

Property Damage Report

7510 Fairhaven Road, Homer NY 13077
September 10, 2025

Contractor
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Property Description



Property at 7510 Fairhaven Road, Homer, NY. Fairhaven Road (County Road 101) is maintained by the Cortland County Department of Highways, who freshly paved the county road with asphalt in June 2025 (photograph above)

The entrance to the property from the road is a carport that is 19ft wide and 26 ft long and is surrounded on three sides by a 3ft wide retaining wall. Parallel to the carport is a mountain creek which exits into a 24 in culvert and under the county road. The county also maintains the culvert and surrounding structures.



The carport had a drainage system into the creek (white pipe)
to minimize seepage to the base of the carport

Carport gravel and drainage work

Description of contractor's work on draining carport road runoff to creek

1. The first attempt was via a culvert across the carport entryway. This was 6 feet too short, and was at the incorrect angle such that it exited 18 inches behind and perpendicular to the county culvert intake. This approach exposed a 4 foot section under the side of the road to direct impact of the creek runoff, undermining the county road.
2. The second attempt was with blocks. This involved extensive removal of the carport bank, creek bank, and culvert area, and created an unsafe entry/exit path with a 3+ foot vertical dropoff at the edge of the carport entrance. The blocks did not fix the issue of the length nor the exit point of the carport culvert, which would continue to discharge under the side of the road and undermine the county road. Given the incorrect angle, length, size, and discharge point of the contractor culvert, this was removed.
3. The third attempt to remedy the unsafe and incorrect carport and creek drainage into the county culvert was with riprap to support the banks.



The second attempt at providing carport drainage resulted in unsafe vertical drop-off at carport entrance, and exposure of the county highway to direct impact of creek runoff.



The length (35 ft) of the new county asphalt road into the carport was damaged, broken off, and removed. After one rainfall the carport entrance eroded 6 inches (photograph above). *Any further rainfall and road runoff will continue to erode and undermine the carport and county highway.*



The third attempt at culvert and carport drainage.
There was only a single layer of small riprap along creek pathway

Assessment

Assessment by Cortland County Department of Highways

The Cortland County Superintendent of Highways and his deputy inspected the contractor's third (and final) version at the carport / culvert drainage on 9/9/2025.

- *The Superintendent stated that the creek bank and culvert would wash out with the first major rainfall.*
- *The Superintendent stated this carport entry, creek bank, culvert area, and asphalt road area and would have to be remediated as soon as possible*
- *This remediation must be with approved permit from the Superintendent of Cortland County Highways prior to any work commencing.*
- *It was discovered at this time that the contractor's work was unauthorized, unpermitted work on county managed highway property.*

Damages

- *Inadequate creek flow management via county culvert*
 - *Will wash out above road after the first major rainfall*
- *Damage of county asphalt roadway across carport entrance and culvert area*
 - *Will continue to rapidly erode and undermine the road with each rainfall*
- *Removal of carport drainage pipe*
 - *Will make carport drain down to road edge, contributing to erosion and to icing of carport entrance in winter*

Front yard and tree



Front bank prior to contractor work



Front yard and tree prior to contracting work

Damages

1. Excavation and damage of tree roots of 24-in diameter tree
 - a. A professional arborist inspected the tree root damage and estimated this was 25% of the critical root zone. Given its height (80ft) and exposure to high winds (on the lakefront), and proximity of damage to base of tree (3 ft) it would put the tree at high risk for atrophy and loss.
2. Excavation and removal of yard area 10 ft wide x 25ft long x 1-2 ft deep
 - a. This created a large concave divot in the yard, further damaging the tree roots of the pine tree, which are all in top 2-3 feet of the soil.



Front yard bank with 10ft x 25ft wide excavation damage.
Large tree roots from the base of the large tree were torn up.



Front yard showing 2 ft deep gouge that exposed and removed tree roots
in the critical root zone of the large tree.

North road bank



Original road bank was sloped to the road (July 2025)



North road bank removal

Damages:

1. 25ft long x 3 ft high x 3ft wide road bank was removed
2. Tree roots of the upper end of the bank removal were damaged.