

Silver Lake Trail – Chapter #42

Rich Eliaz gave the SLA's support to a Perry grant to connect the public beach with its other parks and trails provided all was done on public property not private lake property. Perry was compiling a grant application to get money to improve its parks.

New Business was brought up before the board on the Genesee Region Trails Council with the State Department of Transportation that proposed a series of trails including parts of old railroad beds. Bill Soules and Rich Eliaz have researched old deeds which state that the railroad bed could not be taken by eminent domain. Public hearings during the winter were poorly publicized. Rich and Lorraine attended the last public meeting on this issue which Lorraine wrote about and it proposed an alternate lake trail at the south end of the lake on existing public land to Castile then to Letchworth Park.

Mayor Vergason discussed the intent of the trail grant that the village was applying for at the March 2005 SLA meeting. If awarded, the \$35,000 sought would not be used to develop a trail but to pay for a coordinator to oversee the process of meetings involving all interested and affected parties. Past efforts to create a trail linking Letchworth Park to the lake were piecemeal. Though a concept map in the application highlighted a trail along the east side of the lake, there were no railroad bed right-of-ways, all frontages were private property and all owners had deeds. Perry Village was the lead agent with co-applicants Town of Castile and Town of Perry. The SLA stated its opposition to any trail on private property, and would get a copy of the application.

A discussion of the Silver Lake Trail Project ensued as Co-chair Rich Eliaz asked if this project was dead in the town of Castile. Supervisor Joe Gozelski said in his opinion, no. The town voted not to support it but the village did receive grant money. Steve Tarbell said the motion at the Town of Castile meeting was not to support the project and 100% approval was needed. Ruth stated the Village of Perry Trustee Tamara Quilty said the village received the grant money and would look for a director. Ruth Lavin advised Quilty that the SLA was against the trails crossing private property and would like SLA members placed on the committee with the village. Rich read a report that listed Lorraine as Project Personnel; Perry Chamber of Commerce also sent a letter of support. Dick Swanson asked if the trail would run on the east side of the lake. Steve Dziak said that the former Mayor of the village of Perry said the east side of the lake was proposed. Both Rich and Roy affirmed this and provided Dick with the documentation indicating the trail to be on the east side. Camp Asbury and the Silver Lake Institute both supported this project. Dale Volker, Dan Burling and Joe Gozelski all endorsed it.

Perry Village Mayor T.J. Sparling and Trustee Tamara Quilty reiterated that the Quality Communities Program focus was to revitalize existing resources and plan for the future. The village's application used the conceptual lake trail for the grant's open space management component. SLA reiterated its concerns over property rights and the need for dissenters on the committee. Bill Soules told Sparling and Quilty that his questions went unanswered and that the SLA was not listed on the proposed grant committee. He said that the grant document referred to lakefront on the east side that was not a railroad right of way but sold to private people. He said the village needed to acknowledge the past and document its plans as an official document that the SLA would be able to show its membership. Ruth noted that the committee members were all people who wrote support letters. Steve Tarbell asked that since most open space was in Castile, if a town representative would be included. Camp Asbury Director Larry Wiliford stressed his concern over any trail that would traverse campgrounds.

Rich Eliaz reported on the progress of the Silver Lake Trail and noted that meetings would be held April and May 16th, 2007. Plans embellished the trail and continued on Walker Road sidewalk (if built) to the beach. The trail concept was to connect the lake and village communities. Mary Kay Barton addressed the trail along East Lake Road (if and when the road would be redone) that shoulders on one side of the road be made wide enough to accommodate walkers and bicycles. Supervisor Gozelski questioned the safety due to truck traffic.

A SLA committee met with Ryan Fitzsimmons of InSite: Architecture with a 5 point reinforcement list of recommendations for the Silver Lake Trail concept. 1) Maps that reflect the consensus of the SLA committee's desires; 2) that the proper boards would review the drawings; 3) that the SLA would receive the updated input; 4) the SLA would receive copies of maps; and 5) grant documents.

Rich Elias and Mary Kay Barton attended Outlet Trail's last meeting. They requested that Ruth Lavin ask SL Trail Committee to give the SLA a copy of the stated letter of support from SLA. Ruth said she would look back through SLA files but was certain if any letter was sent it was "not in support" of the project.

Rich Elias stated that Silver Lake was not a qualifying lake for the LWRP (Lake Waterfront Revitalization Program). The Trail Committee was trying to get the lake onto the list to obtain grant money. Mary Kay Barton said the committee was to focus on the revitalization of the park first. Ruth said the issue was to preserve private property rights while making useful trails.

Rich Elias gave the Silver Lake Outlet Trail Report at the first meeting of the 2008 season in March. After distributing various documents to those present, Rich reviewed current and past proposals related to the "Silver Lake Outlet Trail", and focused on the current Silver Lake Local Waterfront Revitalization Program. The LWRP is a joint effort between the Town of Castile, Town of Perry, and Village of Perry. A primary issue of the LWRP was the declaration of Silver Lake as a "Designated Inland Waterway", which would then provide the opportunity to apply for state grant funding. Rich reported that he was concerned that such a designation could lead to encroachment on private property around the lake. Mary Kay Barton, Co-Chair of the Committee, indicated she felt such a designation was irrelevant to the possibility of eminent domain, citing a number of reasons. She then asked to be removed from the Silver Lake Outlet Trail Committee. It was suggested that Ruth Lavin send a letter to each of the municipalities involved in the project, asking them to indicate in writing that they would not pursue any eminent domain efforts related to the "Silver Lake Outlet Trail". Only after receiving this assurance in writing would SLA then support the efforts of the LWRP relative to a declaration of Silver Lake as a "Designated Inland Waterway".

Ryan Fitzsimmons (Insite: Architecture) gave a cost estimate for the trail's construction from the end of the outlet trail to the public beach. A concern that Rich Elias had, was how to create a trail at the south end of the lake and not bisect wetlands. Rich would meet with Joe Gozelski about alternate routes to the proposed trail & LWRP. It was learned that the trail was expanding to Letchworth State Park and the Genesee Regional Transportation Council wanted to expand the trail to the Silver Springs abandoned railroad. A discussion pursued about the Town & Village of Perry re-writing their zoning laws to ensure that eminent domain was not used for the trail to go through private property. Perry was waiting for a full engineering study.

At the April 2008 SLA meeting, Rich Elias asked for a formal guarantee that private property would not be used for the trail. He again suggested the SLA have a LWRP committee (Local Waterfront Revitalization Proposal). Rich read a document provided by the trail association stating that no private property would be used for trail access unless granted by the owner. Rich suggested getting additional letters from all municipalities. There would be a Town of Perry meeting Wednesday, May 14th, and it would include having a vote on making Silver Lake a designated lake for LWRP. Rich helped to consult for an educational boardwalk through the wetland area from Silver Lake State Park.

Rich Elias updated the board on the comprehensive plan. The Town of Perry passed a resolution by unanimous vote to protect private property owners against eminent domain. There were plans to replace the Walker Road bridge which was a safety hazard for fisherman who stood on the bridge. The committee was looking for the owner of 5th street (town or private), to have the trail follow that route. Rich Parker of the Silver Lake State Park supported the wetland trail.

Ruth Lavin noted use of ATV's on the Outlet Trail was not helping the situation. This was also a heron nesting area. She asked if Rich would inform the Trail Council of this issue. Rich update the board on the progress of the Silver Lake Trail. He noted that Ryan Fitzsimmons was unable to get an engineering study for the Walker Road section of trail due to insufficient funds. The Towns & Villages of Perry & Castile aim to put the trail project in the new comprehensive plan. The Silver Lake Outlet Trail would then be eligible for grant money. They were hoping for a joint master plan.

Rich Eliaz, at the September 8, 2008 meeting talked about the Silver Lake Outlet Trail. Ryan Fitzsimmons had been working on a grant to be sent to the LWRP for monies for the trail. However, the filing date was changed and Ryan was unable to file in time. The Fall History Walk that was planned from the Charcoal Corral along the trail to downtown Perry had to be cancelled. The cost for the work at the Perry Public Beach and Walker Road was estimated at \$11,000. In-Site: Architecture, submitted this estimate for the charge of \$3180. Rich Eliaz recommended that the trail committee advertise for more than one bid for a more competitive atmosphere. The best progress was the town and village boards of Perry and Castile voting to work jointly on their comprehensive plans. Rich recommended going for the grants through the NYS Parks and Trails, of which he was a member, after the comp plans were completed. It was said that the Silver Lake Outlet Trail plan was back to Ryan Fitzsimmons and Rick Hauser. They were in need of a grant writer. Stimulus money could be available for this project. Ruth continued saying that Silver Lake had not yet been declared an inland waterway. Mary Kay Barton said that other newspapers reported that it was declared. Rich Eliaz noted that Jane Emborski had started a women's bicycle club on Thursday nights. There could be a trail ride in the summer to get more people involved. Mary Kay noted that the Y Camp was interested in being involved in the trail plans. Rich stated that funding was the issue for the project to continue. It was then noted that the DEC had visited and taken photos of Perry Park.

Dick Swanson was going to moderate the State of Lake meeting. He would keep everyone on track. On July 11th, Governor Patterson gave Silver Lake the designated inland waterway status. Dick read the letter from the DOS stating no new rules would be applied due to the designation. This would give the 3 surrounding communities access to grants. Rich continued saying the coastal area was defined as "not very far inland". This needed to be clarified. Would there be a re-zoning of the lake? The SLA would have a good start on a reorganizing proposal for next year. Stan Klein gave SLA a non-voting seat on Watershed Commission. Ruth suggested Bill Soules attend these meeting to represent the SLA.