March 18, 2025

Empire State Development

620 Erie Boulevard West - Suite 112  
Syracuse, NY 13204

Re: NYS Consolidated Funding Application # 145490

Organization Name: Town of Cape Vincent

Project Name: Stabilization of the Carleton Villa

Round 9 Restore NY Grant Application

Dear Grant Review Team,

We are writing to make clear how unsound the project is that was submitted by the Town of Cape Vincent. We wrote regarding their Round 8 Application and attached a lengthy detailed response outlining point by point all the inaccuracies and practical problems contained within that application. This time, we simply want to offer you streamlined bullet points outlining our objections. For more extensive documentation of this project, please visit our website: FriendsOfCarletonIsland.com. There you will find documentation of this project, including over 100 letters of opposition, details of the lawsuit brought by the Thousand Island Land Trust (TILT), news coverage over this contentious proposal, and legal and historic records.

1. At least 21 letters of opposition were sent to the Town Board regarding this application. Approximately 70 people came to the meeting and only 1 vaguely spoke in favor of the project. Letters we have copies of can be found on our website.
2. This application is essentially the same application previously denied in the Round 8 grant process. However, this time, they suspiciously propose to do essentially the same work for half the amount as last time since only half the funds are available in this grant amount. Although the grant references contingencies built into the budget, the bid submitted with the current application has removed all “Contingency, General Conditions, Overhead/Profit/Insurance, & Escalation” expenses totaling $897,232 from the bid submitted for Round 8 funding. Several line items for the exact same items and units of work to be completed are suddenly estimated at up to 75% less than in the original budget (i.e. subfloor removals and roof reconstruction) making the entire estimate suspect. Notably, the only item that increased was the A & E Design fee which was originally 4% of the total bid and now is roughly 9%.

Please note that according to the minutes of the special meeting to discuss Town support for the grant application, the applicant *“Addressed the $2 million grant vs. the $1 million dollar grant. Stated that the previous grant of $2 million was to help cover the cost of roofing. But the $1 million grant will help stabilize as much as possible and the rest of the funds will be provided by the developer, Ron Clapp.”* Yet the bid provided for the current $1 million award specifies the exact same description of work to be done, only at a fraction of the original cost. It should also be noted that most of the current deterioration stems from the fact that the Villa roof has not been intact for decades. Reconstruction of the roof should be the highest priority, not something to be done at a future date. Nor has the developer demonstrated the funds to cover the million dollar difference between the original bid and the current one. Therefore, there is a high likelihood that the work done with any grant awards will be undone should the entire amount to stabilize not be forthcoming.

1. The zoning officer attests that the project is permissible with a Special Use Permit. However, the project submitted for the permit includes not just the renovation of the Villa into a boutique hotel and restaurant, but also for a campground with 12 cabins, a bathhouse and 4 docks. The plan is not permissible without a zoning variance and would require allowing a 100’ setback rather than the stipulated 200’ setback. The variance applied for last January was denied and no revised variance has been approved to date. The ZBA and Planning boards are refusing to move forward with the SEQR process and any Zoning reviews until the TILT lawsuit is concluded. It is our understanding that discovery has just begun and is expected to continue for at least 6 months to a year before the litigation moves forward.
2. TILT has filed a lawsuit against the developer immediately resulting in an injunction on most work related to this project. Documents and links are available on our website. There are three main components to the suit:
   1. Conservation Easement – The developer substantially deforested the 100’ protected buffer zone protected by the easement.
   2. Underwater and Riparian rights – TILT as a property owner in both North and South Bays where the developer plans to install 4 docks. Approximately a dozen adjacent property owners share ownership of North and South Bays and the suit contends that the proposed construction will interfere with the use and enjoyment by the other joint owners who do not approve of such construction.
   3. Proposed Cabins prohibited – TILT claims they are essentially mobile units which are strictly prohibited according to the Deed Restrictions and Conservation Easement encumbering the property.
3. Multiple reviewers have declared the details submitted for review are inaccurate and otherwise substantially deficient and have rejected them calling for major revision before consideration can be granted.
   1. 1/8/24 – Zoning Board of Appeals – zoning board meeting reads *“The Chair and the Board reviewed the application. The Chair mentioned that he is not sure if the Board should accept the variance application due to the revised plan needing more information submitted to the Board. Mr. Aubertine said that if the change is substantial, Mr. Clapp should be here to address issues such as parking, etc. The Chair reiterated that the statement goes along with the Special Use Permit which goes hand in hand with the variance. The application is also incomplete as the tax map number is not correct. He would like to not accept the variance application. Mr. Stevenson made a motion not to accept the application because it is incomplete.”* The motion carried unanimously. In the intervening year, no new complete application has been approved.
   2. May 8, 2024, Barton & Loguidice, the engineering firm hired to analyze SEQR review, returned Part I, the only part yet reviewed, with 18 points needing to be addressed and the comment *“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.”* Full letter is available on our website. In the subsequent eight months, no corrections or amended EAF have been submitted.
   3. 10/25/24 – SHPO responded to the Phase 1A Archaeological Survey saying *“The report has significant deficiencies which necessitate major revisions. While the function of a Phase 1A survey is to conduct a thorough literature review as a basis for determining sensitivity and plan future investigations, the report omits critical information regarding the related historic resources and fails to establish the historical significance of the project area. Without this information, it is impossible to understand the archaeological sensitivity of the project area.”* Again, the full letter can be found on our website.
4. Claims to be an economic booster
   1. Stabilization only will not generate any economic boost.
   2. Renovation of Villa expected to cost $20-30 Million and no financials substantiating developer’s ability to fund have ever been provided.
   3. The building and campground proposed are within mere feet from adjacent homes that have been continuously used while the Villa has been collapsing and the use and enjoyment of all the other owners of property on the island will be negatively affected by the high traffic proposed.

Sincerely,

Friends of Carleton Island Steering Committee

Christine Martin

David Kernan

Mike Comerford

Alex Johnson

Todd Atkinson

Jim Mcqueeney