

The History of the Silver Lake Association (SLA) Chapter #5

The Railroad Property

As the sewer system was getting closer to reality, another issue to contend with was the sale of the railroad property on the east side of the lake. In the Times-Union newspaper dated Wednesday, May 2, 1973 an article titled ***“Perry Railroad Service to end After 101 Years”*** by Gordon McGuire, explains the reasoning why the railroad was discontinued.

Historically, the railroad began in 1870 following several years of local agitation for rail connection “to the outside world” as the history of the Perry chronicles. The first passenger train departed Perry for Silver Springs on February 14, 1872. In 1886 the Silver Lake railway, as it was titled, was sold to Arthur G. Yates, for \$128,000. In 1910, it was sold to the Buffalo, Rochester & Pittsburgh RR Co. Later this company became a B&O subsidiary. The tracks ran the entire three and one half miles on the east side of Silver Lake. This formed a barrier between the beach and lakefront properties.

The Interstate Commerce Commission has approved the abandonment of the Silver Lake branch of the Baltimore & Ohio Railroad Co. The order handed down April 28 permits the parent company to abandon 5.35 miles of rail line from Perry to Chase Station, near Silver Springs. The petition resulted in a flurry of opposition by local government and some commercial and industrial users. However, the weight of the evidence supporting the abandonment favored the petitioner. The B&O Railroad submitted cost figures to rehabilitate the single track line, placing a price tag of \$248,860 on the work. This amount was stated by the commission for safe operation and continued maintenance. It was pointed out that there is no foreseeable prospect of future traffic volume and revenues sufficient to make operations profitable and to recoup the necessary substantial expenditures for the rehabilitation if the line continues to operate.

So now The SLCOA and their leadership would be involved with discussions of what was going to happen to the abandoned railroad property that runs along the 3.5 miles of the east side of Silver Lake. Roy Ecker quoted from a Bill signed this year (1973) that stated: A State, County, or Town Government could take over abandoned railroad land. He suggested an attorney was necessary to assist the Association with this matter. Dr. Humphrey had a meeting with Harry Brown who stated that he had no further interest in representing the Association. Howard Wallace said he would try Jules Beckary and Steve Gates.

A meeting with the Chessie System (B&O Railroad) about the right of way for the sanitary sewer was attended by Bruce Morton – Engineer for McFarland -Johnson; Harold Seymour – Town of Castile Representative; and Gil Landon, in place of Dr. Humphrey, representing the SLCOA. Mr. Wheaton would write a letter to B&O Railroad suggesting the sale to cottage owners. The reply the SLCOA received from the railroad stated: *“They would not be interested in selling individually and will be letting the matter rest for a while”*. The SLCOA also learned there was a meeting with Woody Kelly, County of Wyoming, Town of Castile, Town of Perry, and Genesee State Park Commission that they had all applied for the railroad land (towns for the sewer right of way), with present lessees to retain rights.

Other ideas were suggested for the railroad property. A recreational train was discussed but it would result having a fence along the route and interfere with access to the water. The best idea would be to have a foot path or hiking trail. If the State would purchase the land, present leases would be honored but at a considerably higher cost. If the State did not want it, the SLCOA could buy it and dispose of same. It was then agreed that Gil Landon would work as assistant to the President on the railroad matter and update everyone on any new developments.

The State still has not made a decision on what to do with the purchasing of the railroad land, at this time they did not want it. According to Mr. Landon the cost could be about \$340,000. The total cost of the property, tracks, and damages to adjacent property would be about \$800,000. If the State, the Town of Castile or the Town of Perry did not want to purchase this property, the SLCOA should. It was suggested that the SLCOA and the Institute approve to float a bond jointly. The properties would then be offered to the people. Fred Sanford would present the proposal to the Institute for consideration. Gil Landon reported there has been an offer of \$400,000 for the entire railroad right of way. The railroad will only sell the right of way as one parcel, from Chase Station to Perry Village. Fred Sanford and Rev. Gould of the Institute were scheduled to meet with railroad officials in Baltimore in late July. The Institute would buy the property as an agent for the SLCOA because the Institute had the funds and the SLCOA did not.

The railroad would really like to be removed from the tax rolls and could turn over the property to the towns of Castile and Perry. The towns would then have an option if they would ever want to put a railroad through again, it could be done. Mr. Gould would now be asked to stop negotiating for the railroad property so the town Supervisors could approach the railroad. It was very important to get the railroad property sale finalized to complete the sewer project.

As the time continued to move forward, so did the railroad by removing the tracks and railroad ties from the property. Any property damage to the adjacent properties from the removal of the railroad ties would be the responsibility of the railroad. Should there be any erosion from the removal of the railroad tracks the Department of Environmental Conservation would be notified.

A public hearing was scheduled that Fall to possibly solve the matter of the railroad property. Because the matter was so important, it was agreed to publicize the meeting in several forms, like newspapers, radio, etc. Gil Landon was appointed by the President and approved by the Directors to negotiate the purchase of the railroad property. He would update the membership at the meeting after taking the trip to Baltimore or by talking to railroad officials.

There was a possibility if the sale of the railroad property didn't go through; the entire Silver Lake sewer project could be cancelled. If the railroad should sell to a private individual and then resold to property owners, the price for the lake frontage right of way property could go as high as \$50 to \$75 per linear foot. The railroad did say they were willing to sell this property to those presently owning property on the lake front.

A newspaper article titled ***"Silver Lake Cottagers Seek More Time for Land Deal"*** explained the negotiations this way: ***Cottagers will be seeking an extension of the agreement deadline. They will be trying to get a reduction of the \$325,000 being asked for the property. Originally the railroad had asked for \$150,000. Gil Landon serving as spokesman and negotiator for the SLCOA said, "\$206,000 had been pledged or paid in so far. This represents about 95% of those involved". During the negotiations one stumbling block arose when several property owners claimed they held permanent easements. About 11 people had these easements and they would be investigated by the railroad. Mr. Landon mentioned the State of New York, The Village of Perry, and the Silver Lake Institute of the United Methodist Church are expected to be parties to purchase but would be negotiating separately.***

Gil Landon the Chairman for negotiation of the railroad property asked the membership if they wished to buy the railroad property with a reservation for the sanitary sewer along the railroad property. He revealed that the Institute had stopped negotiations so he would continue as chairman to negotiate for the purchase of the railroad property.

This was not only important for the completion of the sewer project, but also for access to the lake for adjacent property owners on the east side of Silver Lake. Negotiations continued as did the sewer project and the SLCOA was in the midst of all of it.