

**STATE ENVIRONMENTAL QUALITY REVIEW
(SEQR)**

**FINAL
SITE SPECIFIC/GENERIC ENVIRONMENTAL IMPACT
STATEMENT
FEIS**

**Proposed Action:
City of Rochester Port Public Marina and Mixed Use Development Project**

**SEQR Environmental Impact Statement
NEPA Environmental Assessment**

**LEAD AGENCY:
Thomas S. Richards
Mayor, City of Rochester
City Hall, Room 307A, 30 Church Street
Rochester, NY 14614-1290**

Appendix E

Supplement to 2000 Cultural Resource Inventory

The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978.

regulations on line at:

<http://nysparks.state.ny.us> then select HISTORIC PRESERVATION then select Environmental Review

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties, significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).

Project Description

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.

Maps Locating Project

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.

Photographs

Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

-If the project involves rehabilitation, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.

-If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.

NOTE: Projects submissions will not be accepted via facsimile or e-mail.

*Undertaking is defined as an agency's purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.

Table I-1 Involved and Potentially Involved Agencies Under SEQR

<u>INVOLVED / POTENTIALLY INVOLVED AGENCIES</u>	<u>ACTION(S)</u>
City of Rochester	
Mayor/City Council	Funding Comprehensive Plan Amendment Zoning Map and Text Amendment Land Disposition/Acquisition Amendment to City County Parks Agreement Parkland Alienation/Dedication Official Map Amendment
Commissioner of Neighborhood and Business Development	Site Preparation Permit Flood Development Permit Demolition Permit
Manager of Zoning	Site Plan Review
City Planning Commission	Special Permit Subdivision
Traffic Control Board	Right-of-way parking/signalization approvals
New York State	
Dept. of Environmental Conservation	Article 15 Excavation and Fill Article 15 Docks, Moorings and Platforms 401 Water Quality Certification Mined Land Reclamation permit SPDES
Department of State	Funding
Dormitory Authority	Funding (<i>CYAA Concessions Facility</i>)
Department of Transportation	Funding
SUNY College at Brockport	Lease Execution
Office of Parks, Recreation & Historic Preservation	Parkland Alienation Funding (US Fish and Wildlife BIG grant)
Monroe County	
Executive/Legislature	Amendment to the City/County Parks Agreement Land Acquisition/Disposition/Lease Agreements Parkland Alienation
Pure Waters	Utility modification approvals
Town of Irondequoit	
Town Board	Potential New Boat Launch Development
Town Planning Board	Potential New Boat Launch Development
Town of Greece	
Town Planning Board	Potential Parking Facility



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov



Bureau of Planning
and Zoning

October 14, 2011

Marie Sarchiapone
New York State OPRHP
Peebles Island
POB 189
Waterford, NY 12188

Dear Ms. ~~S~~^{Marie} Sarchiapone,

The City of Rochester has just issued a draft environmental impact statement for the development of the Port of Rochester where the Genesee River flows in to Lake Ontario. We sent the full DEIS to your office under separate cover, but for ease of your review I am sending the historic resource section distinctly. I ask that you affirm our belief that the development proposal will not have an adverse impact on historic resources.

The Port of Rochester is a +/-22 acre site that has provided minimal public benefit for decades, serving primarily as a vast parking lot and a park maintenance facility. Although the site is open to the public, there are few amenities beyond parking. There is no public green space within the site, no dedicated pedestrian access from the south, no marine services, and only few retail businesses and eateries.

For more than 20 years, the redevelopment of the site has been considered in various planning studies. The Monroe County Waterfront Recreation Opportunities Study (1990) suggested ways to enhance Ontario Beach Park to serve the community and to attract tourists, including improvements to pedestrian circulation, parking access, and public transit linkages. Recommendations to expand the City's public marina facilities were made in the Local Waterfront Revitalization Program (1990, 2010), in a market analysis (2006), and in the Marina Engineering Report and Feasibility Study (2009).

In 1998, efforts were begun to initiate high-speed ferry service between Rochester and Toronto. The port site was chosen for a new marine terminal, sparking creation of a larger development proposal that became the Port of Rochester Harbor and Public Improvement Project. Based on this plan and on environmental and cultural investigations, and in consultation with the OPRHP, several changes were made to the port site:

1. Modification of the North Warehouse into a ferry terminal building, with the addition of an embarkation building, customs stations and related site work
2. Demolition of the South Warehouse
3. Installation of streets, sidewalks, parking lots and utilities
4. Reconstruction of the river wall
5. Improvement to the Lake Avenue public right-of-way

High-speed ferry service began in 2004 but soon proved financially impractical and was suspended in early 2006. The ferry was sold, and the terminal building has been underused since. While there has been some interest in starting a new ferry service, no concrete plans have surfaced.



In 2006, we issued a comprehensive master plan for the port area, prepared by Sasaki Associates. The plan envisioned a diverse mix of uses around the ferry terminal, including up to 700 residential units, 80000SF of commercial space, 27000SF of educational space, 6000SF of office space, a marina, parking and recreational areas. For various reasons the plan was not adopted, but its research and findings remain valid and form the basis of our current planning effort.

Today, building upon the past two decades of discussion, investigation, planning and consultation, we are proposing a new plan to transform the port site into a year-round, recreationally-oriented area that would complement other public resources nearby, including Ontario Beach Park, the Terminal Building, the lake pier and the Charlotte Genesee Lighthouse. Parking lots that currently consume prime waterfront land would be replaced with a mix of buildings, a public marina, a public promenade and new streets, trails and sidewalks.

The project is being planned consistent with the following goals set forth in the LWRP:

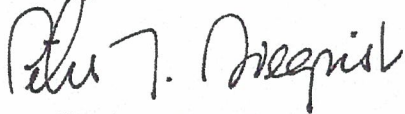
- Preserve and enhance the village character of Charlotte;
- Create a family-oriented, four-season development;
- Maintain and enhance visual and physical access to the water;
- Improve access into and out of the port area;
- Enhance economic development and business activity within Charlotte;
- Improve pedestrian circulation and safety in the area;
- Protect and enhance the environmental, historic and cultural resources of the area; and,
- Develop a mixed-use project that balances public uses and needs with appropriate private development that expands the tax base.

A Generic Environmental Impact Statement prepared by the City in 2001 for the earlier changes to the port included a Phase 1A and 1B Cultural Resource Survey (completed December 2000). This survey helped guide the conversion of the North Warehouse into the ferry terminal and the demolition of the South Warehouse. The Survey covered the area of the current master plan, except for the site of the Charlotte Genesee Lighthouse and two properties to its immediate north.

Due to the correlation between project boundaries, along with the accuracy and completeness of the 2000 Cultural Resource Survey and our findings that the resources identified in the survey remain largely unchanged, we propose to resubmit the Cultural Resource Survey to describe the existing setting, with supplemental updates and additional information regarding the lighthouse site and the two properties to the north. We are providing current photographs of the resources, and have keyed them to a map.

Please feel free to contact me for clarifications.

Sincerely,



Peter Siegrist, AIA, LEED AP

Preservation Planner

(585)428-7238

Peter.siegrist@cityofrochester.gov



BUILD OUT THROUGH PHASE 2



City Hall Park

Garage

North Warehouse/
Terminal Building

Fast Ferry

Swing Bridge

4776
4768

County Operations
Center

Railroad

Warehouse

Port of Rochester Existing Setting Analysis

The project limits lay mostly within the area addressed in a Cultural Resource Survey that was conducted for an earlier harbor improvement project, portions of which were implemented. The limits of the current project fall within those of the previous project, which extended farther south along the river to Petten Street. The sole exception is that the current project includes the site of the Genesee Lighthouse and Keeper's House.

The implemented portions of the earlier plan that lay within or adjacent to the current project limits include:

1. Modification of the North Warehouse into a ferry terminal building, with the addition of an embarkation building, customs stations and related site work
2. Demolition of the South Warehouse
3. Installation of streets, sidewalks, parking lots and utilities
4. Reconstruction of the river wall
5. Improvement to the Lake Avenue public right-of-way

Due to the correlation between project limits, the accuracy and completeness of the earlier Cultural Resource Survey, and the findings of the current project sponsor that the resources identified in the survey remain largely unchanged, the project sponsor proposes to resubmit the Cultural Resource Survey to describe the existing setting, with the following updates and additions.

Phase 1A and B Cultural Resource Investigations for the earlier project were conducted in 2000 by the Regional Heritage Preservation Program of the Department of Collections and Research of the Rochester Museum & Science Center (RMSC). The Phase 1A investigations examined the environmental, archaeological and historical literature prepared in the 15 years since the RMSC had conducted a Cultural Resources Inventory for the City's Local Waterfront Revitalization Program in 1986. The Phase 1B field investigations included an architectural survey of any buildings or structures not inventoried earlier, and subsurface shovel testing in suitable areas.

Within the limits of the current project, the report of the Cultural Resources Investigations [p. 80] stated the following:

Despite the number of prehistoric and historic archaeological sites documented within and surrounding the project area, substantial previous disturbance associated with filling throughout much of the project area as well as building demolition and road construction, has left little of the project area suitable for subsurface testing. A map of the harbor conditions at Charlotte in 1829 shows much of the project area as "reed-filled waterways". Most of the area north of the lighthouse and east of Lake Avenue [*the current project site (notation added)*] and along the western bank of the river to below Latta Road had to be filled before any construction or development could occur.

Within the limits of the current project, the investigations found only six existing buildings, as follows. Recent photographs are attached.

1. 70 Lighthouse Street (Genesee Lighthouse and Keeper's House) [appendix B, p.45]
Listed in the SRHP/NRHP (90NR1478) and designated a Rochester City landmark in 1974. The report of the Cultural Resources Investigations includes the SRHP/NRHP nomination form.
2. 4650 Lake Avenue [p. 85]
County operations building <50 years old and determined not to be eligible for SRHP/NRHP listing
3. 4768 Lake Avenue [pp. 87 and 117]
The Cultural Resource Investigations report [p.117] states "This one-story frame commercial structure was built prior to 1918. Its present exterior – a combination of stucco, brick, and mock-mansard roof—masks any original exterior elements. This building does not possess the distinctive characteristics of a particular style or period nor is it the work of a master, and it does not possess high artistic value". The building was determined not to be eligible for SRHP/NRHP listing.
4. 4776 Lake Avenue [p. 87]
A commercial structure <50 years old and determined not to be eligible for SRHP/NRHP listing
5. North Warehouse [p.66]
This building was determined individually eligible for SRHP/NRHP listing, and the inventory form is included in the report of the Cultural Resource Investigations [p.106]. As part of the earlier project, the building was altered into a ferry terminal, with the addition of an embarkation building, customs stations and related site work
6. South Warehouse [p.66]
Since demolished during the earlier project, this building was determined not to be eligible for SRHP/NRHP listing

Immediately north of the project site is Ontario Beach Park. [p. 69] The Park and eleven park buildings have been determined to be eligible for SRHP/NRHP listing as a group. One of the eleven, the Ontario Beach Carousel, was designated a City of Rochester landmark in 1980.

One structure adjacent to the project limits but outside the jurisdiction of the City of Rochester was found to be individually eligible for inclusion in the SRHP/NRHP. The Hojack Swing Bridge stands in the middle of the Genesee River, about 4500 feet upstream from where the river meets Lake Ontario. It is a rotating bridge that rests on a central pier at midstream, and is now stalled in an "open" position parallel to and about 120' from both shorelines. Although both shorelines are within the City of Rochester, the navigational channel is under federal jurisdiction. An effort in 2003 to nominate the bridge as a city landmark failed when it was ruled that the bridge is outside municipal jurisdiction, even though the bridge abutments (where the bridge would rest when "closed"), are within municipal boundaries. The inventory form is included in the Cultural Resource Investigations report. [p. 102]

The conclusion of the report of the Cultural Resource Investigations [p. 92] stated the following:

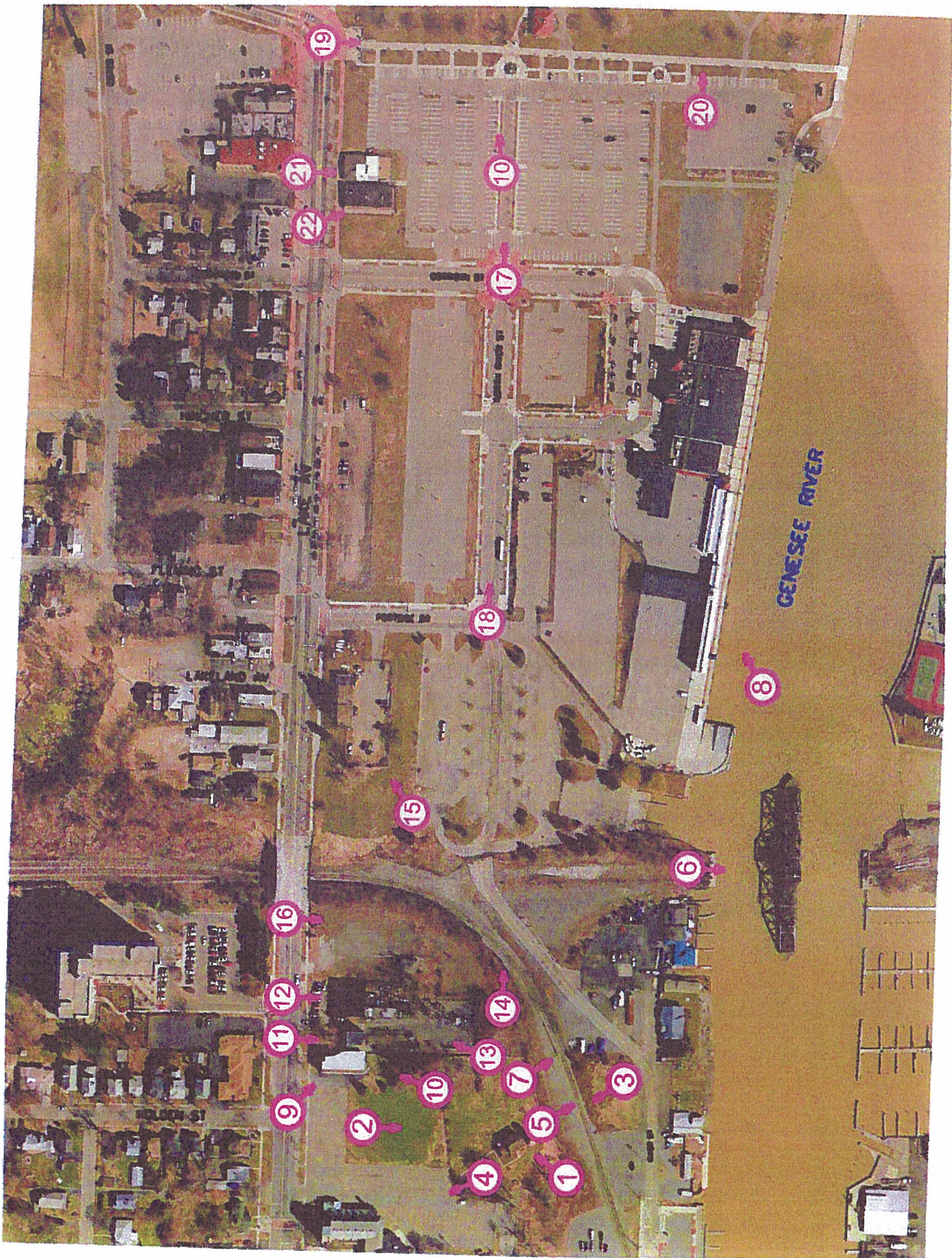
Based on the extent of previous disturbance documented through geological and geotechnical investigations of the proposed project, especially that portion of the project area located north of the CXT track and east of Lake Avenue [*the current project site (notation added)*], historic map evidence and the on-site inspection, the project area was assigned an overall sensitivity estimate of low with regard to historic and prehistoric archaeological resources. However, in areas exhibiting less disturbance (the Genesee Lighthouse Site), this sensitivity estimate was modified to high for historic and prehistoric archaeological sites.

As part of the previous project, no Phase 1B subsurface testing was recommended for the lighthouse site because no ground-disturbing activities were proposed. The report recommended that if any such activities are proposed, the SHPO should be consulted and a qualified archeologist conduct investigations.

END

Port Existing Settings Photographs
Numbers keyed to site plan

1. Lighthouse and Keeper's House from southeast
2. Keeper's House from west
3. Lighthouse from east
4. Holy Cross Church from lighthouse
5. Swing bridge from lighthouse
6. Close up of swing bridge
7. Port area from lighthouse
8. North Warehouse/Ferry Terminal from south
9. 4550 Lake Avenue (Islamic Center) from southwest
10. 4550 Lake Avenue (left) and 4554 Lake Avenue (RGE substation at right) from lighthouse
11. 4554 Lake Avenue (RGE substation) from west
12. 4560 Lake Avenue (Suss vehicle repair station) from southwest
13. 4554 Lake Avenue (RGE substation) from lighthouse
14. 4554 Lake Avenue empty land north of lighthouse
15. 4650 Lake Avenue (Monroe County Operations Center) from southeast
16. 4580 Lake Avenue from west
17. North River Street toward Ontario Beach Park
18. North River Street toward Ontario Beach Park
19. Ontario Beach Park walkway from west toward river
20. Denzel Carousel from south
21. 4776 Lake Avenue from northwest
22. 4768 Lake Avenue from southwest



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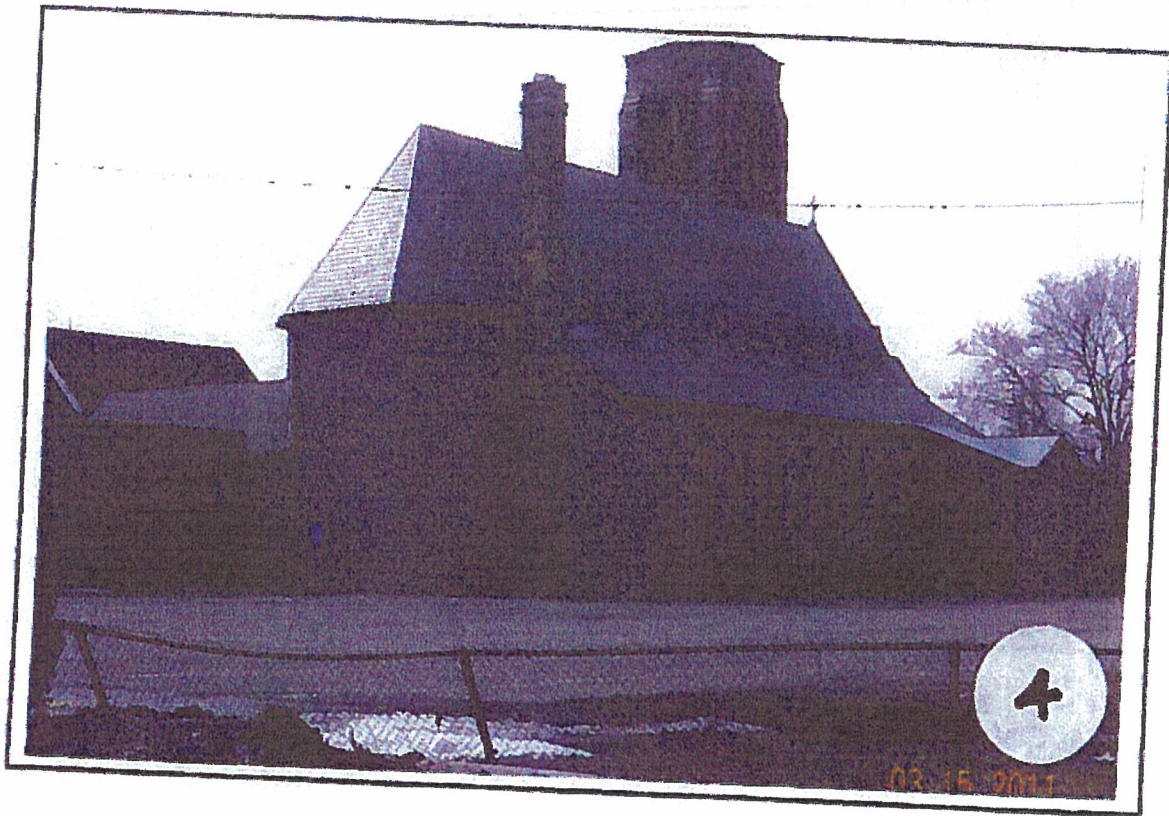
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Port of Rochester, NY
Application to the State Historic Preservation Office
March 28, 2011



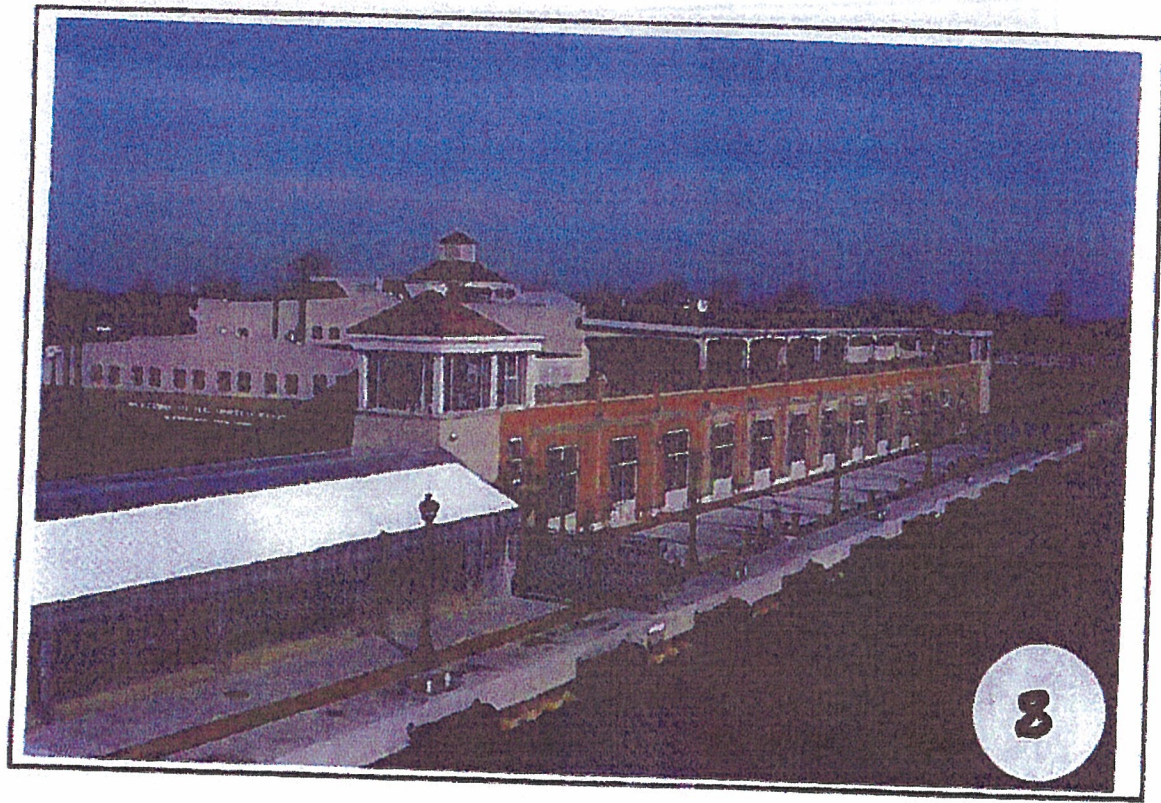
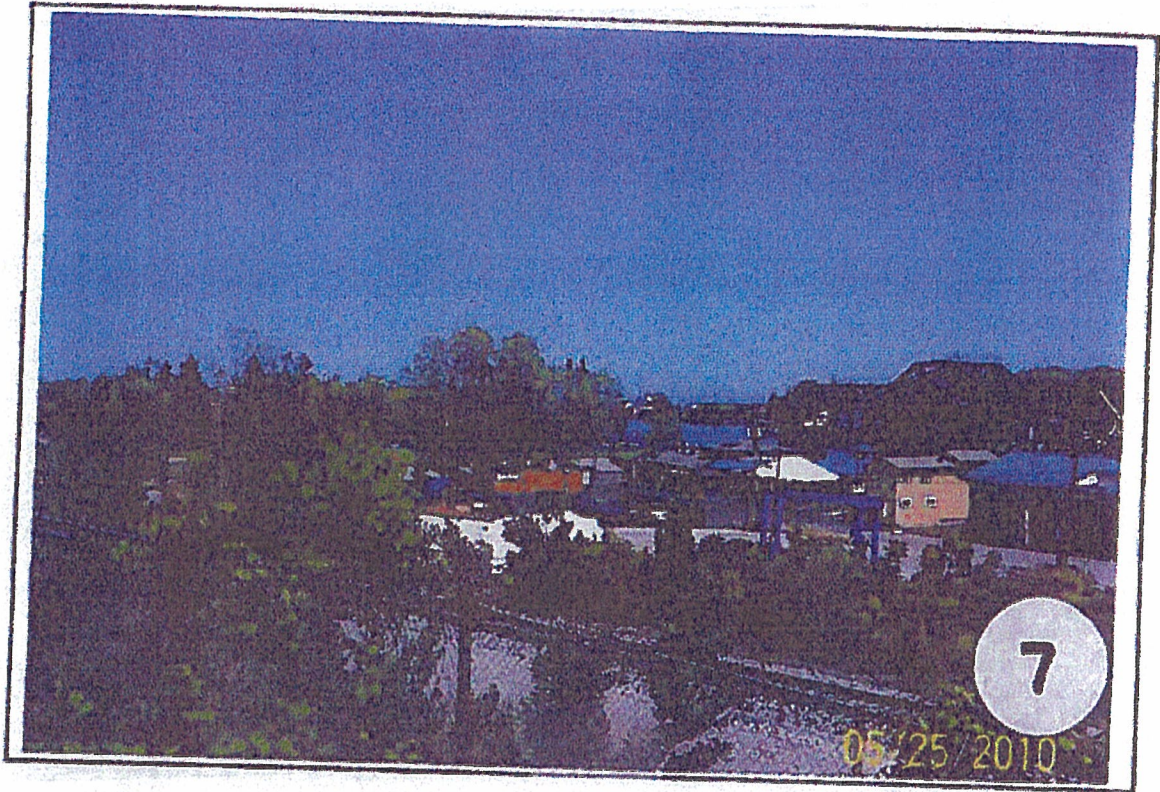
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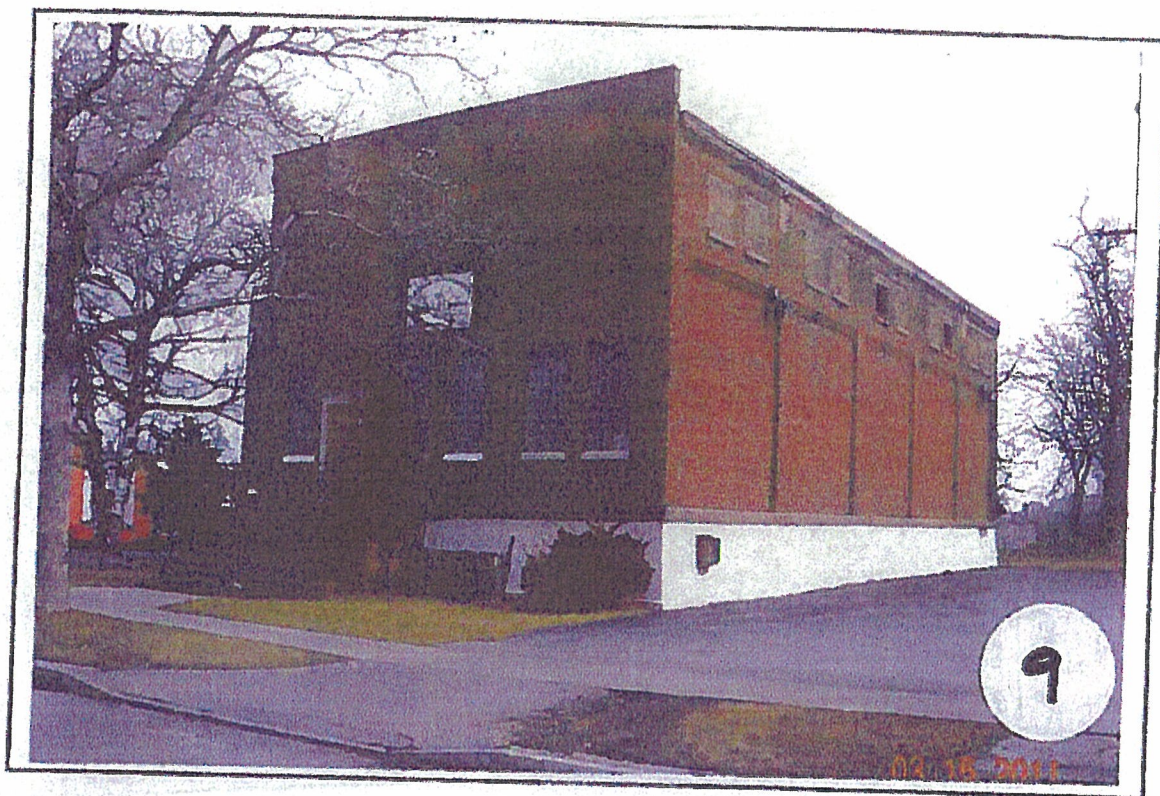
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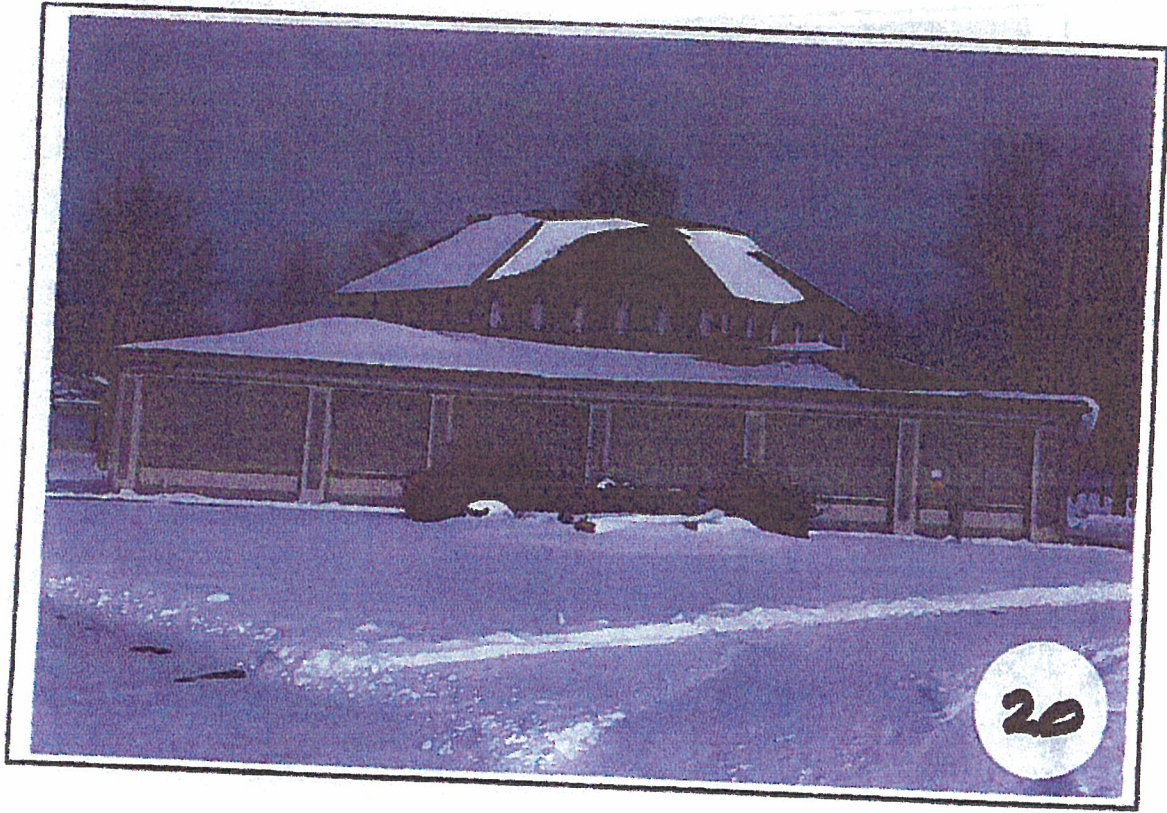
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