

SENECA COUNTY
REGULAR TOWN BOARD MEETING
MAY 8, 2017

The regular monthly meeting of the Town Board of the Town of Covert was held Monday, May 8, 2017 at 7:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

Roll Call:	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Jeffrey Vann	Present
	Councilman Leon Anderson	Present
	Councilman William Bishop	Present

Others Present: Town Attorney Patrick Morrell, Deputy Town Clerk Leslie Adams-Compton, Highway Superintendent Jeffrey MacCheyne, Code Enforcement Officer John Poludniak, Seneca County Code Enforcement Chad Haviland and Joe McGrath, Reporter Aneta Glover and other interested citizens.

Members of the Town of Covert Town Board raised the Military flags on the front lawn in honor of all military men and woman who have and are serving our country. Supervisor Reynolds dedicated the blue plaque on the front lawn, thanking Tompkins County for the erection of the sign which tells a little History of the Town of Covert.

Call to Order: Supervisor Reynolds called the meeting to order at 7:05 p.m. All rose for the pledge of allegiance.

Anderson moved, seconded by Vann, to open Public Hearing for Variance Request for Westbrook and Diehl, 9738 S. Frontenac Road, for construction of porch/decks with storage shed built too close to south property boundry.

Public Hearing:

Code Enforcement Officer John Poludniak began with an explanation of the purpose of the Development Permit, stating that it is for the orderly growth of the Town, with quality of natural and man-made environment and concerns for health and safety. The Board is responsible for taking action for violations . He is obligated to follow the code before him, but this case is different than any other. No permit had been filed for work additional to that filed in 2013. Additional work included a 35' set-back ,a multi-level deck built 16' from set-back line, attached shed roof extending on to the cottage,10'x12' connected shed had been installed beside property line. Three components would have been denied and all four should have gone to the county for approval before construction.

Richard Westbrook spoke about how the construction came about saying he had worked with Paul Stevens who had suggested he build a deck. Another inspector (Scott) walked through after construction about 1 1/2 years ago and said it looked fine and sent the Certificate of Occupancy 2 days later. Mr. Westbrook said he did not have any idea he had built something that hadn't been approved until JP contacted SC and they contacted him. He said no neighbors had complained.

Supervisor Reynolds said he received many complaints about the dock that day, Sue Cummings was one.

Sue Cummings spoke as owner of property to the south of Westbrook/Diehl since 1980. The land's environment, views, vistas and usage is dear to them. She thinks it violates their visual impact and the traversing of the shore. She spoke in strong opposition to the variance request. She thinks it is an egregious violation of the law, both the construction & not to notify the neighbors. She would like the variance to be denied and the structures removed.

Joe Moro read the letter written by Cummings & Moro's son Joey Moro. He pointed out that this lake neighborhood has been "a model of community for over 100 years." Letter on file with Town Clerk.

Chad Haviland of Seneca County Code Enforcement spoke for Paul Stevens, that he had made the suggestion that a deck would look nice there, but did not suggest that it could be done without a permit. He said the Army Corps of Engineers also have regulations for anything in, on, over or through Cayuga Lake that must be approved. There is an expedient permit process to go through, and also a lengthy process that could result in alterations of the project. Seneca County does not regulate docks or anything built over the water. The DEC/USACE has not been informed yet. He also said that the CO did not include the additional structures. Seneca County did note that the shed and some structural issues did require a permit from them.

Sandy Whitaker, owner of 2 cottages three doors down from Westbrook, spoke saying they were not aware of the hearing & violations. She thought the neighbors should have been notified. She also questioned the general process of coordinating between the government entities and the public. She said approval of the variance would set a precedent for others along the lake. She also thought the deck is too high to climb and prevents neighbors from walking the shore.

Joe Crossgrove, a resident of the area for 48 years also spoke of not being able to traverse the shore.

Morrell said that the survey map shows a reservation of right-of-way, but did not know who has the right-of-way per the deed.

Anderson moved, seconded by Vann, to close the Public Hearing. Morrell said a State Environmental Quality Review (SEQR) through the DEC would have to be filed before discussion would continue at next board meeting.

Approval of Minutes: Hunt moved, seconded by Anderson, to approve minutes for April 10, 2017 minutes. Motion carried.

Highway Superintendent MacCheyne reported that it had been a tough winter on roads. There are issues with drainage of water on Townline Road. He met with Finger Lakes National Forest regarding two water issues; a pipe was replaced in the south, the north end is still a problem; drainage is not allowed through the government property.

MacCheyne said there is a hogweed problem on Seneca Road. A resident has offered to speak at a board meeting regarding the problem and dangers of hogweed.

Bishop shared that the Supervisor had contacted the Village of Interlaken regarding shared services for the court, but concluded it would be cheaper for the town not to combine services for the courts and that there would be a conflict of interest.

Councilman Hunt reported on the Bicentennial Art Contest. There were three 1st place winners, each judge chose someone different. Entries will be displayed at the various Bicentennial events. Donations are still needed. They are tax deductible.

Hunt asked Chad Haviland the laws for temporary pools. He stated that any pool at least 24" deep must have a 48" fence or barrier.

Vann suggested that the Planning Board look over the Unified Solar Resolution before the Board adopt it.

Joe McGrath of Seneca County explained the purpose of the Unified Solar Permit - that it would simplify the process of application by making the permit uniform across New York State.

Morrell said it would require a Public Hearing to make changes to the Land Management Ordinance.

A \$2500- grant is available to towns adopting the resolution by July 28th.

Anderson shared about the Interlaken Olde Home Day. Parade will be at 11 a.m. June 10th, there will be a movie night on the Elementary School lawn on June 9th, kickball, basketball, bi-centennial booth, 2 bands, and vendors are also planned for the festival.

Supervisor Reynolds said there is a bee problem in the railing of town hall. It will be about \$125- to exterminate.

Reynolds shared that the State is requiring more shared services with the of loss of funding. There was some discussion as to where that could happen. It was suggested that it could happen in the highway department, but Bishop thought that equipment care would decrease, MacCheyne said there has been some sharing, and others shared stories of jurisdictions sueing over expenses. Vann said that sharing gas services with the school has been an improvement. A resolution of current shared services should be written up.

Anderson moved, seconded by Hunt, to table variance request application #7-17 for Richard Westbrook and Janet Diehl ,9738 South Frontenac Rd. Trumansburg, pending response from DEC after SEQR form has been submitted. Nay-Vann, Aye-Bishop, Aye-Anderson and Aye-Hunt.

Vann moved, seconded by Anderson, to approve Town Clerk Freese to attend 2 day training in Geneva and be reimbursed for mileage. Aye-Vann, Aye-Hunt, Aye-Anderson and Aye-Bishop.

Vann moved, seconded by Anderson, to approve the Supervisor's Revenue and Expenditure Report for April 2017. Aye-Vann, Aye-Bishop, Aye-Anderson and Aye-Hunt.

Hunt moved, seconded by Anderson, to approve the Highway Superintendent's report for the month of April 2017. Aye-Vann, Aye-Hunt, Aye-Anderson and Aye-Bishop.

Vann moved, seconded by Bishop, to approve the Town Clerk's monthly report for April 2017. A total of \$754.00 was received and \$534.73 was remitted to the Town Supervisor. Aye-Vann, Aye-Bishop, Aye-Hunt and Aye-Anderson.

Anderson moved, seconded by Hunt, to approve the Code Enforcement Officer's report for the month of April 2017. Aye-Bishop, Aye-Vann, Aye-Anderson and Aye-Hunt.

Bishop moved, seconded by Vann, to approve the Dog Control Officer's report for the month of April 2017. Aye-Hunt, Aye-Anderson, Aye-Bishop and Aye-Vann.

Anderson moved, seconded by Vann, that Highway Fund Vouchers #59-73 in the amount of \$ \$8,624.25 and General Fund Vouchers #67-83 in the amount of \$5,672.55 be approved for payment. Aye-Vann, Aye-Hunt, Aye-Bishop and Aye-Anderson.

Vann moved, seconded by Anderson, to adjourn the meeting at 9:05 p.m.

Respectfully Submitted,

Leslie Adams-Compton, Deputy Town Clerk