

Lake Issues (Zoning& Water District) – Part #2 chapter #21

In the 1990s Silver Lake residents became more than just weekenders. More and more people were making Silver Lake their full time residence. The SLCOA became involved with so much more than water quality. Water districts around the lake were being discussed. Zoning on properties were being changed because of the Lake properties needing so many variances. The lake was a very popular recreation spot and more boats, bigger, louder, and faster were starting to get residents uneasy. The sheriff patrols on the lake were very important to keep the boaters safe.

Perry area residents on routes 20A & 39 were trying to form new water districts which would have an impact on the lake. This would be discussed at the next Watershed Commission meeting. (Note: Prentice Tract cottagers would also like to form a water district to obtain village water. Bob Moscicki would head this effort). Bob Bowles reported that there is a new zoning plan ordinance which is creating a lake district which would be voted upon sometime that year. To continue to protect the lake as an asset, the SLCOA would make any proposed changes known. Copies would be obtained from Eric Parker. The Water District vote was 439 opposed and 171 for, the town of Castile dropped the project.

A new break wall at former Fricano cottage in Luther/Wheaton Tract; permit was questionable as a portion of the lake was filled in. Elaine questioned what can the SLA do about it, there were other walls liked this one where builders were fined but the walls remained. Rich would question zoning/code enforcement office on the permit process and project dimensions.

Patrolman Prince mentioned that he thought that Silver Lake was too small for the 5 MPH – 200' limit law. Undersheriff Ely would raise the 5 MPH – 200' limit issue at the County Public Safety meeting held the following month as it would require enactment of local laws by the towns of Perry and Castile.

The June 1999 meeting had a motion that passed to write to the marine patrol to offer support of a permanent Jet Ski patrol. Letters the SLA hoped to receive supporting the 5 MPH – 200' law from the DEC and the Wildlife Federation would not happen. Elaine was contacted by George Dovolos, DEC instructor and PR person, and learned that propeller/etc. activity near shore adds good oxygen. The state felt the 5MPH closer to shore was not really a protection against erosion but more of an aesthetic issue. Conesus Lake relayed that they were having problems with their marker program. SLA would then revisit this matter in 2-3 years.

The SLA approved to send Sheriff Capwell a thank you letter and request his support of the "5 MPH – 200 foot" bill that was approved. Elaine also felt the letters sent to the Watershed Commission from NYS Parks and Conesus Lake Association supporting markers were helpful. Lorraine would contact Sheriff Capwell to do the same. The SLA had not heard from Francis Foulkrod on the marker placement. He was looking into the Explorer Scout program to put buoys in and out of the water. Lorraine suggested the Marine Patrols do it. Rich supports volunteers doing it. Elaine would contact CLA to find out insurance liability.

Lorraine asked Town of Perry Supervisor Anne Humphrey to bring the markers up to Sheriff Capwell as both were to attend the Public Safety Committee meeting. Anne relayed Sheriff Capwell's thoughts on the markers stating, he was in favor of them but the 5 MPH – 200' law would not be enforceable without the towns of Perry and Castile, and the Village of Perry adopting this law and forwarding it to the state Legislature. The Watershed Commission was also lukewarm about the markers and wanted SLA to list the pros on the 5 MPH – 200' limit. Lorraine would also contact John Good of the Wildlife Federation and George Dovolos, a paid SAREP (DEC funded) educator and ask if they would be

interested in supporting/providing testimony to the Commission. The Commission did not want to be a regulating but an advisory group with some funding capabilities.

In May of 1995 Margaret displayed a map drafted by the Wildlife Federation indicating where it proposed (with DEC and Sheriff Dept. approval), placement of no-wake/speed limit buoys at either end of the lake where fish breed in weeds. Francis noted that the 100 foot law is not enforced and he recommended that the SLA list that as a Board concern and request the lake law enforcement officers Gary Jurkowski and David Richardson meet with the SLA.

Elaine requested an update on the Wildlife Federation plan to put buoys at the end and 100 feet from the shoreline. There was no update at this time but the 100 foot shoreline plan was opposed by trolling fishermen like Bill Soules.

Legislation for speed control on lakes was proposed. Legislation was still working on regulating the number of boats/docks when there is a Right-of-Way.

The Annual meeting of 1995 had this update of the Silver Lake Waterfront Revitalization Commission. This Commission was established over a year ago to look into development in and around the lake as well as right of way issues and regulation of docks and moorings. The group was comprised of representatives from local and state government, businesses and nonprofit organization with interests in Silver Lake. Work halted the summer before when Chairman Matthew Richard resigned as Wyoming County Planner. New Planner Barbara Shilling was not ready to reactivate the group. Shilling learned NYS pulled the project, local town Supervisors wanted it kept alive and was looking for funding. Francis was the SLA representative and Davis Tract Director Rich Eliaz served for the town of Castile.

Rich distributed copies of the local law draft regulating keyhole development (ROW encroachment/development on water and land). They should be read carefully for revisions, etc. The SLA committee was working from the standpoint that if they didn't help draft the law, it would be done without the SLA's input. Silver Lake was likely the last NYS lake to zone its waterfront. The committee's approach at that point was least restrictive. Enforcement would be done on a complaint basis.

Will Preston asked for news on the closure of the Walker Road public boat ramp that he learned the SLCOA voted against closure the year before. Bob Bowles said the NYSDEC wanted more public access to Silver Lake and a program to identify and inventory acquisition of upstate lands for the past two years continues despite protests of a local Open Spaces Committee of which Bob was a member. The inventory should have ceased when the Environmental Quality Bond Act was defeated.

A newly formed committee, the Silver Lake Task Force, was outlined by the Town of Perry representative Margaret Kirkgasser; Lorraine would be the SLA Rep reporting back on in her stead. Comprised of all the local government bodies, agencies with interests in Silver Lake, it would work with NYS Coastal Resources to inventory lake uses, future development, shoreline and in-lake regulatory issues, headed by Wyoming County Planner Matthew Richard, the task force project will take 2-3 years and require review by state agencies (ex. DEC, Planning Federation, Dept. of State) and passage by municipal boards in Perry and Castile. Once passed it would give localities more enforcement power around the lake.

Rich updated the SLA on the Revitalization Committee. Future restrictions on waterfront remained a concern as well as how Silver Lake Task Force was initially established (the Town of Perry couldn't resolve the Lake Right of Way issue and the Supervisor contacted County Planning which in turn brought in the Department of State and its Harbor Management Plan).