and will not unduly impact other property owner's quiet enjoyment of their existing docks and boathouses in South Bay.

Mr. Clapp is proposing a substantial development that clearly does not conform to existing zoning laws and regulations, and could adversely impact environmentally sensitive and historically significant parts of the island. Such a project should not be considered with only superficial applications, and without the expert assessments necessary for the Board of Appeals to fulfil its obligations under SEQRA.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Todd G. Atkinson', written over a horizontal line.

Todd G. Atkinson

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