

TOWN OF COVERT, SENECA COUNTY
PUBLIC HEARING &
REGULAR TOWN BOARD MEETING
March 10th, 2025

The Public Hearing and regular meeting of the Town Board of the Town of Covert was held Monday, March 10, 2025 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
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

Others Present: Town Clerk Leslie Adams-Compton, Town Attorney Patrick Morrell, Code Enforcement Officer Roger Ward, Dog Control Officer April Moore, Contractor Dervin Zeiset, Covert Cottages neighbors Kristen + Loren Gardner, property owner Bill Overbaugh, and other interested citizens.

Call to order: Supervisor Reynolds called the meeting to order at 7:00 P.M. All rose for the pledge of allegiance.

Approval of Minutes: Foster moved, seconded by Wyckoff, to approve the February 10th Public Hearing and Regular Town Board meeting minutes. Aye – Bishop, Aye – Nottke, Aye - Wyckoff and Aye - Foster.

Public Hearing: Nottke moved, seconded by Bishop, to open the Public Hearing at 7:01 PM to hear comments on a Variance Request under the Town of Covert’s Land Management Ordinance (LMO) for Walter Edwards, 9007 Covert Cottages Rd, Interlaken, Tax Map #14-1-27, to construct a residential addition where set back from side boundary is deficient as required under the Town of Covert LMO. Reynolds said that Edwards would like to add on to his cottage but the set back would be short at 7 1/2’ from the property line.

Neighbors to the south, Loren and Kristen Gardner, spoke saying that their family has owned their property since the 1950’s, that the addition would tower above them by 6 to 8 feet, and it would have been very close to the hill, cause possible drainage issues, and would potentially reduce the value of properties. No survey plat was available. They said it would change the feel of Covert Cottages.

Foster said that the Planning Board gave conditional approval with input from both neighbors. He said that ‘we’ have given a lot of weight to neighbors’ input and would like to hear from the applicant.

Dervin Zeiset, builder, representing the applicant answered questions posed by Foster. Foster said that 2-3 feet short is not too serious, but a shortage of 2/3 the allowable set back is. Can they squeeze the addition sideways or go up, to be less intrusive? Zeiset said they could go up. The building is currently a 1-story building, peaked in a ‘T’, slopes toward the water, there is no basement, just concrete and wall space. There is space to the west, but the applicant would prefer not to go there. The town’s allowable building height is 35 feet. Zeiset said Edwards is a new owner as of August; the homeowner is flexible and does not wish to upset the neighbors.

Morrell said that there should be no issue with a 2-story building with the same footprint. An application would probably be approved with no variance needed.

Nottke moved, seconded by Wyckoff, to close the public hearing at 7:19 PM.

Foster moved, seconded by Nottke, that

Whereas, the Town Board of the Town of Covert has reviewed the variance application of Walter Edwards to build an addition to a single-family residence at 9007 Covert Cottage Rd., Tax Map 14-1-27; and

Whereas, the SEQR regulations under 6 NYCRR 617 designates "the construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well

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or a septic system, or both, and conveyances of land in connection therewith" as a Type II action not being subject to SEQR review; and

Whereas, the Town Board finds that this application fits within this exemption.

NOW THEREFORE BE IT RESOLVED that the Town of Covert Town Board finds the variance application of Walter Edwards to build an addition to a single-family residence at 9007 Covert Cottage Rd., Tax Map 14-1-27 to be a Type II action under 6 NYCRR 617.5(c)(1 I).

Aye – Bishop, Aye – Nottke, Aye - Wyckoff and Aye - Foster.

Morrell led the Town Board through the SEQR process findings and determinations for the Variance Request for Walter Edwards, 9007 Covert Cottages Rd, Interlaken, Tax Map #14-1-27, to construct a residential addition where set back from side boundary is deficient as required under the Town of Covert LMO.

Briefly*: In making a determination to grant the area variance, the following factors, whether the benefit to the applicant outweighs the detriment to the health, safety and welfare of the neighborhood, were considered: 1. undesirable change would result in houses too close together. 2. benefit to applicant can be achieved with an alternative. 3. The requested variance is substantial, 2/3 encroachment into allowable setback. 4. It would create an adverse impact on environment with potential drainage issues. 5. The difficulty is self-created. Therefore, the benefit to the applicant does not outweigh the detriment to the neighborhood. *Full determination on file with the Town Clerk.

Presenter: Dog Control Officer April Moore spoke with the other 3 towns regarding a collaborative dog shelter for the southern towns. She said that Lodi, Ovid and Romulus are all for it. She said she spoke with NYS Animal Protection Federation and they can help with all stages of starting a shelter. They have a grant writer as well. She said there are a lot of resources. She would like a representative from each town for a committee to organize, create a budget, etc. She could represent Covert.

Moore spoke with Dr. Surman who was not supportive. She said that Mike at Beverly Animal Shelter seemed positive about their shelter's continuance.

Bishop asked who is legally required to take care of a dog if there is no shelter available. Morrell indicated the Town is responsible to find boarding for caught dogs. Code Enforcement officer agreed the cost would be at least \$100,000 plus maintenance and utilities. Bishop and Foster suggested that Reynolds meet with the other supervisors regarding the prospect of a local shelter.

Presenter: Bill Overbaugh, owner of Lakeview St property, said he is the owner of the garage that is over the Town's property line (for 60+ years). He is interested in purchasing the 3 feet it's over plus 10 ft. The first step would be to have a current survey done. Overbaugh said he would be willing to cover survey and closing costs. Morrell said this would be a subdivision, if the Town Board is okay with selling the property to rectify this situation. The Town has ≈170' road frontage, driveway on the other side, and would not want to give up any of the property behind the garage.

Highway: Superintendent MacCheyne was not in attendance. MacCheyne's report included lots of plowing and sanding all Town and Village streets, and hauling sand for winter mix and crusher run for summer roadwork. They removed links in #1 cable chain, changed plow lights and removed cable chain links on small 550 truck, replaced plow harness on #7 pickup, changed plow and wing blades on #3 10-wheeler, and did maintenance on all equipment.

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Committees: Nottke reported on the progress of the Frontenac Bridge. She said they meet every 2 weeks. She said that the pile installation was done and the schedule for the new bridge is: April 24, set bridge steel; May 19, deck; June 16, bridge open. We are still waiting for the official letter from the DOT regarding Frontenac Roads speed limit.

A letter was received from Rordan Hart telling the Town of Covert that we've lost our right to vote in the Three Falls LDC due to late membership dues. Unpaid 2024 dues totaled \$3805 after tonight's payment of \$1000 donated by Seneca Meadows. Contract states dues required 120 days after Town's fiscal year-end, so letter was premature.

Supervisor: Reynolds mentioned that \$20,000 bill for the Town's portion of Frontenac Bridge was received from the County. He can use Highway money available now but will need to think about bonding if FEMA money does not come soon. There is about \$200,000 expected for FEMA-funded flood mitigation projects still. Reynolds said he will talk to representative Palmesano for assistance in retrieving the money. Morrell said bonding is not a quick process.

Reynolds said he met with Interlaken Mayor Richardson about a potential housing development on 14 acres off of West Ave. The developer would like to put 50-60 little houses on the property and have it annexed into the Village. An application has not been filed yet.

Wyckoff asked if the Town's law on cannabis dispensaries is superseded by Village jurisdiction within the village. Yes.

Resolutions:

Foster moved, seconded by Nottke, that the benefit to the applicant does not outweighs the detriment to the community and hereby denies the Variance Request for Walter Edwards, 9007 Covert Cottages Rd, Interlaken, Tax Map #14-1-27, to construct a residential addition where set back from side boundary is deficient as required under the Town of Covert Land Management Ordinance. Aye – Nottke, Aye – Wyckoff, Aye - Foster, and Aye - Bishop.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of February 2025. Aye – Nottke, Aye – Wyckoff, Aye - Foster, and Aye - Bishop.

Nottke moved, seconded by Foster, to approve the Highway Superintendent's report for the month of February 2025. Aye – Nottke, Aye – Wyckoff, Aye - Foster, and Aye - Bishop.

Nottke moved, seconded by Wyckoff, to approve Town Clerk/Tax Collector report for the month of Feb. 2025. Town Clerk received a total of \$1277.50; \$286.36 was remitted to the Supervisor; Tax Collector received a total of \$83,884.84 in Feb. 2025. Aye - Bishop, Aye – Nottke, Aye - Wyckoff and Aye-Foster.

Foster moved, seconded by Bishop, that Highway Fund Vouchers #30-43 in the amount of \$43,189.86 and General Fund Vouchers #49-71 in the amount of \$26,761.01 be approved for payment. Aye-Bishop, Aye – Nottke, Aye - Wyckoff and Aye-Foster.

Foster moved, seconded by Bishop, to adjourn the meeting at 8:14 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk