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July 2015

The Communities of  
Northern Chautauqua County on Lake Erie:  
Restoring Waterfronts, Revitalizing Waterfront Communities

# Northern Chautauqua County Intermunicipal

# Local Waterfront Revitalization Program





## Acknowledgments

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Chautauqua County

City of Dunkirk  
Town of Dunkirk  
Town of Hanover  
Town of Pomfret  
Town of Portland

Town of Sheridan  
Town of Westfield  
Town of Ripley  
Village of Silver Creek  
Village of Westfield

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## Introduction

Lake Erie is the 11<sup>th</sup> largest lake in the world and part of the Great Lakes, the largest fresh water complex in the world. Lake Erie is bounded by four states, New York, Pennsylvania, Ohio and Michigan, as well as one Canadian province, Ontario. Although it is principally located on the lake's Eastern Basin where the water is as deep as 240 feet and depths average 80 feet, Northern Chautauqua County is adjacent to the Lake's shallower Central Basin which boasts some of the finest walleye fishing and makes the lake the Walleye Capital of the World.

While Northern Chautauqua County is not the most densely populated area of the Lake Erie shore, population and commercial and industrial uses have resulted in water quality concerns and water quality impairment in some areas. Water quality on Lake Erie hit its nadir in the 1970s and has been on the rebound since. This is of major importance for many reasons, among them that the lake is the source of drinking water for as many as 12 million people and is the most biologically productive of the Great Lakes with a fishery that supports 10,000 jobs<sup>1</sup>.

Northern Chautauqua County is characterized by gently rolling hills, vast vineyards of Concord grapes, charming compact downtowns, white sand beaches and sweeping lake views from high atop waterfront cliffs. Chautauqua County, with Erie County, PA, comprises the largest Concord grape growing region in the nation. The boundary of the Concord Grape Belt Heritage Area intersects that of the LWRP in some instances.

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<sup>1</sup> Sources include the LEWPA and Waterkeeper websites accessed at <http://www2.erie.gov/environment/index.php?q=lake-erie-watershed-protection-alliance> and <http://www.lakeeriewaterkeeper.org>, respectively. Please also see [http://iaspub.epa.gov/tmdl\\_waters10/attains\\_watershed.control](http://iaspub.epa.gov/tmdl_waters10/attains_watershed.control) for water quality attainment information.

## LWRP Partners

The Local Waterfront Revitalization Program is a locally prepared, comprehensive land and water use plan for a community's natural, public and working waterfront. Working with the Northern Chautauqua Community Foundation's Local Economic Development Committee, Chautauqua County successfully applied for funding from New York State to complete the plan with the 10 Lake Erie waterfront communities. They are:

- City of Dunkirk
- Town of Dunkirk
- Town of Hanover
- Town of Pomfret
- Town of Portland
- Town of Sheridan
- Town of Ripley and Hamlet of Ripley
- Town of Westfield
- Village of Silver Creek
- Village of Westfield

## Northern Chautauqua LWRP Vision, Goals and Objectives

### Vision

The Northern Chautauqua County waterfront is an anchor, a brand and the primary attraction along the entire coast. Lake Erie's land and water sides are untapped resources for future economic development. It will become one of the most significant visitor destinations on the south shore of Lake Erie. Cooperation, support and effort among governments, agencies and the private sector will realize the vision.

Downtown revitalization in the Dunkirk core area, with its beaches, pier and museums creates an anchor in the waterfront system of natural and recreational attractions. Dunkirk is unique in that it is the only city on Lake Erie where the downtown and waterfront are integrated along the main street, rail is elevated and access to the waterfront is at grade. This ease of access increases the opportunity for vibrant recreational and economic activities.

The natural beauty of Lake Erie enhances the identity of the region as a year round destination and an active, clean, safe and exciting destination. The less urbanized waterfront communities share rural charm, beautiful lake and stream access points, rolling crop fields and vineyards. These are year round recreation destinations for myriad activities such as scenic byway driving, walking, fishing, swimming, hiking, biking, boating, skiing and snowmobiling as well as for viewing and simply enjoying nature.

### Goals and Objectives

The goals and objectives reflect the needs and desires of the Northern Chautauqua County LWRP communities both for today and for decision making into the future.



The following goals and objectives should be used to guide decision making in the waterfront district to implement the LWRP. They are written broadly to allow enable development of projects related to the LWRP, to accommodate projects included in this plan as they evolve, as well as to provide a contextual framework to support new ideas to move the LWRP forward. Adoption of goals and objectives establishes evaluation criteria and supports long-term sustainable partnerships among owners, communities and agencies. Projects that further the goals and objectives of the LWRP and are consistent with the LWRP policies should be considered for implementation under the aegis of this LWRP.

Goal One: To increase and improve access to and along the waterfront and to the water, while also improving connections to inland destinations

- Acquire strategic land to facilitate public access and linkages
- Develop a wayfinding signage system to direct people to attractions and the waterfront
- Promote waterfront related attractions and amenities and events

Goal Two: To establish recreation and waterfront-related activities in the water, on the waterfront and in surrounding urban areas

- Reuse, preserve and upgrade vacant and underutilized land, heritage buildings and historic downtowns
- Improve the visual appearance and brand of the waterfront
- Enhance economic development and tourism on the waterfront and through water-based recreation and economic enhancements

Goal Three: To enhance, protect and preserve the natural waterfront and water quality

- Promote shoreline protection that preserves and creates habitat and is visually compatible with the natural shoreline
- Promote and restore wildlife and aquatic habitat and corridors for education and interpretation of the natural environment
- Encourage a wide range of compatible water-related uses in and adjacent to Lake Erie, encouraging sustainable economic development and job opportunities

## Master Plan for the Future

The Master Plan for the Northern Chautauqua County waterfront paints a picture for the future development and preservation of the Lake Erie shoreline creating a spectacular and linked waterfront of places, events and attractions. Together the series of plans builds a cohesive lake identity that will be developed over time to produce a continuous and holistic waterfront experience. The accumulated master plans link the series of waterfront nodes, like pearls on a string along the coast, forming a unified and collective

experience. While each project stands on its own, they all stand as one creating a series of exciting destinations while forming a single spectacular destination and the Lake Erie waterfront experience.

Each of the waterfront Master Plans shows a variety of facilities and activities attracting residents and visitors and each individual Master Plan demonstrates policies and recommendations as expressed in the LWRP. The concepts, for the various nodes, support waterfront access and demonstrate a range of waterfront amenities improving community character and visitor services. New recreation areas, beaches, overlooks, entertainment venues and parks link shopping areas, markets and interpretive destinations through attractive gateways and scenic trails. All of the amenities and facilities build to enhance the local and regional waterfront experience. They demonstrate a continuity of events and places linked along the waterfront and directed inwards into the surrounding inland area, connecting all communities and destinations in Northern Chautauqua County.

The links that bind all of the plans together along Lake Erie are the byway, greenway and blueway. The Great Lakes Seaway Trail National Scenic Byway capitalizes on the vistas of the lake, the rolling fields of grape vines and the surrounding open space. A recreation greenway trail running parallel to the scenic byway and by the lake reinforces the continuity of the byway and provides safe, comfortable off-road experiences for recreation users. The character of the waterfront is further enhanced and celebrated through the development of a blueway connecting the dots from the waterside.

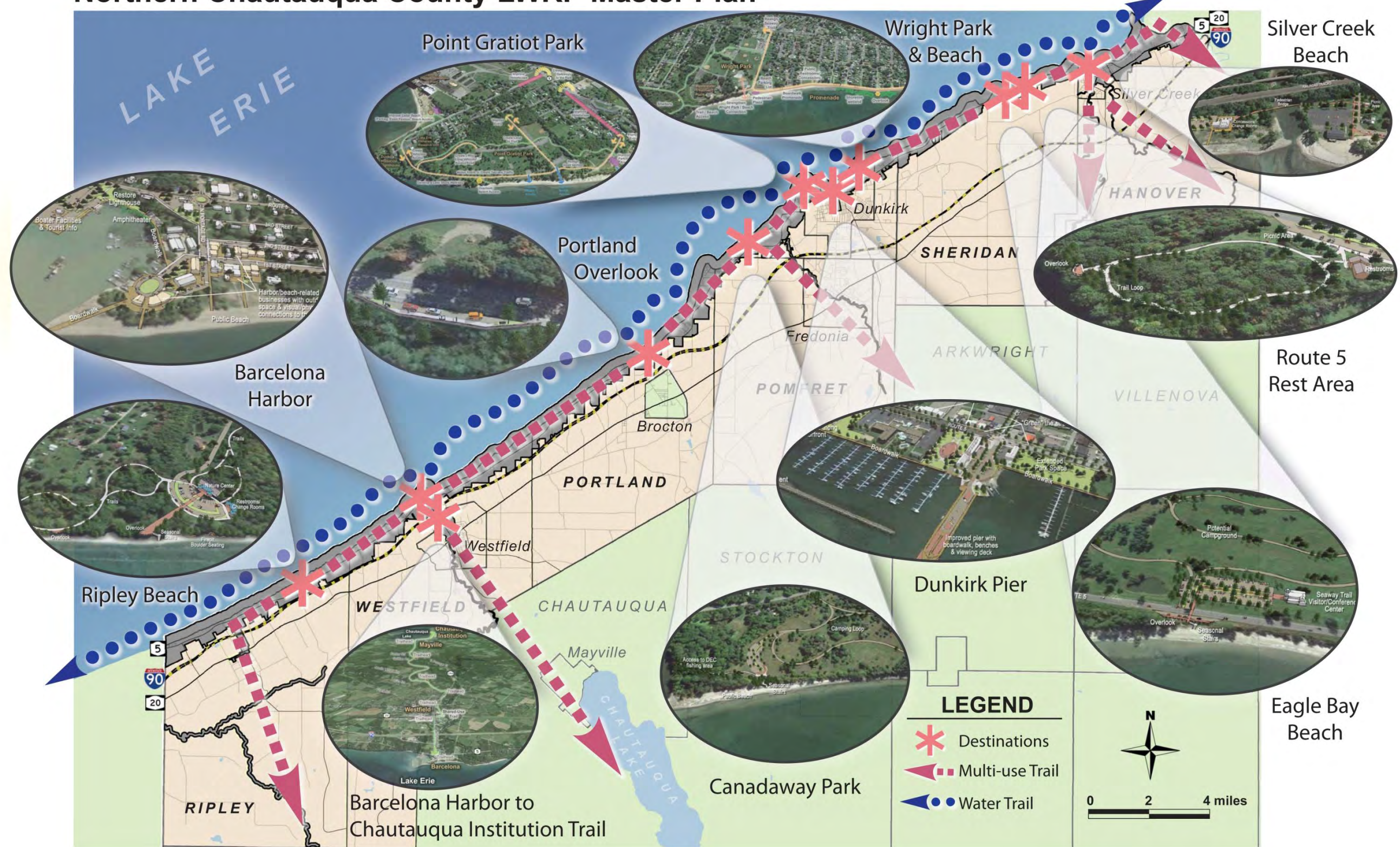
The series of master plans define destinations and organizes the region into an understandable entity. They demonstrate a continuous waterfront experience with access to recreation areas and natural areas supported by unique destinations each with its own character and a comprehensive regional destination, the Lake Erie waterfront in Northern Chautauqua County with its open green spaces and abundant recreational opportunities.

## **1.1 How to Use this Document**

In Phase II of this project, a guide for using the LWRP will be included here. In addition to briefly describing the sections and their utility, it will provide an overview of the opportunities and responsibilities that being an LWRP community carry.



# Northern Chautauqua County LWRP Master Plan











## Section 2 Waterfront Revitalization Area Boundary

### 2.1 Regional Setting

The Northern Chautauqua County Local Waterfront Revitalization Program (LWRP) area lies along the coast of Lake Erie in the western part of New York State. The area is half way between the cities of Buffalo, NY, and Erie, PA. Interstate 90 (NYS Thruway) runs parallel to the study area and connects it with the major neighboring urban centers and beyond. Major regional recreation and tourism attractions include Niagara Falls, Chautauqua Lake, the Chautauqua Institution, Allegany State Park and Presque Isle State Park in Erie County, PA.

In the United States, 11 million people live within 150 miles of the study area, which includes the cities of Buffalo, Cleveland, Pittsburgh and Rochester. Another 5 million people live in Canada within 150 miles, including the City of Toronto.

### 2.2 Historic Overview

Northern Chautauqua County on the shores of Lake Erie is steeped in our nation's history. Events and destinations found in every third grade history text book are here: French and Indian War, Seven Years War, War of 1812, Holland Land Purchase. The world's first and only gas-powered lighthouse is the Barcelona Lighthouse. Dr. Charles Welch moved his unfermented grape juice production to Westfield to be in the cradle of Concord grape country on the temperate shores of Lake Erie.

Although it is named for its inland lake, Chautauqua County boasts 50 miles of Lake Erie access, breathtaking vistas and communities with unique Great

*Northern Chautauqua County on the shores of Lake Erie is steeped in our nation's history. Events and destinations found in every third grade history text book are here: French and Indian War, Seven Years War, War of 1812, Holland Purchase. The world's first lighthouse is the Barcelona Lighthouse.*

Lakes character. It was discovered in 1769 by French explorers who landed at Barcelona Harbor seeking an inland passage to the Mississippi and Ohio rivers. Their route, an Indian Trail south on Chautauqua Creek to Chautauqua Lake, is still known as the Portage Trail. Dispute over ownership of the trail between the French and British led to the French and Indian War.<sup>2</sup>



*The French explorers who first landed at Barcelona Harbor followed an old Indian Trail south on Chautauqua Creek to Chautauqua Lake. That trail is still known as the Portage Trail. Dispute over ownership of the trail between the French and British led to the French and Indian War.*

In 1797, the area of western New York that includes Northern Chautauqua County was sold by the Seneca Indians to the Holland Land Company. In the negotiations that took about two weeks, the Senecas retained about 200,000 acres of land and agreed to sell the balance of their holdings for cash settlements, \$100,000 in bank stock and cows. Chief Surveyor Joseph Ellicott and his team took two years to survey the vast tract, completing the task in 1800. In 1801, the first land transfer in Chautauqua County – at \$2.50 an acre (\$34.97 in 2014, according to the westegg inflation calculator) – was recorded in 1801 and settlement of the county commenced. In 1810, Chautauqua’s population reached 500 and a county government was formed the following year.

The first shots fired in the War of 1812 on Lake Erie took place when local militia fired on the British Schooner *Lady Prevost* near the mouth of Canadaway Creek. This event is believed by some to be the first battle of the War of 1812, with the schooner as a gunboat and the local militia characterized as having held off the British. The war stalled the settlement of the county for several years.

Chautauqua County’s first settlement was at the Cross Roads, now known as Westfield. In 1829 the Town of Westfield was formed from Pomfret and Ripley; the Village was incorporated in 1833. In 1828, the US Secretary of the Treasury was empowered by the Congress to build a lighthouse at Portland Harbor. The Barcelona lighthouse became the first lighthouse on the Great Lakes and the first public building in the nation to use natural gas as fuel for the light.

The Chautauqua County lakefront soon boasted a number of thriving communities. A steamship plied Lake Erie between Buffalo and Barcelona. Postal service first began at Ripley, then known as Quincy, in 1815 and with the opening of the Erie Canal in 1825, immigrants heading west from the Buffalo terminus and goods heading east travelled though Ripley and inns and taverns sprang up to serve the itinerants.

<sup>2</sup> It is an interesting footnote to US history that George Washington, then in the Virginia militia, was sent to Pennsylvania to order the French to leave the region of the inland trail and quit harassing English traders. Having failed, he later went back and was involved in the first battle of what became the French and Indian War and exported to Europe as the Seven Years War. Washington surrendered at Fort Necessity in what is now Farmington, PA. These events may or may not have contributed to his inability to secure a royal commission in the British Army.

Natural gas was another important Northern Chautauqua resource. French explorers observed the local natives igniting the gas in and around Lake Erie as early as 1626. The nation's first natural gas well was established at Fredonia in 1821. Fredonia Gas Light Company was the country's first natural gas distribution company. Natural gas remains a significant resource that is vital to the local economy.

Before the late 19<sup>th</sup> century grist- and sawmills and later, paper mills, oil-mills, wool and cloth factories, foundry, agricultural implements, wood working and a steam heating company were all located along Chautauqua Creek. Other local industries included timbering to clear the land. Burned trees were used to produce black salts and potash as well as pearlash – all lye products. They were used in the manufacture of soap and glass, to bleach laundry and as medicinal agents. Among pearlash's uses was leavening baked goods before the development of baking powder and baking soda. A chemically produced version of lye is still used today in the production of such foods as hominy, pretzels and canned oranges as well as to cure lutefisk and olives.

Prior to the extension of rail to the county in 1852, the only agricultural products that may have been known beyond Chautauqua County would have been Chautauqua steers and Chautauqua butter, both renowned for their quality. These, along with timber and potash were the main local exports. All other agricultural products were produced for local consumption.

When the railroad came through Chautauqua County in 1852 it became possible to export perishable crops from the region and as a result, the region's economy began a transformation from cattle to fruit production. The well-drained soils and temperate environment of the Lake Erie plain, along with the long summers was a perfect atmosphere for orchards and vineyards.

Perhaps one of the most catalytic events in the settlement of Northern Chautauqua County was the introduction of the Concord grape in 1859. Wild grapes were brought to Chautauqua County in Brocton in 1818. Wine grapes were also grown in the region in the mid-nineteenth century. But three important factors came together to create what is one of the nation's, if not the world's, largest grape growing regions. First was the development of the hybrid cultivar Concord grape in 1849. This sweet grape spurred a table grape industry in Chautauqua County. The temperance movement took hold –the Women's Christian Temperance Union was founded in Fredonia in 1873 – inspiring Dr. Thomas Bramwell Welch to develop an “unfermented sacramental wine” with the grapes. Welch moved his production facility to Westfield and was later joined by other grape juice plants.

A wine grape industry was also active until prohibition. After the prohibition era, the Concord industry remained strong while a nascent wine industry developed into the 1960s and 1970s with kosher wines produced from the Concord as well as the introduction of other vinifera varieties.



starchefs.com

*Hominy was made using potash, an early Northern Chautauqua County product made from the ashes of trees felled to clear the land. Lye, a chemical analog, is still used to make hominy. The traditional technique is described here: [starchefs.com/cook/savory/technique/hominy](http://starchefs.com/cook/savory/technique/hominy)*



ediblebuffalo.wordpress.com

At the turn of the 21<sup>st</sup> century, the region's economy was transforming yet again. Prices paid to Concord grape farmers were decreasing and the region's culture was at risk of losing its farms and with them, its agricultural character. The economies of its small towns were at risk and populations were decreasing. At the same time, the deplorable condition of Lake Erie's waters, long compromised by the impacts of human settlement – industrial effluents, waste, runoff, eutrophication, instable water levels, marine accidents and other mishaps – had by the late 1970s been reversed. Serious water quality and quantity concerns remain, but the adoption in 2005 of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Compact between Ohio, Michigan, New York, Pennsylvania, Illinois, Indiana, Wisconsin, Minnesota and the Canadian Province of Ontario created a framework and set a standard for stewardship of the Great Lakes and St. Lawrence River.

Today, the area continues to boast vast waves of vineyards contrasting with the clear blue of the lake. But now, mixed among Concord vineyards are new vineyards of wine grapes. The wine industry has sparked the development of an arts, culture and heritage tourism industry. On the lakeshore, the abundant fishery provides sport fishing from piers and docks along with guided excursions. The region's unique ecology and open spaces offer myriad opportunities for outdoor recreation including enjoyment of village, town and state parks and reserves; appreciation of beautiful lake vistas and gorges; and activities for all seasons and all ages including biking, snowmobiling, hiking, swimming, power boating, sailing, canoeing and kayaking. The Great Lakes Seaway Trail National Scenic Byway, which traverses 454 miles of New York from Rooseveltown to Ripley and another 60 miles through Pennsylvania, defines Northern Chautauqua County.

This Local Waterfront Revitalization Plan is a strategy to preserve, restore and celebrate the resources of Northern Chautauqua County on the Lake Erie shoreline including its water quality, natural environment and communities. It is a strategy to increase exploration and enjoyment of the area's abundant natural areas and to revitalize its downtowns.<sup>3</sup>

### 2.3 Project Overview

The Waterfront Revitalization and Coastal Resources Act (Article 42 of New York State Executive Law) was enacted in 1981 by the New York State Legislature in order to execute the Coastal Management Program at the State level. In voluntary partnership with local communities, the Coastal Management Program strives to simultaneously protect natural coastal

<sup>3</sup> We are indebted to the following sources for background for this section: County history; [co.chautauqua.ny.us/509/History](http://co.chautauqua.ny.us/509/History); George Washington: [mountvernon.org/george-washington/french-indian-war/ten-facts-about-george-washington-and-the-french-indian-war/](http://mountvernon.org/george-washington/french-indian-war/ten-facts-about-george-washington-and-the-french-indian-war/); Holland Land Company, [nyheritage.org/collections/holland-land-company-maps](http://nyheritage.org/collections/holland-land-company-maps); Great lakes Seaway Trail, Chautauqua Windpower Project Historic Resources Reconnaissance Survey; [seawaytrail.com/warof1812/](http://seawaytrail.com/warof1812/); and Wikipedia for information about potash and the Lake Erie Compact



resources and advance economic development opportunities while enhancing waterfront experiences and opportunities for coastal residents and visitors.

In Northern Chautauqua County on the shores of Lake Erie, the 10 coastal communities realized the need to prepare a Local Waterfront Revitalization Program (LWRP), as a comprehensive planning tool to protect and promote the unique characteristics and natural waterfront resources along, and within, Lake Erie and its tributary streams. In a 10-month visioning process, the communities came together to identify goals for waterfront development. This LWRP will help them take their vision to the next step and provide the communities with a clear strategy and implementation program to identify short- and long-term projects and the steps necessary to achieve them.

Harbor Management Plans are required for the approval of a LWRP (Article 42 of the Executive Law and Department of State regulations Parts 600, 601.1 and 603); the Northern Chautauqua County communities have chosen to integrate their Harbor Management Plans (HMP) within this LWRP. The Harbor Management Plan considers the existing conditions and future potential uses for in the water as well as on it and beside it. The HMP considers issues of local and regional importance and opportunities to resolve these issues. The HMP carries a number of benefits, including:

- Requiring state and federal adherence to the Harbor Management Plan;
- Technical assistance from the Department of State in addressing harbor management issues;
- Increased access to public and private funding for projects; and
- Research, design and other pre-construction activities that implement the HMP.

## **2.4 New York State Coastal Management Program Boundary**

New York State's Coastal Management Program defined in 1981 the Statewide 'coastal area' by establishing coastal boundaries in accordance with the requirements, rules and regulations of the Federal Coastal Zone Management Act of 1972, as amended. Under the Coastal Management Program in New York, municipalities can alter their Coastal Management Area (CMA) boundaries through an approved LWRP. The communities along Chadwick Bay did an LWRP study with a proposed amended boundary in 1998. Much of the boundary of the Chadwick Bay CMA is contiguous with the Northern Chautauqua County CMA boundary. But because that LWRP was not adopted or approved by the New York State Department of State, the current CMA is as originally designated. It is described as follows:

The existing CMA boundary follows a line running 500 feet inland (south) of NYS Route 5, with the following exceptions:

- From Martin Lowell Road in the Town of Portland northeast to the Town of Pomfret/Town of Dunkirk border, extending inland from Route 5 for “proposed Lake Erie Power Plant”
- In the Town of Sheridan from Center Road and extending east to a point west of the Town of Sheridan/Town of Hanover border, extending inland from Route 5 for “proposed Lake Erie Power Plant”
- In the City of Dunkirk from Brigham Road to Roberts Road, extending inland from Route 5 along Second Street
- In the Towns of Dunkirk and Pomfret and the Village of Fredonia, extending inland from Route 5 to include the floodplain of Canadaway Creek
- In the Village of Silver Creek, extending inland from Route 5 to include the floodplains of Silver Creek and Walnut Creek
- In the Town and Village of Westfield extending inland from Route 5 to include the floodplain of Chautauqua Creek

## 2.5 Local Waterfront Revitalization Boundary

### 2.5.1 Rationale for changes to the CMA

For the Northern Chautauqua County boundary, a new boundary is proposed. The reasons for the proposed boundary amendment are:

- Inland areas set aside for a proposed Lake Erie Power Plant are no longer included; the facility is no longer being planned.
- The Waterfront Advisory Committee for the LWRP strongly believes that splitting parcels by limiting the boundary to the first 500 feet inland would complicate interpretation of the boundary and hamper implementation.
- The LWRP boundary was expanded to include the central business areas in the Hamlet of Ripley, the villages of Silver Creek and Westfield and the City of Dunkirk. These areas, already adjacent to the current CMA boundary, will benefit from the economic development activity generated by implementation of LWRP projects.
- The stream corridors that existed in the original CMA boundary were extended inland because they offer recreational opportunities and contribute to water quality. The stream corridors of Twenty Mile Creek and Belson Creek in Ripley were also included in the LWRP boundary. These streams are similar to the major streams, but were not included in the original CMA boundary because the mouth of Twenty Mile Creek is located in Pennsylvania.

### 2.5.2 Boundary Defined

The proposed land-side boundary of the LWRP study area is as follows:

- A line following the rear property boundary of parcels fronting on the south, or inland, side of Route 5

In addition to the above the following inland waterway areas are also included in the LWRP boundary:

- The area within 250 feet of the center line of Twenty Mile Creek and Belson Creek in the Town of Ripley
- The flood plain of Chautauqua Creek in the Village and Town of Westfield
- The floodplain of Canadaway Creek in the Town of Dunkirk, Village of Fredonia and the Town of Pomfret
- The flood plain of Silver Creek and Walnut Creek Within the Village of Silver Creek
- The area within 250 feet of the centerlines of Walnut Creek and Silver Creek in the Town of Hanover

Also the following business districts adjacent to the above areas are included:

- **In the Town of Ripley**– Inland following the rear lot line of parcels fronting on the west side of State Street; the following the rear lot line westward along parcels fronting on Main Street to Hamilton Road; then south along the centerline of Hamilton Road to Main Street; then west along the centerline of Main Street to Loomis Street; then South along the centerline of Loomis Street to the rear property line of the parcel fronting on Main Street; then eastward along the rear property line of parcels fronting on the South side of Main Street to the rear property line of parcels front State Street; then south along the rear property line of parcels on the west side of State street to Boswell Street; then following the centerline of Boswell street eastward to State Street; then following the centerline of State Street south for 70 feet; then eastward to follow the south side lot line of parcel 240.12-3-35; then along the rear lot line of said parcel continuing strait to follow the side lot line of parcel 240.12-3-34 to the centerline of Main Street; then east along the centerline of Main Street for 55 feet; then heading north following the rear lot lines of parcels fronting on the east side of Ross Street; then continuing north to follow the rear lot lines of parcels fronting Old State Street until it intersects the rear parcel line of the parcel fronting on the south side of Route 5; then continuing to follow the rear lot lines of parcels fronting on Route 5.
- **In the Village of Westfield** – Inland following the flood plain of Chautauqua Creek to Campbell Street then east on Campbell to S Portage Street then north on S Portage Street to Bliss Street then east on Bliss Street to Union Street ; then north on Union Street until the rear lot line of the parcel fronting on the south side of Main St; then following the rear lot lines of the parcels fronting on the south side of Main Street eastward to Brewer St; then north on Brewer Street to

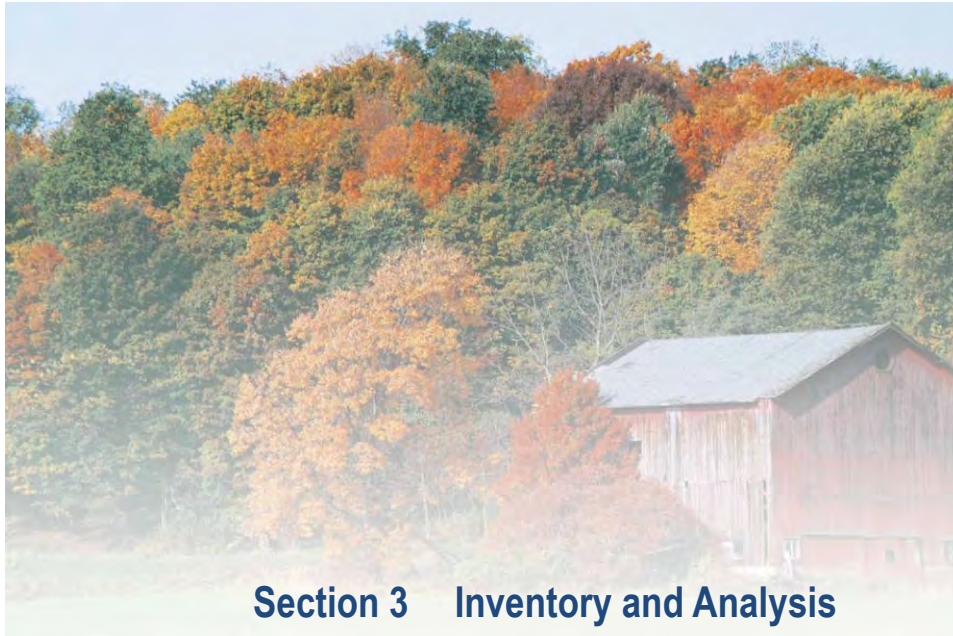
Main St; then east on Main Street to Pearl Street then north on Pearl Street to the end; then a line connecting the north end of Pearl to the south end of Bird Street across the rail and Thruway ROW; then north on Bird Street to Nichols St; then west on Nichols Street to N Portage St; then north on N Portage Street to northern boundary of the New York State Thruway right-of-way; then eastward along the boundary of the New York State Thruway until such boundary is the rear lot line of a parcel fronting on the south side of Route 5; then continuing to follow the rear lot lines of parcels fronting on Route 5.

- **In the City of Dunkirk** – From the west following the rear lot line of parcels fronting on the south side of Route 5 (Lake Rd) to Point Street then following east on Brooks Street to Brigham St; then south on Brigham Street to 2<sup>nd</sup> St; then eastward on 2<sup>nd</sup> Street to Eagle St; then south on Eagle Street to 6<sup>th</sup> St; then east on 6<sup>th</sup> Street to Park Ave; then north on Park Ave to 2<sup>nd</sup> St; then east on 2<sup>nd</sup> Street to Roberts Rd heading north to the rear line of the parcel fronting Route 5; then east following the rear lot line of the parcels fronting on the south side of Route 5 to the City boundary.
- **In the Village of Silver Creek** – From the west side of village following rear lot lines of parcels fronting on the south side of Route 5 (Central Ave) to the flood plain of Walnut Creek; then following the flood plain of Walnut creek and the Village Boundary to Main St; then north on Main Street to Burgess St; then following the rear lot line of parcels fronting on the east side of Main Street to Babcock St; Then east on Babcock Street to the end; then following the parcel line of the parcel on the south side of Silver Creek, the Village boundary then the parcel on the north side of Silver Creek to the rear lot line of the parcel fronting on the south side of Route 5 (Central Ave); then following the rear lot lines of the parcels fronting on the south side of Route 5 to the Village boundary.
- **In the Town of Dunkirk** – Including the Town Hall Parcel (95.04-1-7) which is immediately adjacent to the prescribed boundary and an important community facility.

### 2.5.3 Waterside Boundary & Harbor Management Area

Beginning at the intersection of the western boundary of the Town of Ripley and the mean high water line of Lake Erie, then northerly along a line extending the western boundary line to a point 1,500 feet offshore from the mean low water line; then northeasterly along a line running 1,500 feet from the mean low water line to a point intersecting a line extending the eastern boundary of the Town of Hanover offshore, then southerly along the extended Town boundary to the point where the Town boundary intersects the mean high water line; then following the mean high water line along the coast back to the point of origin.

Please refer to the set of boundary maps in the map gallery for the illustrated boundary.



## Section 3 Inventory and Analysis

### 3.1 Character Areas

The purpose in defining character areas within the Waterfront Revitalization Area is to better understand the evolution of the area in order to plan to preserve its natural, historic and cultural resources and revitalize its communities. Analyzing the components that define local character also helps guide future decision-making.

The character areas analysis looks at the Northern Chautauqua LWRP area as a collection of distinct areas or districts. These districts have homogeneous characteristics and are defined by native and manmade landscapes, development patterns, the Lake Erie waterfront and the tributary streams. In general, an assessment of the character of a region includes its topography, views, geography, vegetation, land use, buildings and roads.

The region has evolved over time and the character areas are reflections of the region's physical geography that is overlaid by history, culture and social structure. Northern Chautauqua County is a product of its geographic location and human settlement influenced by the escarpment, the water and over land trails that defined its early markets and its hills, forests and waterfronts.

The general characteristics of areas and the views into and out of them define character areas. The character areas map outlines areas with common qualities however there are numerous generalizations made to facilitate the mapping of community character. The terminology below identifies and describes each area.



Character areas were defined by reviewing zoning maps, land use plans, aerial photography and through field observations. Homogeneous areas were defined and mapped. Characteristics observed were: date of construction, land use, lot size, set back, building style, landscape, streetscape, age of development, signage, fencing, architectural appurtenances and views. The following character areas define the Northern Chautauqua County Waterfront Revitalization Area:

### 3.1.1 Stream Valleys

The Stream Valley character areas are found along the largest tributaries that feed into Lake Erie. These areas include Chautauqua Creek, Canadaway Creek, Silver and Walnut Creeks and Cattaraugus Creek from the railroad tracks to the Seneca Reservation. These areas are characterized by the tree lined banks surrounding shallow streams. These streams often run through urban areas, but the buffer created by the trees provides a secluded natural environment. Further away from Lake Erie, these streams run through increasingly steep ravines. These streams are popular fishing destinations particularly during spawning seasons.

### 3.1.2 Grape Country

The majority of the study area falls into the Grape Country character area. This area is characterized by large agricultural parcels particularly on the south side of Route 5. Grapes are the predominant crop as the area is the Concord Grape capital of the world. There are also open fields, large residential tracts and wooded areas. Occasionally along these stretches there are golf courses, parks & campgrounds. Generally there is limited physical access to the Lake due to the presence of high bluffs. Views of the lake are excellent when not obscured by trees. There are also excellent views of the vineyards extending towards the Allegany Escarpment. The Grape Country character areas are primarily located in the Towns of Ripley, Westfield, Portland and Sheridan.

### 3.1.3 Waterfront Communities

The Waterfront Communities character areas are those areas with slightly denser single family residential developments. These communities are located in or near city or village areas where public sewer and water is available. The communities are laid out in a network of streets. These neighborhoods usually include a park and often have community access to a beach.

### 3.1.4 Heritage Downtowns

The Heritage Downtown character areas are mixed-use relatively densely developed areas centered on a “Main Street.” These centers have historic origins and contain historic structures. These areas have different assets, but generally struggle with aging buildings and newer development that erodes





the historic character. Along the NCC study area, the railroad corridor creates a barrier between these centers and Lake Erie.

### 3.1.5 Working Waterfront

The Working Waterfront character areas are those areas where recreational boating activity is supported. These areas have a concentration of water-dependent and water-enhanced uses. The three harbor areas in the LWRA are Barcelona, Dunkirk and the mouth of Cattaraugus Creek. The three harbors vary in scale and development. Dunkirk has the most prominent harbor area with an inner and outer breakwater. There is a developed park along the waterfront and the Dunkirk Power Plant is included in this character area. Barcelona is a smaller harbor which has not been fully developed to its potential. Except for on the pier, docking facilities are privately owned. Inside the mouth of Cattaraugus Creek, New York State NYSDEC operates a marina. There is also a private Marina and the Town of Hanover operates a boat launch facility.



### 3.1.6 Destination Beach

Sunset Bay is a unique residential character area that is anchored by a popular beach destination. Young adults from across the region congregate at the beach arriving by car and boat. The closest docking facility is the state marina in nearby Cattaraugus Creek. Instead of docking nearby, scores of boats anchor within yards of the sandy shoreline to become part of the attraction. Other people come just to witness the extravaganza.

### 3.1.7 Gateway Commercial

The Gateway Corridors are areas of commercial development located at Thruway interchanges within the Study Area. The area currently has a number of scattered commercial establishments. There is a tremendous potential for auto oriented commercial development due to its proximity to the New York State Thruway. Design standards should be developed so that these areas do not take on the appearance of strip commercial development.

## 3.2 Existing Plans

### 3.2.1 Town of Hanover Comprehensive Plan (2000)

The following are elements of the Hanover Comprehensive Plan that relate to the LWRP Study Area:

- The Intersection of Routes 5 and 20 is mentioned as a potential gateway to grape country and the natural resources of Lake Erie.
- Identifies Silver Creek as the Community and retail center of the town.
- Encourages intensive commercial & industrial uses along the 5 & 20 corridor
- Identifies the need to upgrade commercial activity along Route 5 & 20 in terms of site design

- Discourages “big box” retail development with the option to re-evaluate in the future.

The plan also presents these implementation steps that may affect areas within the LWRP Study Area:

- Prepare the Routes 5 and 20 corridor for development by making the area shovel ready with infrastructure to support growth and development.
- Create a comprehensive open space and recreation program in order to improve recreation opportunities in the community especially in the lake shore areas, which may include trails throughout the town connecting the lakefront and creeks to the interior areas such as the village reservoir
- Improve community access to the lake shore through establishment of amenities such as additional picnic shelters, gazebos, fishing piers, boater access, marinas and beach maintenance.
- Investigate Town operation of the State marina on Cattaraugus Creek as a revenue producing facility.
- Establish a regular maintenance and dredging schedule for the Town boat launch.
- Work with the County to investigate the potential for establishment of a regional water and wastewater utility.
- Continue the process of securing funding for the water system improvements project which encourages and supports economic development.
- Investigate methods of controlling ice jamming and damage from flooding.

### **3.2.2 Town of Dunkirk Comprehensive Plan**

Currently in Progress

### **3.2.3 Town of Pomfret Comprehensive Plan (2009)**

The goals of the Pomfret Comprehensive Plan are:

- Preserve & promote the rural, agricultural character of the town
- Protect the environmental resources of the town.
- Protect & enhance the important cultural, historic and recreational resources of the town
- Provide potable water to appropriate areas of the town
- Protect & enhance the agricultural economy of the town
- Encourage various types of economic development throughout the town
- Encourage diversity of housing types
- Maintain and promote efficiency in government

The land within the study area of the town is planned and zoned for lakefront residential which permits a range of retail uses. The area is also service by public sewer and water. There are no agricultural uses in this portion of the town.

### **3.2.4 Town of Portland Comprehensive Plan**

Currently in progress

### **3.2.5 Town (and Village) of Westfield Comprehensive Plan (1997)**

The Town and Village of Westfield completed an intermunicipal comprehensive plan in 1997. The plan presented the following policies that are applicable to the LWRP:

- To concentrate population near the Village or serviced areas to minimize the possibility of sprawl throughout the Town
- To capitalize on the tourism potential of the Town and Village including Lake Erie, Chautauqua Gorge, antiques, historic sites, etc.
- To promote industrial development in appropriate areas accessible by highway and rail to provide tax revenue and employment opportunities
- To protect agricultural lands and recognize their importance to the economic base of both the Town and Village
- To promote mixed-use developments while minimizing land use conflicts with potential noxious uses
- To recognize the natural amenities of the Town and Village as exceptional assets that should be promoted for tourism
- To protect environmentally sensitive areas, including floodplains, wetlands, steep slopes, etc., from development
- To ensure the local fishing areas (streams, Lake) remain unpolluted
- To develop Route 5 as a parkway that includes destinations and attractions along the entire length
- To enhance linkages between Route 5 and Route 20 to draw people into the Town and Village
- To encourage the NYS Thruway Authority to establish a “Welcome Center” between the Pennsylvania border and the Westfield exit
- To further study the need to expand the sewer and water systems to provide these services to additional areas of the Town
- To enhance community pride by promoting special events, parades and festivals in the Town and Village of Westfield
- To develop additional recreational facilities to meet the need of Town and Village residents
- To utilize Lake Erie, Chautauqua Gorge and other unique areas as recreational resources for residents and visitors

### **3.2.6 Town of Westfield Streetscape Revitalization Feasibility Study (2015)**

The Plan prescribes standards for streetscape design in the Village and Town of Westfield.

### **3.2.7 Barcelona to Chautauqua Institution Multiuse Trail Feasibility Study and Implementation Plan (2013)**

The plan is a detailed implementation plan for completion of a trail from Barcelona to the Chautauqua Institution including parcel analysis and trail design.

### **3.2.8 Barcelona Pier Concept Plan (2015)**

The plan describes improvements to landscapes on the pier and the immediate surrounding area.

### **3.2.9 Barcelona Hamlet Improvements (2015)**

The plan details improvements and street realignments for the Hamlet of Barcelona.

### **3.2.10 Westfield Connections (2015)**

The plan describes landscape improvements along various connecting corridors in the Village and Town of Westfield.

### **3.2.11 Town of Town of Ripley Comprehensive Plan (1998)**

Goals contained in the comprehensive Plan include:

- Maintain rural lifestyle
- Retain active farm production
- Revitalize Main Street
- Make Ripley an affordable place to live
- Business development
- Increase tourist flow to Ripley
- Provide for increased residential development
- Increase recreational opportunity

While the Town wants to maintain its rural character, it is widely agreed upon that the lake shore area would provide an attractive location for executive style housing. Much, but not all of the Rt. 5 corridor is served by public water and sewer. There is a public park (Ripley Beach) located in the study area.

### 3.2.12 Chadwick Bay Comprehensive Plan (1997)

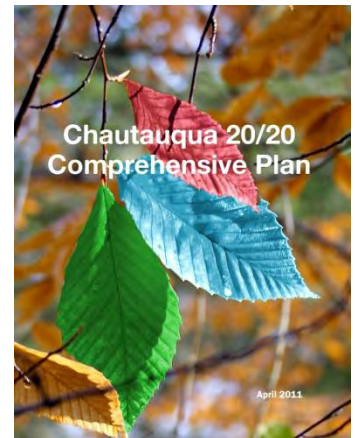
The Chadwick Bay Comprehensive Plan was a regional plan including the communities of the City and Town of Dunkirk, Town of Sheridan, Town of Portland, Town of Hanover and the Village of Silver Creek. It still serves as the Comprehensive Plan for the City of Dunkirk. Applicable policies of the Plan include:

- Promote the region as Chadwick Bay
- Concentrate new housing within the Urban Growth Boundary
- Develop the waterfront with unique, water related uses that create a destination for residents and tourists
- Improve and market a series of destination points along the waterfront
- Utilize regional facilities to meet the recreational needs of residents
- Recognize the significance of historic features and capitalize on them
- Protect the rural and agricultural character of the region while allowing for residential development

### 3.2.13 Chautauqua County Comprehensive Plan (2011)

The following are strategies developed for the Chautauqua County Comprehensive Plan that are relevant to the Northern Chautauqua LWRP:

- Conserve the County’s important agricultural soils and support its local farming vitality.
- Maintain Chautauqua’s rural landscape, heritage and scenic views.
- Protect Chautauqua’s clean air and water resources.
- Improve the management of and access to the County’s water resources.
- Make sustainable use of local and green energy resources to benefit the local environment and economy.
- Promote the natural assets of Chautauqua to grow new economic opportunities and attract additional residents and investment.
- Make active living and recreation, based on the County’s beautiful natural environment, a distinct lifestyle attraction that draws new people to Chautauqua.
- Complete a countywide, interconnected trail system that draws many different types of users.
- Build healthier communities that are compact, pedestrian-oriented and limit sprawl that consumes land resources.
- Develop several new, primary tourist attractions that increase visitation in all four seasons.
- Link and “package” visitor activities to more effectively market the range of options and increase tourism’s economic impact in the County.
- Improve coordination and cost/benefit results of community services and infrastructure investment.



- Capitalize on the County’s abundant water and energy resources for economic development.
- Promote infill development and reuse of vacant and underutilized properties in the County’s urban centers.
- Protect and support the County’s agricultural resources and economy.

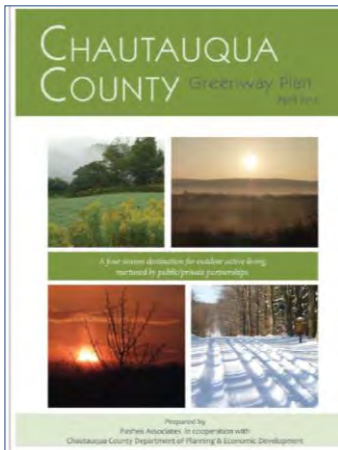
### 3.2.14 Chautauqua County Greenway Plan (2012)

The Chautauqua County Greenways Plan proposes the establishment of both natural and recreational corridors that are interconnected throughout the county. The following existing trails within the LWRP Study area should be maintained and further developed:

- Lake Erie Water Trail
- Seaway Trail National Scenic Byway

Recreational trails proposed by the Greenway plan that are located within the LWRP Study Area include:

- An on-street trail from Barcelona to Westfield connecting to a proposed rail-trail from Westfield to Mayville.
- A hiking trail from Barcelona to Westfield connecting to a proposed rail-trail from Westfield to Mayville
- An on-street trail from Silver Creek to Irving connecting to a hiking trail to Forestville and beyond.



### 3.2.15 Chautauqua County Branding, Development & Marketing Action Plan (2009)

The Chautauqua County Branding, Development, & Marketing Action Plan is a tourism plan that promotes a central theme for attractions within the county. The plan promotes Chautauqua County as the “World’s Learning Center.”

### 3.2.16 Chautauqua County Farmland Protection Plan (2000)

The Chautauqua County Farmland protection Plan identifies the economic importance of agriculture to the county and illustrates the need for farmland preservation. The plan offers several techniques for preserving farmland which can be summarized in the following strategies:

- Enhance farm industry profitability and increase economic development efforts in support of farming
- Farmland protection, preservation and conservation
- Retain and develop agribusiness



### 3.2.17 Towns of Westfield & Ripley Waterfront Opportunities Plan (2008)

The Westfield & Ripley Waterfront Opportunities Plan outlines improvements that could be made in the two communities to improve their image and transform their waterfront assets into destinations. The improvements include a cohesive signage plan along Route 5, dredging of Barcelona Harbor, beach improvements at Ripley Beach and Ottoway Park, village improvements in Barcelona and improvement to the pier. The plan also recommends access improvements to the gorges of Chautauqua Creek.

### 3.2.18 Concord Grape Belt Heritage Area Management Plan (2010)

The Northern Chautauqua County LWRP Study Area lies completely within the New York State-designated Concord Grape Belt Heritage Area. The plan promotes the resources and destination in the area to spur tourism and economic development. The following objectives of the plan are relevant to the LWRP:

- Preserve agriculture
- Attract agriculture based tourism
- Preserve, protect and enhance the natural environment
- Preserve and protect views to/from the escarpment, Lake Erie shoreline and the creeks
- Preserve, enhance and revitalize our unique communities
- Enhance and promote sustainable heritage resources, new and existing
- Promote a common theme or identity for the region
- Improve and promote access to all recreation and heritage resources
- Inform the public on the importance and potentials of recreation and heritage resources
- Promote interconnectivity of all recreation and heritage resources
- Offer unique activities to engage residents and visitors
- Encourage tourism and heritage resource development
- Develop interpretive programming to enhance knowledge of the grape belt
- Integrate with Chautauqua County’s “The World’s Learning Center” tourism strategy



### 3.2.19 Northern Chautauqua Community Foundation/Local Economic Development Committee: LED Strategy for 2014-2015 (2014)

This strategy, which is updated biannually, serves as a strategic guide and policy for NCCF related to regional economic development activity for the LWRP region. It contains three elements: Priority Themes, Specific Strategic Thrusts and Focused Activity on Nine Business Clusters.

- Priority Themes include: Private Sector Leadership and Partnership (as catalyst, convener and coalition builder); Technology; Innovation and Entrepreneurship, Continued refinement of Cluster Potential; and Workforce Development.
- Specific Strategy Thrusts include: Regional Approach to LED; Chadwick Bay Regional Water System and Institutional Development; Workforce Development to meet Industry Needs; Technology; Agribusiness and Food Processing; and Specific Projects to be undertaken consistent with these themes and strategic thrusts.
- Approved Business Clusters include: Lake Erie Regional Waterfront Development; Agribusiness (agriculture and food processing); Technology; Health Services and Life Services; Tourism and Hospitality; Logistics and Trade, Energy (clean and traditional sources); Business Support Services; and Advanced Manufacturing.

### **3.2.20 SUNY Fredonia “Power of Fredonia” 2012-2017 Strategic Plan (2012)**

The Strategic Plan for SUNY Fredonia is to improve the academic curriculum and to foster a “community” atmosphere. Specific action plans that relate to the LWRP are as follows:

- Strengthen co-curricular and experiential opportunities – including internships, student research, performances, service learning and field-based courses – so that students broaden and connect their learning to the community and the world.
- Strengthen connections between the intellectual resources of the university and the clients and programs of the Technology Incubator so that there is more visible and direct participation in the economic development of the region.

### **3.2.21 SUNY Fredonia StartUp New York Plan (2014)**

The StartUp New York program establishes tax free zones for business in connection with the university system. The Fredonia plan established two zones in the City of Dunkirk. One is the Incubator located on Central Avenue and the other is a vacant waterfront property next to the Clarion Hotel.

### **3.2.22 Western New York Regional Economic Development Council “A Strategy for Prosperity” Plan (2011)**

The Plan is a regional economic development plan intended to improve economic conditions for the entire Western New York region. The plan contains no specific projects for the LWRP area but provides a framework for businesses in the area to benefit.

### 3.2.23 Southern Tier West Comprehensive Economic Development Strategy (2014)

This is a plan that is submitted to the federal government and is a basis for funding requests. The long term strategy for economic development in for Chautauqua, Cattaraugus and Allegany counties is focused on achieving five objectives:

- Retain existing population and attract a younger demographic
- Foster innovation and entrepreneurship
- Create quality places to live
- Create a value of the regions products through branding and marketing
- Establish collaboration between communities

The plan identifies a series of projects. Priority investment projects identified by the plan that are relevant to Northern Chautauqua County include:

- Chadwick Bay Regional Water System Project
- Westfield Wastewater Treatment Plant Upgrade Project

Other projects identified by the plan include:

- Ripley Interstate Site Infrastructure Project
- Westfield Business Park Project
- Routes 5 & 20, Irving Area Commercial Development Project
- Barcelona Harbor to Chautauqua Institution Multi-use Trail Project
- Phase II – Implementation of the Northern Chautauqua County LWRP
- Recreational Dredging Project (Sunset Bay, Cattaraugus Creek)
- New York State Gateway Center Project

### 3.2.24 Past Waterfront Development Plans

In 1998, a Local Waterfront Revitalization Program was developed for the Chadwick Bay Region. The Chadwick Bay region includes the towns of Hanover, Sheridan, Dunkirk, Pomfret and Portland as well as the villages of Fredonia and Silver Creek and the City of Dunkirk. The program was never formally adopted. In 2008, the towns of Westfield and Ripley, along with the Village of Westfield completed a Waterfront Opportunities Plan. Together, these planning efforts represent the latest plans for waterfront development within the entire study area of this LWRP. The following chart summarizes the projects proposed by the two plans along with their status of completion.

**Table 3-1 – Chadwick Bay LWRP Projects**

| <u>Project</u>                                     | <u>Status</u> | <u>Details</u>  |
|--|---------------|---|
| <b>Chadwick Bay Gateway Development</b>            | Partial       | Silver Creek gateway, seaway trail signs established. No more vacant building         |
| <b>Silver Creek Beach Development</b>              | Not Completed | Hideaway Restaurant and Bar since closed  |
| <b>Lake Avenue Development</b>                     | Not Completed | Existing private development making home improvements                                 |
| <b>Silver Creek/Walnut Creek Improvements</b>      | Not Completed | Flooding is still an issue  |
| <b>Silver Creek Information Center</b>             | Not Completed |   |
| <b>Sheridan Roadside Park</b>                      | Not Completed | Requires funding and maintenance plan   |
| <b>Enhancement of NYS Rest Area</b>                | Not Completed | Requires funding and maintenance plan   |
| <b>Eagle Bay Hamlet</b>                            | Not Completed |   |
| <b>Sheridan Bay Park Enhancement</b>               | Not Completed | Ongoing maintenance required  |
| <b>Sheridan Gulfs Preserve</b>                     | Not Completed | Acquisition necessary   |
| <b>Dunkirk Lakeshore Enhancements</b>              | Not Completed | In progress   |
| <b>Dunkirk Pier Enhancements and Streetscape</b>   | Partial       | In progress   |
| <b>Point Gratiot Improvements</b>                  | Not Completed | Bike path extended and improved   |
| <b>Chadwick Bay Regional Center</b>                | Partial       | Clarion Hotel established, working on streetscape improvements                        |
| <b>Chadwick Bay Regional Center</b>                | Somewhat      | Clarion Hotel established, working on streetscape improvements                        |
| <b>West Town Residential Development</b>           | Not Completed | Cold Storage facility occupies center/Private undertaking. Regulatory changes unknown |
| <b>Canadaway Creek Nature Preserve Enhancement</b> | Not Completed | Access still difficult, opportunity still exists                                      |
| <b>Fredonia Pathway</b>                            | Not Completed | Difficult terrain   |
| <b>Canadaway Creekside Village Development</b>     | Not Completed | Private undertaking   |



## Intermunicipal Local Waterfront Revitalization Program

| Project                          | Status        | Details  |
|----------------------------------|---------------|--|
| Lake Erie State Park Enhancement | Not Completed | Nice facility, Harbor impractical, Boat launch possible                  |
| Portland Overlook                | Not Completed | Acquisition necessary. Less clearing needed at site just east of Wenborn |
| Portland Center Park             | Not Completed | Site no longer gateway, acquisition necessary                            |

*Source: peter j. smith & company, inc.*

**Table 3-2 – Westfield Opportunities Plan Projects**

| Project                            | Status        | Details   |
|------------------------------------|---------------|---|
| Beach Strategies (Ripley, Ottoway) | Not Completed | Limited access, no signage  |
| Barcelona Harbor Improvements      | Partial       | No improvements made, lighthouse has been acquired. Dredging finally accomplished with Hurricane Sandy relief funds |
| Barcelona Beach Village            | Not Completed | Zoning is in place for mixed use.   |
| Route 5 strategies                 | Not Completed | Only agricultural character has been retained by default. Unified signage, ag promotion, speed limits still needed. |
| Gorge Access                       | Not Completed | Private ownership is an obstacle  |

*Source: peter j. smith & company and The Town of Westfield and the Town of Ripley Waterfront Opportunities Plan*

### 3.3 Demographic Characteristics

#### 3.3.1 Population Change

The total population for each of the Northern Chautauqua County (NCC) communities is presented in Table 2-3, below. Chautauqua County's population is presented as a reference for comparison to NCC communities.

**Table 3-3 – Change in Population 2000 -2012**

| Municipality            | Population 2000 <sup>1</sup> | Population 2010 <sup>2</sup> | Population 2012 <sup>3</sup> | 2000-2010 Change | 2000-2012 Change |
|-------------------------|------------------------------|------------------------------|------------------------------|------------------|------------------|
| City of Dunkirk         | 13,131                       | 12,563                       | 12,518                       | -4.5%            | -0.4%            |
| Village of Fredonia     | 10,706                       | 11,230                       | 11,146                       | 4.7%             | -0.8%            |
| Village of Silver Creek | 2,896                        | 2,656                        | 2,657                        | -9.0%            | 0.0%             |
| Village of Westfield    | 3,481                        | 3,224                        | 3,399                        | -8.0%            | 5.1%             |
| Town of Dunkirk         | 1,387                        | 1,318                        | 1,345                        | -5.2%            | 2.0%             |
| Town of Hanover         | 7,638                        | 7,127                        | 7,130                        | -7.2%            | 0.0%             |
| Town of Pomfret         | 14,703                       | 14,965                       | 14,886                       | 1.8%             | -0.5%            |
| Town of Portland        | 5,502                        | 4,827                        | 4,887                        | -14.0%           | 1.2%             |

| Municipality      | Population 2000 <sup>1</sup> | Population 2010 <sup>2</sup> | Population 2012 <sup>3</sup> | 2000-2010 Change | 2000-2012 Change |
|-------------------|------------------------------|------------------------------|------------------------------|------------------|------------------|
| Town of Ripley    | 2,636                        | 2,415                        | 2,104                        | -9.2%            | -14.8%           |
| Town of Sheridan  | 2,838                        | 2,673                        | 2,656                        | -6.2%            | -0.6%            |
| Town of Westfield | 5,232                        | 4,896                        | 4,879                        | -6.9%            | -0.3%            |
| NCC Communities   | 70,150                       | 67,894                       | 67,607                       | -3.2%            | -0.4%            |
| Chautauqua County | 139,750                      | 134,905                      | 134,599                      | -3.5%            | -0.2%            |

<sup>1</sup> Source: U.S. Census Bureau, Census 2000 Summary File 1 (SF 1) 100-Percent Data

<sup>2</sup> Source: U.S. Census Bureau, 2010 Census.

<sup>3</sup> Source: U.S. Census Bureau, 2008-2012 American Community Survey

The overall trend throughout the NCC shows population reduction from 2000-2012. However, there is an encouraging trend in these statistics. The NCC population decrease from 2000-2010 is 3.2%; from 2010-2012 the average population decrease is 0.4%. Although there is still reduction in the population from 2010-2012, residents are migrating from the NCC area at a decreased rate.

The Town of Portland's population is complicated by the inconsistent reporting of prison populations in different years. Starting in 2010, the U.S. population census does not include prison population. Population censuses from 2000 and 2008-2012 include prison population. It is also noted that the Village of Fredonia is included in the Town of Pomfret's census, the Village of Westfield is included in the Town of Westfield's census and the Village of Silver Creek is included in the Town of Hanover's census. The villages of Forestville (Hanover) and Brocton (Portland) are also included in their respective towns' figures; they are not broken out.

The Village of Fredonia and the Town of Pomfret encountered growth in their populations from 2000-2010. This can partially be attributed to the State University of New York (SUNY) at Fredonia student population.

### 3.3.2 Population Projections

Although no population projection methods can be guaranteed accurate, the cohort survival population projection method is generally the most accepted tool for this analysis. There are trends and influences that will also impact the future population of the communities (immigration, economic trends, etc.); variables such as these are not considered in the population projections but their potential impacts should be considered as policy is developed.

The cohort survival population projection method involves tracking specific age groups over time and noting changes to age groups sizes. The cohort survival population projection method evaluates gender ratios, fertility rates and survival rates to project populations in five-year intervals.

The following table shows the projected population of each Northern Chautauqua community for the years 2020 and 2030. The 2010 U.S. Census

was used as the source for all demographic information used for the calculations.

**Table 3-4 – Population Projections Years 2020 and 2030**

| Municipality            | 2010    | 2020    | 2030    |
|-------------------------|---------|---------|---------|
| City of Dunkirk         | 12,563  | 11,650  | 11,099  |
| Village of Fredonia     | 11,230  | 12,023  | 12,583  |
| Village of Silver Creek | 2,656   | 2,566   | 2,508   |
| Village of Westfield    | 3,224   | 2,875   | 2,684   |
| Town of Dunkirk         | 1,318   | 1,070   | 974     |
| Town of Hanover         | 7,127   | 6,470   | 6,025   |
| Town of Pomfret         | 14,965  | 15,425  | 15,722  |
| Town of Portland        | 4,827   | 4,503   | 4,267   |
| Town of Ripley          | 2,415   | 2,244   | 2,119   |
| Town of Sheridan        | 2,673   | 2,428   | 2,244   |
| Town of Westfield       | 4,896   | 4,312   | 3,955   |
| Chautauqua County       | 134,905 | 123,407 | 115,767 |

*Source: 2010 U.S. Census and peter j. smith & company, inc.*

The population projections estimate that the populations of all Northern Chautauqua communities, except for the Village of Fredonia, will likely continue to decrease over time.

### 3.3.3 Race/Ethnicity

The United States is becoming increasingly diverse. While predominantly white, minority populations are growing within the NCC study area and having an understanding of different races and ethnicities within NCC communities will increase the effectiveness of programs and policies within these communities. The following table breaks down race and ethnicity by NCC community.

**Table 3-5 – Race/Ethnicity -2012**

| Municipality            | White* | Hispanic or Latino | Black or African American* | American Indian and Alaska Native* | Asian* | Some other race* |
|-------------------------|--------|--------------------|----------------------------|------------------------------------|--------|------------------|
| City of Dunkirk         | 67.8%  | 17.6%              | 3.5%                       | 1.8%                               | 0.4%   | 8.9%             |
| Village of Fredonia     | 89.5%  | 2.9%               | 3.2%                       | 0.1%                               | 2.5%   | 1.8%             |
| Village of Silver Creek | 97.2%  | 1.8%               | 0.0%                       | 0.6%                               | 0.0%   | 0.4%             |
| Village of Westfield    | 93.1%  | 2.4%               | 4.4%                       | 0.0%                               | 0.0%   | 0.1%             |
| Town of Dunkirk         | 82.8%  | 6.9%               | 6.2%                       | 0.0%                               | 0.6%   | 3.5%             |
| Town of Hanover         | 96.3%  | 1.7%               | 0.2%                       | 0.7%                               | 0.1%   | 1.0%             |
| Town of Pomfret         | 88.8%  | 3.7%               | 2.7%                       | 0.2%                               | 1.9%   | 2.7%             |
| Town of Ripley          | 96.3%  | 3.4%               | 0.0%                       | 0.0%                               | 0.0%   | 0.3%             |
| Town of Sheridan        | 92.8%  | 4.6%               | 1.0%                       | 0.0%                               | 1.4%   | 0.2%             |

| Municipality      | White* | Hispanic or Latino | Black or African American* | American Indian and Alaska Native* | Asian* | Some other race* |
|-------------------|--------|--------------------|----------------------------|------------------------------------|--------|------------------|
| Town of Westfield | 93.3%  | 2.3%               | 3.4%                       | 0.0%                               | 0.0%   | 1.0%             |
| Town of Portland  | 82.3%  | 2.6%               | 9.3%                       | 0.1%                               | 0.2%   | 5.5%             |
| NCC Average       | 89.1%  | 4.5%               | 3.1%                       | 0.3%                               | 0.6%   | 2.3%             |
| Chautauqua County | 89.2%  | 4.1%               | 2.3%                       | 0.5%                               | 0.7%   | 3.2%             |

\* Not Hispanic or Latino

Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.

As shown in Table 2-5, NCC averages closely mirror that of Chautauqua County. White (not Hispanic or Latino) is the overwhelming majority of the population. However, about 10% of population is of other ethnicity, which is an important statistic that must not be neglected when it comes to programs and policies developed. There is a significant portion of the population that is Hispanic or Latino in the Town and City of Dunkirk.

### 3.3.4 Age

The age breakdown for residents of the Northern Chautauqua communities is an important factor in determining the expected users of various waterfront projects discussed in the NCC LWRP. It also provides an understanding of the types of uses the residents may be most interested in. The following table shows the percent of the population within each age group for each community and median age.

**Table 3-6 – Age of Population 2012**

| Municipality            | 0-14 years | 15-34 years | 35-59 years | 60+ years | Median Age |
|-------------------------|------------|-------------|-------------|-----------|------------|
| City of Dunkirk         | 20%        | 27%         | 33%         | 20%       | 38.2       |
| Village of Silver Creek | 22%        | 29%         | 32%         | 17%       | 34.8       |
| Village of Fredonia     | 11%        | 50%         | 25%         | 15%       | 23.5       |
| Village of Westfield    | 18%        | 17%         | 35%         | 30%       | 45.8       |
| Town of Dunkirk         | 13%        | 11%         | 34%         | 42%       | 55.1       |
| Town of Hanover         | 18%        | 23%         | 34%         | 26%       | 43         |
| Town of Pomfret         | 11%        | 44%         | 28%         | 18%       | 27.4       |
| Town of Portland        | 14%        | 27%         | 36%         | 23%       | 41.3       |
| Town of Ripley          | 16%        | 26%         | 33%         | 25%       | 40.9       |
| Town of Sheridan        | 18%        | 20%         | 39%         | 24%       | 47.3       |
| Town of Westfield       | 18%        | 16%         | 35%         | 31%       | 48.2       |
| Chautauqua County       | 18%        | 26%         | 34%         | 23%       | 40.6       |

Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.

In the year 2012, the Northern Chautauqua municipality with the largest percentage of children that are 14 years old and younger was the Village of



Silver Creek (22%). The recreational needs for this age group must be a focus for municipalities as they plan programs, services and facilities for families with young children.

The Town of Pomfret (44%) and Village of Fredonia (50%) had the largest percentages of residents between the ages of 15 and 34 years. This may be attributed to the presence of the State University of New York (SUNY) at Fredonia campus. These communities will need to consider this age group during recreational planning efforts. These residents are likely to be regular users of any waterfront recreational facilities.

The City of Dunkirk, Town of Hanover, Town of Sheridan, Town of Portland, Town of Westfield, Town of Ripley, Village of Silver Creek and Village of Westfield all have the largest percentage of their residents between the ages of 35 and 59 years. In general, this age group tends to be less transient and more economically stable than other groups in this case study. The attraction of residents in this age group can result in more housing options in this region.

In the Town of Dunkirk the largest proportion of residents (42%) are in the 60 years old and over age group. This is the result of a concentration of 216 older residents in the Chautauqua County Home in Dunkirk.

### 3.4 Housing Characteristics

#### 3.4.1 Housing Occupancy

The following table summarizes housing statistics for the Northern Chautauqua communities. Chautauqua County is also presented as a point of reference.

**Table 3-7 – Housing Occupancy in 2012**

| Municipality            | Occupied Housing Units | Seasonal Housing Units | Vacant Housing Units |
|-------------------------|------------------------|------------------------|----------------------|
| City of Dunkirk         | 87.4%                  | 1.1%                   | 11.5%                |
| Village of Fredonia     | 88.5%                  | 4.4%                   | 7.1%                 |
| Village of Silver Creek | 88.5%                  | 0.0%                   | 11.5%                |
| Village of Westfield    | 90.4%                  | 3.7%                   | 5.9%                 |
| Town of Dunkirk         | 86.7%                  | 4.1%                   | 9.2%                 |
| Town of Hanover         | 83.3%                  | 10.9%                  | 5.8%                 |
| Town of Pomfret         | 87.1%                  | 6.3%                   | 6.6%                 |
| Town of Portland        | 79.3%                  | 13.3%                  | 7.4%                 |
| Town of Ripley          | 71.7%                  | 16.8%                  | 11.5%                |
| Town of Sheridan        | 89.9%                  | 3.7%                   | 6.4%                 |
| Town of Westfield       | 81.3%                  | 12.1%                  | 6.6%                 |
| Chautauqua County       | 82.2%                  | 11.1%                  | 6.7%                 |

Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.

Several NCC communities have a relatively high proportion of seasonal housing. These include the towns of Hanover, Portland, Ripley and Westfield. The Town of Ripley also has a large share of vacant housing units as do the City of Dunkirk and the Village of Silver Creek.

### 3.4.2 Housing Tenure

The table below includes the percentages of total housing units in each community that are owner occupied and those occupied by renters. Also shown is the average household size of each category.

**Table 3-8 – Status of Occupied Housing Units – 2012**

| Municipality            | Owner-occupied | Renter-occupied |
|-------------------------|----------------|-----------------|
| City of Dunkirk         | 62.2%          | 37.8%           |
| Village of Fredonia     | 54.7%          | 45.3%           |
| Village of Silver Creek | 76.0%          | 24.0%           |
| Village of Westfield    | 76.4%          | 23.6%           |
| Town of Dunkirk         | 80.7%          | 19.3%           |
| Town of Hanover         | 80.4%          | 19.6%           |
| Town of Pomfret         | 62.7%          | 37.3%           |
| Town of Portland        | 76.2%          | 23.8%           |
| Town of Ripley          | 79.3%          | 20.7%           |
| Town of Sheridan        | 90.5%          | 9.5%            |
| Town of Westfield       | 77.0%          | 23.0%           |

*Source: 2008-2012 American Community Survey and peter j. smith & company, inc.*

The Town of Pomfret and Village of Fredonia have a high percentage of renter-occupied housing units. This is due to State University of New York (SUNY) at Fredonia students renting housing units for the academic year. The City of Dunkirk also has a high percentage of renters which is common for urban communities. The Town of Sheridan has the highest percentage of owner-occupied housing at over 90%.

### 3.4.3 Units in Structure

Table 2-9, below, summarizes the types of housing available.

**Table 3-9 – Units in Structure 2012**

| Municipality         | 1-unit, detached | 1-unit, attached | 2 units | 3 or 4 units | 5 to 9 units | 10 to 19 units | 20 or more units | Mobile home |
|----------------------|------------------|------------------|---------|--------------|--------------|----------------|------------------|-------------|
| Dunkirk city         | 62.70%           | 2.00%            | 20.80%  | 5.10%        | 3.80%        | 0.30%          | 3.80%            | 1.50%       |
| Fredonia village     | 53.80%           | 2.80%            | 12.80%  | 12.80%       | 8.00%        | 4.30%          | 5.40%            | 0.00%       |
| Silver Creek village | 70.80%           | 1.80%            | 13.00%  | 5.80%        | 0.00%        | 0.00%          | 1.90%            | 6.70%       |
| Westfield village    | 72.90%           | 0.00%            | 8.40%   | 9.50%        | 1.00%        | 0.00%          | 2.20%            | 6.10%       |
| Dunkirk town         | 71.60%           | 1.00%            | 7.30%   | 1.30%        | 1.80%        | 0.50%          | 1.80%            | 14.70%      |

## Intermunicipal Local Waterfront Revitalization Program

| Municipality      | 1-unit, detached | 1-unit, attached | 2 units | 3 or 4 units | 5 to 9 units | 10 to 19 units | 20 or more units | Mobile home |
|-------------------|------------------|------------------|---------|--------------|--------------|----------------|------------------|-------------|
| Hanover town      | 74.80%           | 1.30%            | 7.10%   | 3.10%        | 0.20%        | 0.30%          | 0.60%            | 12.70%      |
| Pomfret town      | 62.20%           | 2.40%            | 10.40%  | 9.20%        | 5.80%        | 3.10%          | 4.10%            | 2.80%       |
| Portland town     | 71.00%           | 1.20%            | 6.30%   | 2.40%        | 2.70%        | 0.00%          | 2.60%            | 13.90%      |
| Ripley town       | 80.70%           | 0.70%            | 6.10%   | 0.00%        | 0.00%        | 0.00%          | 2.70%            | 9.80%       |
| Sheridan town     | 83.70%           | 1.00%            | 1.50%   | 0.70%        | 1.00%        | 2.20%          | 0.00%            | 9.90%       |
| Westfield town    | 74.50%           | 0.00%            | 6.80%   | 5.80%        | 4.00%        | 1.00%          | 1.40%            | 6.60%       |
| Chautauqua County | 67.60%           | 1.60%            | 11.50%  | 5.00%        | 2.80%        | 1.70%          | 3.10%            | 6.60%       |

*Source: 2008-2012 American Community Survey and peter j. smith & company, inc.*

Consistent with housing tenure, single-family detached dwellings are most prevalent in the NCC communities. The City of Dunkirk and the Villages of Silver Creek and Fredonia have the largest shares of two-family houses and apartment buildings.

### 3.4.4 Year Structure Built

Table 2-10, shown below, breaks down the age of housing units by decade for the NCC communities. The age of housing gives insight into the potential condition of the communities' housing based upon its age. It can also show building trends in the community.

**Table 3-10 – Year Structure Built 2012**

| Municipality         | Built 2010 or later | Built 2000 to 2009 | Built 1990 to 1999 | Built 1980 to 1989 | Built 1970 to 1979 | Built 1960 to 1969 | Built 1950 to 1959 | Built 1940 to 1949 | Built 1939 or earlier |
|----------------------|---------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------------|
| Dunkirk city         | 0.00%               | 1.20%              | 1.00%              | 3.70%              | 4.70%              | 7.00%              | 12.40%             | 7.70%              | 62.20%                |
| Fredonia village     | 0.00%               | 8.40%              | 4.20%              | 6.10%              | 7.50%              | 8.30%              | 13.00%             | 9.30%              | 43.30%                |
| Silver Creek village | 0.30%               | 0.00%              | 1.70%              | 3.60%              | 5.30%              | 8.00%              | 11.60%             | 7.30%              | 62.20%                |
| Westfield village    | 0.00%               | 0.80%              | 4.90%              | 8.50%              | 1.50%              | 7.70%              | 9.00%              | 10.40%             | 57.20%                |
| Dunkirk town         | 0.00%               | 2.60%              | 3.90%              | 9.10%              | 15.20%             | 9.70%              | 36.00%             | 9.20%              | 14.30%                |
| Hanover town         | 0.30%               | 6.80%              | 10.00%             | 6.60%              | 9.90%              | 8.90%              | 10.60%             | 5.60%              | 41.30%                |
| Pomfret town         | 0.00%               | 7.20%              | 6.80%              | 6.70%              | 7.60%              | 8.90%              | 14.00%             | 7.90%              | 40.90%                |
| Portland town        | 0.50%               | 5.70%              | 12.70%             | 8.80%              | 9.90%              | 8.10%              | 9.60%              | 8.00%              | 36.70%                |
| Ripley town          | 0.00%               | 8.60%              | 2.90%              | 9.40%              | 11.00%             | 8.90%              | 11.20%             | 3.50%              | 44.40%                |
| Sheridan town        | 0.00%               | 8.00%              | 7.20%              | 12.60%             | 8.00%              | 9.50%              | 12.40%             | 4.60%              | 37.80%                |
| Westfield town       | 0.00%               | 1.40%              | 4.90%              | 13.10%             | 1.40%              | 6.60%              | 12.80%             | 8.30%              | 51.40%                |
| Chautauqua County    | 0.00%               | 4.50%              | 6.60%              | 8.20%              | 8.90%              | 7.70%              | 11.90%             | 7.70%              | 44.50%                |

*Source: 2008-2012 American Community Survey and peter j. smith & company, inc.*

The Town of Ripley, the Town of Sheridan and the Village of Fredonia have the highest percentage of units built since 2000 at over 8%. All communities,

except for the Town of Dunkirk, have the highest percentage of housing units built in the year 1939 or earlier. The Town of Dunkirk has the highest percentage of houses built in 1950 through 1959.

### 3.4.5 Housing Value

The values of owner-occupied housing within the Northern Chautauqua communities are summarized in the table below. Chautauqua County is included as a point of reference.

**Table 3-11 – Value of Owner-Occupied Housing –2012**

| Municipality         | Less than \$50,000 | \$50,000 to \$99,999 | \$100,000 to \$149,999 | \$150,000 to \$199,999 | \$200,000 to \$299,999 | \$300,000 to \$499,999 | \$500,000 to \$999,999 | \$1,000,000 or more | Median (dollars) |
|----------------------|--------------------|----------------------|------------------------|------------------------|------------------------|------------------------|------------------------|---------------------|------------------|
| Dunkirk city         | 33.10%             | 52.20%               | 6.90%                  | 3.20%                  | 2.10%                  | 1.60%                  | 0.80%                  | 0.00%               | 61,200           |
| Fredonia village     | 1.40%              | 30.20%               | 38.80%                 | 16.40%                 | 9.10%                  | 2.70%                  | 1.40%                  | 0.00%               | 124,300          |
| Silver Creek village | 22.50%             | 52.20%               | 17.40%                 | 6.00%                  | 1.00%                  | 0.90%                  | 0.00%                  | 0.00%               | 71,600           |
| Westfield village    | 11.70%             | 60.80%               | 10.20%                 | 10.00%                 | 6.20%                  | 1.00%                  | 0.30%                  | 0.00%               | 80,200           |
| Dunkirk town         | 18.50%             | 44.40%               | 13.40%                 | 5.60%                  | 11.60%                 | 4.40%                  | 1.40%                  | 0.70%               | 85,000           |
| Hanover town         | 15.10%             | 38.90%               | 23.90%                 | 14.90%                 | 4.80%                  | 1.50%                  | 0.90%                  | 0.00%               | 91,600           |
| Pomfret town         | 5.50%              | 31.10%               | 33.00%                 | 16.30%                 | 10.20%                 | 3.00%                  | 0.90%                  | 0.00%               | 119,700          |
| Portland town        | 19.10%             | 38.60%               | 25.20%                 | 8.30%                  | 5.60%                  | 1.00%                  | 1.60%                  | 0.60%               | 88,700           |
| Ripley town          | 29.70%             | 43.00%               | 13.60%                 | 9.80%                  | 3.10%                  | 0.70%                  | 0.00%                  | 0.00%               | 67,400           |
| Sheridan town        | 9.70%              | 27.20%               | 24.50%                 | 18.50%                 | 13.10%                 | 4.40%                  | 1.40%                  | 1.20%               | 123,300          |
| Westfield town       | 11.40%             | 51.90%               | 15.30%                 | 12.30%                 | 7.30%                  | 1.70%                  | 0.20%                  | 0.00%               | 85,300           |
| Chautauqua County    | 19.30%             | 43.60%               | 17.00%                 | 10.20%                 | 6.10%                  | 2.60%                  | 0.90%                  | 0.20%               | 82,100           |

*Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.*

The community with the highest median value of owner-occupied homes is the Village of Fredonia at \$124,300. The Town of Sheridan is a close second with a median home value of \$123,300. The towns of Dunkirk, Portland and Sheridan each contain homes valued at over \$1,000,000.

The community with the lowest median owner-occupied home value is the City of Dunkirk at \$61,200. Eighty-five percent of owner-occupied housing in the City of Dunkirk is valued at less than \$100,000. Housing in the Town of Ripley also has a low median value.

### 3.5 Economic Characteristics

The U.S. Census data provides information on income and employment characteristics of the population by municipality. This information is categorized to show the numbers of people employed in various occupations and in various types of industry.

#### 3.5.1 Income by Population

Changes in income affect consumer spending patterns which directly affect the economy; for example, a rise in household income will result in a rise in household spending. Due to the direct correlation between income trends and economic growth, it is important to understand and document these statistics. The table shown below presents the household income for each income bracket per NCC community in 2012. Chautauqua County is presented for reference.

**Table 3-12 – Income of Population in Year 2012**

| Municipality            | <\$10,000 | \$10,000<br>-\$24,999 | \$25,000<br>-\$34,999 | \$35,000<br>-\$49,999 | \$50,000<br>-\$74,999 | \$75,000<br>-\$99,999 | \$100,000<br>-\$149,999 | \$150,000<br>-\$199,999 | \$200,000<br>or more | Median |
|-------------------------|-----------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-------------------------|-------------------------|----------------------|--------|
| City of Dunkirk         | 12.30%    | 24.00%                | 10.20%                | 18.10%                | 15.40%                | 10.30%                | 8.00%                   | 1.40%                   | 0.30%                | 38,913 |
| Town of Dunkirk         | 7.90%     | 26.70%                | 7.30%                 | 14.60%                | 18.30%                | 11.20%                | 7.30%                   | 2.20%                   | 4.50%                | 42,708 |
| Town of Hanover         | 3.60%     | 20.30%                | 13.70%                | 16.90%                | 17.90%                | 12.40%                | 12.50%                  | 1.70%                   | 1.00%                | 45,631 |
| Town of Pomfret         | 12.90%    | 19.30%                | 11.60%                | 8.90%                 | 19.00%                | 11.10%                | 11.70%                  | 4.70%                   | 0.80%                | 44,755 |
| Village of Fredonia     | 14.40%    | 19.80%                | 11.40%                | 8.50%                 | 17.70%                | 11.50%                | 10.70%                  | 5.30%                   | 0.70%                | 41,117 |
| Town of Ripley          | 10.60%    | 21.80%                | 14.70%                | 14.30%                | 18.30%                | 11.30%                | 7.30%                   | 1.10%                   | 0.60%                | 36,731 |
| Town of Sheridan        | 5.40%     | 10.40%                | 12.50%                | 15.40%                | 25.10%                | 17.30%                | 8.80%                   | 3.90%                   | 1.20%                | 57,956 |
| Town of Westfield       | 6.30%     | 24.40%                | 14.60%                | 22.70%                | 15.60%                | 9.70%                 | 4.20%                   | 1.80%                   | 0.70%                | 39,056 |
| Village of Westfield    | 3.40%     | 27.00%                | 13.40%                | 25.70%                | 16.70%                | 7.80%                 | 2.40%                   | 2.60%                   | 1.00%                | 39,032 |
| Village of Silver Creek | 4.20%     | 18.90%                | 14.40%                | 17.20%                | 19.50%                | 11.90%                | 11.30%                  | 1.90%                   | 0.70%                | 45,313 |
| Town of Portland        | 7.60%     | 22.30%                | 14.60%                | 12.30%                | 15.60%                | 16.30%                | 9.20%                   | 2.10%                   | 0.00%                | 39,792 |
| NCC Average             | 8.10%     | 21.40%                | 12.60%                | 15.90%                | 18.10%                | 11.90%                | 8.50%                   | 2.60%                   | 1.00%                | 42,819 |
| Chautauqua County       | 9.10%     | 21.50%                | 12.30%                | 15.70%                | 18.50%                | 10.80%                | 8.70%                   | 2.40%                   | 1.00%                | 41,975 |

*Source: 2008-2012 American Community Survey and peter j. smith & company, inc.*

The community with the highest median income is the Town of Sheridan at \$57,956. The community with the lowest median income is the Town of Ripley at \$36,731. The Town of Dunkirk has the highest percentage of



households that earned \$200,000 or more in the year 2012. NCC communities and Chautauqua County as a whole are well below the New York State median income.

Table 2-13, below, presents income trends for NCC communities for 2000, 2010 and 2012. Chautauqua County is also presented for reference.

**Table 3-13 – Income Trends**

| Municipality            | 2000     | 2010     | 2012     |
|-------------------------|----------|----------|----------|
| City of Dunkirk         | \$28,313 | \$33,849 | \$38,913 |
| Village of Fredonia     | \$34,712 | \$39,838 | \$41,117 |
| Village of Silver Creek | \$32,446 | \$44,911 | \$45,313 |
| Village of Westfield    | \$32,136 | \$34,854 | \$39,032 |
| Town of Dunkirk         | \$33,553 | \$39,861 | \$42,708 |
| Town of Hanover         | \$37,567 | \$44,696 | \$45,631 |
| Town of Pomfret         | \$35,444 | \$41,930 | \$44,755 |
| Town of Portland        | \$30,909 | \$39,325 | \$39,792 |
| Town of Ripley          | \$33,237 | \$41,400 | \$36,731 |
| Town of Sheridan        | \$40,347 | \$56,887 | \$57,956 |
| Town of Westfield       | \$32,534 | \$34,365 | \$39,056 |
| NCC Average             | \$33,745 | \$41,083 | \$42,819 |
| Chautauqua County       | \$33,458 | \$40,639 | \$41,975 |

*Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.*

As shown in the table above, all NCC communities have experienced income increases from 2000 through 2012., with the exception of the Town of Ripley where incomes were reduced 13% between 2000 and 2012. This can be a result of the loss of jobs that increased the unemployment rate from 5.5% in 2010 to 6.4% in 2012. The Town of Sheridan experienced the largest increase in income over the 12- year span (30%) and the Village of Fredonia so the smallest increase in income (16%).

These are all encouraging statistics for NCC communities. However, NCC communities and Chautauqua County are well behind the state average. New York State overall median income is 25.8% higher than the NCC average and 27% higher than that of Chautauqua County. There are economic development programs that have been implemented to address the state of the economy in NCC communities such as Start-Up NY as well as local entities, such as the Dunkirk Local Development Corporation, Westfield Development Corporation and Northern Chautauqua Community Foundation, founded to encourage and promote economic development.

### 3.5.2 Employment by Industry

To have an understanding of relevant industry sectors in the NCC is important when considering economic development opportunities, needs of key industry sectors, land use planning and zoning. Table 12 breaks down employment by industry sector for the communities in the NCC region.

**Table 3-14 – Employment by Industry Sectors**

| Municipality            | Agriculture, Forestry, Fishing, Hunting, and Mining | Construction | Manufacturing | Wholesale and Retail Trade | Transportation and warehousing, and utilities | Information | Finance, Insurance, and Real Estate | Professional, Scientific, Management, and Administrative | Educational Services, Health Care and Social Assistance | Arts, Entertainment, and Recreation | Public Administration | Other services |
|-------------------------|---|--------------|---------------|----------------------------|---|-------------|-------------------------------------|--|---|-------------------------------------|-----------------------|----------------|
| City of Dunkirk         | 2.3%  | 3.5%         | 20.8%         | 13.9%                      | 1.9%  | 1.0%        | 3.7%                                | 4.5%   | 26.7%   | 9.9%                                | 6.9%                  | 4.9%           |
| Village of Fredonia     | 0.2%  | 3.7%         | 6.7%          | 10.8%                      | 5.1%  | 1.8%        | 2.9%                                | 5.2%   | 44.3%   | 11.7%                               | 2.7%                  | 4.9%           |
| Village of Silver Creek | 0.0%  | 7.4%         | 19.1%         | 11.8%                      | 5.3%  | 2.0%        | 3.9%                                | 2.0%   | 24.3%   | 11.4%                               | 7.0%                  | 5.8%           |
| Village of Westfield    | 1.3%  | 2.1%         | 15.2%         | 14.5%                      | 2.6%  | 1.0%        | 6.9%                                | 2.9%   | 29.0%   | 5.0%                                | 11.2%                 | 8.3%           |
| Town of Dunkirk         | 1.4%  | 4.4%         | 13.5%         | 11.7%                      | 7.7%  | 2.2%        | 5.6%                                | 7.1%   | 28.4%   | 4.6%                                | 6.0%                  | 7.4%           |
| Town of Hanover         | 1.7%  | 7.2%         | 17.3%         | 14.0%                      | 6.8%  | 1.3%        | 4.5%                                | 2.2%   | 22.6%   | 9.4%                                | 8.4%                  | 4.6%           |
| Town of Pomfret         | 1.3%  | 3.6%         | 8.8%          | 11.1%                      | 6.4%  | 1.6%        | 3.0%                                | 4.9%   | 40.5%   | 10.0%                               | 3.3%                  | 5.5%           |
| Town of Portland        | 3.4%  | 7.8%         | 17.6%         | 11.0%                      | 7.5%  | 1.4%        | 2.9%                                | 3.7%   | 24.5%   | 6.7%                                | 9.9%                  | 3.6%           |
| Town of Ripley          | 2.6%  | 9.3%         | 22.3%         | 7.7%                       | 5.6%  | 5.3%        | 3.6%                                | 7.3%   | 20.9%   | 7.5%                                | 2.0%                  | 5.9%           |
| Town of Sheridan        | 2.7%  | 4.5%         | 19.3%         | 12.3%                      | 4.0%  | 2.9%        | 1.2%                                | 2.7%   | 34.6%   | 3.2%                                | 7.7%                  | 4.9%           |
| Town of Westfield       | 2.4%  | 2.2%         | 15.1%         | 11.3%                      | 2.1%  | 1.1%        | 8.6%                                | 4.9%   | 31.1%   | 3.8%                                | 10.6%                 | 6.8%           |

Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.

A large percent of the population in each Northern Chautauqua community is employed in the industry sector that includes Educational Services, Health Care and Social Assistance. This sector is especially significant in the Village of Fredonia (44.3%) and the Town of Pomfret (40.5%) due to the presence of the SUNY Fredonia campus. The Absolut Center for Nursing and Rehabilitation and Westfield Memorial Hospital are located in the Village of Westfield which draws people of that occupation to this area.

The manufacturing sector is also important to the NCC. The Town of Ripley employs 22.3% of their population in the manufacturing industry. H&S Manufacturing Company, Inc. manufactures primarily dairy farming equipment and is located in Ripley. The percentage of employment in manufacturing is also significant in the City of Dunkirk (20.8%), the Town of Sheridan (19.3%) and the Village of Silver Creek (19.1%).

### 3.5.3 Employment by Occupation

The following table summarizes employment by occupation within the NCC communities.

**Table 3-15 – Employment by Occupation**

| Municipality            | Management, Business, Science and Arts | Service | Sales and Office | Natural Resources, Construction and Maintenance | Production, Transportation and Material Moving |
|-------------------------|--|---------|------------------|---|--|
| City of Dunkirk         | 25.8%                                  | 21.1%   | 22.1%            | 9.1%  | 21.9%  |
| Village of Fredonia     | 36.2%                                  | 24.2%   | 25.4%            | 4.9%  | 9.3%   |
| Village of Silver Creek | 23.3%                                  | 21.5%   | 18.2%            | 7.1%  | 29.9%  |
| Village of Westfield    | 28.8%                                  | 12.0%   | 35.5%            | 3.3%  | 20.4%  |
| Town of Dunkirk         | 27.2%                                  | 21.6%   | 24.2%            | 7.6%  | 19.4%  |
| Town of Hanover         | 21.8%                                  | 21.3%   | 21.9%            | 12.7%   | 22.3%  |
| Town of Pomfret         | 33.9%                                  | 22.5%   | 24.3%            | 6.7%  | 12.6%  |
| Town of Portland        | 26.0%                                  | 18.0%   | 21.4%            | 12.8%   | 21.8%  |
| Town of Ripley          | 28.2%                                  | 16.8%   | 16.5%            | 14.7%   | 23.8%  |
| Town of Sheridan        | 34.6%                                  | 19.3%   | 17.7%            | 10.9%   | 17.5%  |
| Town of Westfield       | 28.2%                                  | 17.0%   | 33.1%            | 4.5%  | 17.2%  |

Source: U.S. Census Bureau, 2008-2012 American Community Survey and peter j. smith & company, inc.

### 3.5.4 Economic Development Programs

The Northern Chautauqua communities have many opportunities available to obtain assistance for economic development. Some of these available programs and projects are summarized below.

- StartUP NY: This program is an initiative that assists the start, expansion, or relocation of qualified business to a tax-free zone in New York State. The State University of New York (SUNY) at Fredonia participates in this program.
- NY SUNY 2020: Designed to elevate SUNY as a catalyst for regional economic development and affordable education, this program provides incentive for capital development on SUNY campuses and within surrounding communities.
- New York State New Farmers Grant Fund: The fund was created to provide assistance to new and early stage farmers and encourage farming as a career path to sustain and grow agribusiness across New York State.
- Business Mentor NY: Business Mentor NY is a service that connects entrepreneurs with volunteer mentors so they can solve problems and build businesses together.

- County of Chautauqua Industrial Development Industry (CCIDA): The CCIDA is empowered by the State of New York which facilitates development by attracting new business; promotes the expansion and retention of existing businesses. Also including incentives (tax abatements, low interest rates and bond financing) to enhance the opportunities for job creation and retention.
- Chadwick Bay Regional Development Corporation (CBRDC): The CBRDC was founded in 2003 to promote economic and infrastructure development projects of regional significance. Governed by the chief elected officials of nine community members, the group holds monthly meetings to discuss projects throughout northern Chautauqua County.
- Dunkirk Local Development Corporation (DLDC): DLDC’s mission is to ensure the long-term viability of the City of Dunkirk by creating opportunities for economic and community development. The DLDC has three independent loan funds including General Funds, Women and Minority Business Enterprise Fund and Incubator Business Fund and control 12 active small business loans.
- Western New York Regional Economic Development Council: The WNY REDC is in charge of leveraging state funds for projects that represent critical opportunities to build upon the region’s strengths and competitive advantages and immediately accelerate job creation and economic growth.

### 3.6 Land Use

#### 3.6.1 Existing Land Use

Data for existing land uses was obtained from Real Property Services (RPS), a parcel database provided by Chautauqua County. The information is based on land use codes established by New York State and modifications to the data were made where known inconsistencies were identified. The following table presents the distribution of land uses throughout the study area. The areas presented are the summarized area of the parcels and do not include public right-of-ways. Therefore they may not correspond to the total area of the study area presented in this study.

In Phase II of the LWRP, the land uses for each community will be broken out and mapped.

**Table 3-16 – Land Uses**

| Land Use           | Acres | Percent |
|--------------------|-------|---------|
| <b>Agriculture</b> | 2,292 | 20.5%   |
| <b>Residential</b> | 3,941 | 35.2%   |
| <b>Commercial</b>  | 354   | 3.2%    |
| <b>Industrial</b>  | 54    | 0.5%    |

| Land Use           | Acres | Percent |
|--------------------|-------|---------|
| Community Services | 208   | 1.9%    |
| Public Services    | 361   | 3.2%    |
| Recreation         | 909   | 8.1%    |
| Vacant             | 3,067 | 27.4%   |

*Source: peter j. smith & company, inc.*

### 3.6.1.1 *Agriculture*

Agricultural uses make up more than a fifth of the study area. Agricultural uses are primarily on larger parcels and located on the south side of Route 5. These uses are prevalent in the Towns of Sheridan, Portland, Westfield and Ripley. Agricultural uses are mainly devoted to growing grapes.

### 3.6.1.2 *Residential*

Residential is the prominent land use in the study. There are several residential neighborhoods included in the study area including Sunset Bay, Hanford Bay, Irving, Silver Creek, northeast Dunkirk, Point Gratiot, Van Buren Bay and Barcelona. There are some smaller communities, but much of the rest of residential uses are single lots scattered along with agricultural uses. These uses are usually larger lot.

### 3.6.1.3 *Commercial*

Commercial uses make up 3.5% of the Study Area. These uses are concentrated in the villages of Silver Creek and Westfield and in the City of Dunkirk. There are commercial uses scattered along Route 5 particularly near the Thruway interchange in Hanover and around Lake Erie State Park.

### 3.6.1.4 *Public Services*

The Public Services category designates land related to infrastructure. These uses make up 361 acres of the study area. Most of this area can be attributed to the Railroad corridor that runs through the study areas in Hanover and Silver Creek. The Dunkirk Steam Plant, various wastewater treatment facilities and the rest area in the Town of Sheridan comprise a significant portion of this use area.

### 3.6.1.5 *Recreation*

Recreational uses make up a significant portion of the study area. The largest of these uses include Lake Erie State Park, Point Gratiot Park and Wright Park, Shorwood Country Club and the Dunkirk Conference Center. There are many smaller parks and campgrounds throughout the study area that make up the remaining acres.

### 3.6.1.6 *Vacant*

Vacant properties are important as they provide opportunity for new development and additional recreational amenities. More than a quarter of



the study area is vacant. Large vacant parcels are scattered among the agricultural areas. There are also vacant areas located within previous subdivisions, providing the opportunity for new housing in areas with public water and sewer.

### 3.6.2 Zoning Districts

Zoning ordinances typically dictate the types of uses that can be built as well as lot and height standards designed to control density. A zoning ordinance can also regulate protection of environmental and historical resources. An analysis of the latter is presented in Section 5.1.

This analysis focuses on the types of uses permitted and general density. Since zoning districts are not consistent from community to community, they were generalized to be consistent throughout the study area in order to provide a comparison. Specific regulations may vary with each community. In Phase II of the LWRP, the zoning for each community will be broken out and mapped. The following table presents the distribution of the generalized zoning districts.

**Table 3-17 – Generalized Zoning Districts**

| District Type             | Acres | Percent |
|---------------------------|-------|---------|
| Conservation              | 1,610 | 12.0%   |
| Agriculture               | 3,566 | 26.5%   |
| Low Density Residential   | 2,392 | 17.8%   |
| Residential               | 4,063 | 30.2%   |
| High Density Residential  | 25    | 0.2%    |
| Rural Commercial          | 231   | 1.7%    |
| Commercial                | 919   | 6.8%    |
| Central Business District | 54    | 0.4%    |
| Industrial                | 583   | 4.3%    |

*Source: peter j. smith & company, inc.*

#### 3.6.2.1 Conservation

Conservation districts are intended to preserve open space for recreational uses or natural resources. These areas include Lake Erie State Park, the parks in Dunkirk and a recreational district set aside for the Eagle Bay Golf Course. Flood zones are also included.

#### 3.6.2.2 Agriculture

Agriculture districts are intended to preserve agriculture. They are characterized by large minimum lot sizes and no public sewer and water. Residential uses are permitted in these districts and the residences there will have wells and on-site septic systems. Agricultural Districts occupy more than a quarter of the study area and are mainly found in the towns of Ripley, Westfield and Sheridan.

### 3.6.2.3 *Low-Density Residential*

Low density districts are designed to allow for the development of residential uses on larger lots. These districts are mainly found on the north side of Route 5 in the towns of Ripley and Sheridan. In the Town of Portland, this type of development is permitted on both sides of Route 5, though conservation subdivisions are encouraged. These districts typically permit isolated commercial uses under certain conditions.

### 3.6.2.4 *Residential*

Residential districts permit single or two-family residential uses on lots of less than one acre. These areas are currently served by public water and sewer or are identified for service expansion. This is the predominant district type in the towns of Hanover, Dunkirk and Pomfret. Large areas are also found in the Town of Westfield, Village of Silver Creek and the City of Dunkirk.

### 3.6.2.5 *High-Density Residential*

High density residential districts permit multifamily housing types. The only area zoned for this type of development is located around the Central Business District in the City of Dunkirk.

### 3.6.2.6 *Rural Commercial*

The rural commercial district is located along Route 5 in the Town of Ripley. The area is proactively set aside for commercial development in order to preserve other areas. The area is also located around an interchange.

### 3.6.2.7 *Commercial*

Commercial districts permit general commercial uses as well as residential uses. Commercial districts are located along Route 5 in the Town of Hanover, Village of Silver Creek and the City of Dunkirk. There is also an area in the Town of Dunkirk zoned for commercial uses. The Village of Westfield and Ripley Hamlet also permit commercial uses.

### 3.6.2.8 *Central Business District*

The Central Business District zone is unique to the area surrounding Central Avenue in the City of Dunkirk. The zone allows for a greater density of mixed uses.

### 3.6.2.9 *Industrial*

Industrial Districts are set aside for the development or preservation of job producing industrial uses. Areas that are zoned for industrial uses include the Dunkirk Steam Plant, the north end of the Village of Westfield and areas set back from Route 5 in the Town of Hanover.

## 3.6.3 Ownership

Ownership is important because it determines access. Publically owned parcels provide public access, often to the waterfront. If they are undeveloped, they provide an opportunity to create additional recreational amenities without the need for acquisition. Privately owned properties require acquisition either outright or through easements to establish public recreational uses such as trails and water access. Public ownership accounts for 7% of the study area. Parks, including Lake Erie State Park, Wright Park and Point Gratiot Park, make up a large portion of this area, along with parcels located at the mouths of Canadaway Creek and Chautauqua Creek. Other parcels that are publically owned include the rest area in Sheridan and a parcel at the corner of Route 5 and State Street in Ripley.

### 3.6.4 Underutilized and Deteriorated Sites

#### 3.6.4.1 *Vacant*

Vacant properties are important as they provide opportunity for new development and additional recreational amenities. More than a quarter of the study area is vacant. Large vacant parcels are scattered among the agricultural areas. There are also vacant areas located within previous subdivisions, which provide the opportunity for new housing in areas already equipped with public water and sewer lines.

#### 3.6.4.1 *Underutilized Sites*

Underutilized sites are sites where there is a clear potential for a better or improved use as determined by site inventory. The following areas have been identified as underutilized:

- Former Hidden Harbor Marina
- Vacant parcels across from Silver Creek Boat Launch
- Downtown Silver Creek
- Rest area in Sheridan
- Parcels around Eagle Bay Beach
- Downtown Dunkirk
- Cedar Beach
- Parcels north of Fredonia Wastewater Treatment Plant and along Canadaway Creek
- Former Portage Inn building on the northeast corner of Potage Street and Main Street in Westfield
- Parcels at the mouth of Chautauqua Creek

#### 3.6.4.2 *Deteriorating Sites*

Deteriorating sites currently have structures on them that are in severe disrepair. They provide an opportunity for reuse or redevelopment. The following locations have been identified as deteriorating.

- Hideaway Bay Restaurant & Beach Club
- School in Silver Creek

- Old DPW Building in Silver Creek
- Old Welch Grape Factory in Silver Creek
- Drive-in in Pomfret

### 3.7 Water Uses

Fresh water is rapidly becoming one of Chautauqua County's and the world's most precious natural resources. The Great Lakes are the largest combined fresh water pools in the world. While Lake Erie is the second smallest lake of the Great Lakes, it still remains the 11<sup>th</sup> largest fresh water lake in the world. Lake Erie is home to 50% of the fish stock of the Great Lakes as a whole. This section breaks down how Lake Erie is utilized by the NCC region.

#### 3.7.1 Water-Dependent Uses

A water dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body and which involves, as an integral part of such activity, the use of the water. The following are water dependent uses located along the Northern Chautauqua waterfront.

##### 3.7.1.1 *Town of Hanover*

- **Sunset Bay Marina & Boat Launch** - The New York Department of Environmental Conservation (NYSDEC) operates a concrete ramp off of Alleghany Road. This boat launch has two lanes, picnic facilities and day slips.
- **Hanover Boat Launch and Fish Cleaning Station** – The Town operates a boat launch on Ann Street. The facility is open from May through early fall.
- **Hanover Wastewater Treatment Plant** – The Wastewater Treatment Plant is located on Buffalo Street. It is permitted to discharge 50,000 gallons per day.

##### 3.7.1.2 *Village of Silver Creek*

- **Borrello Park** – Borrello Park is located at the foot of Jackson Street and offers beach access for village residents.
- **Silver Creek Village Boat Launch** – The boat launch is located on Jackson Street near the mouth of Silver Creek.
- **The Silver Creek Wastewater Treatment Plant** – The Plant is located on Central Avenue. The New York State Environmental Facilities Corporation recently approved \$9.4 million in loans for upgrades to the facility for which the village is under a consent order by the NYSDEC.

### 3.7.1.3 *Town of Sheridan*

- **Sheridan Bay Town Park** – Located on Route 5, the park provides camping facilities and beach access.

### 3.7.1.4 *Town of Dunkirk*

- **Fredonia Wastewater Treatment Plant** – Fredonia’s wastewater treatment plant is located in the Town of Dunkirk on Route 5. The facility is permitted to discharge 3.3 million gallons per day.

### 3.7.1.5 *City of Dunkirk*

- **Dunkirk Harbor** – is deep a draft commercial harbor located on the southern shore of Lake Erie. Dunkirk Harbor is the centerpiece of the NCC region. The harbor supports 24 charter boats, 1.3 miles of breakwater structures and dock front channels totaling approximately 7,000 feet in length. There are a variety of economic and recreational sites within the harbor.
- **NRG Power Plant** – is located on the Dunkirk Harbor, in Dunkirk, NY. In June 2014 the New York Public Service Commission (PSC) approved a plan to refuel the 435-Megawatt coal-fired plant with natural gas. The repurposing is expected to enter service in the fall of 2015. There were plans in 2012 to shut down the power plant due to the high cost of coal and significant pollution risks present under current conditions. The repowering of this power plant is an integral to NCC communities as well as Chautauqua County and New York State. The \$700 million investment will continue to provide electric power generation and improve the environment with cleaner burning resulting in the reduction of emissions of mercury, sulfur dioxide, nitrogen oxide and greenhouse gases. Economically this project is expected to create over 50 construction jobs, continued tax stabilization and reduce the annual wholesale cost of electric energy for New York consumers by \$142 million per year.
- **City of Dunkirk Water Filtration Plant** – treats approximately 8 million gallons of water per day and serves the communities of Dunkirk, Fredonia and Portland. The plant includes a 36-inch intake line extending 5,200 feet into the lake, a 2-story main building, 2 external sedimentation basins and a chemical building.
- **Bart’s Cove Marina** – is a privately owned marina with 70 permanent wood slips capable of accommodating 45-foot boats and four transient slips. Amenities include a five-ton travel lift, fuel, restaurant and indoor and outdoor storage.
- **Chadwick Bay Marina** – a privately owned marina which includes 279 slips, 20 of which are available for transients. The marina is able to harbor ships up to 100 feet and offers a 20-ton travel lift, fuel, pumpout, live bait, showers and restrooms.



- **Dunkirk Yacht Club** – is a privately owned yacht club featuring 100 fixed wood slips and an additional 3 transient slips capable of accommodating boats of up to 35 feet in length. The club includes a clubhouse and electric, water and pumpout is available.
- **City Pier** – a city owned pier that includes four launching ramps. Amenities include an office for a harbormaster, restrooms, fish-cleaning station and 60 public parking spaces.
- **Dunkirk Wastewater Treatment Plant** – The plant is located east of Wright Park and is permitted to treat six million gallons per day.
- **Wright Park** – Wright Park offers nearly a half mile of beach.
- **Point Gratiot Park** – The park has a third of a mile beach

#### 3.7.1.6 *Town of Pomfret*

There are no water dependent uses in the Town of Pomfret

#### 3.7.1.7 *Town of Portland*

**Lake Erie State Park** – The park has a beach and fishing areas. Due to state budget cuts, there are no lifeguards for the beach. As a result swimming is not permitted.

#### 3.7.1.8 *Town of Westfield*

- **Barcelona Harbor** – The harbor, designated as a “Harbor of refuge,” includes 9 charter fishing boats, public transient slips and launching facilities. The harbor also supports 2 licensed commercial fishing boats and a chartered diving operation. Maintenance is of vital importance to all harbors and Barcelona Harbor requires dredging every five to 10 years.
- **Dan Reed Pier & Beach** – Dan Reed Pier Park is located on East Lake Road and is a public park and boat launch on Lake Erie. It offers parking for up to 85 trailers and 36 cars. There is a small beach area on the east side of the pier.
- **Monroe Marina** – Monroe Harbor is the only marina facility located in Barcelona Harbor and is privately operated. The marina has slips for up to 75 boats and provides fuel and pumpout facilities
- **Beach at Main Street** – At the end of the Main Street right-of-way, there is beach access with parking for a few cars and some benches. The beach is part of a larger beach area, but is privately owned on each side of the right-of-way.

#### 3.7.1.9 *Village of Westfield*

- **Village of Westfield Sewage Treatment Plant** – The sewage treatment plant is located on Old Hawley Road and has a permitted discharge of 2.6 million gallons per day.

### 3.7.1.10 *Town of Ripley*

- **Ripley Beach** – Located on Route 5, Ripley Beach is a small isolated community beach at the base of the bluffs.
- **Ripley Wastewater Treatment Plant** – The plant is located at 10168 West Lake Rd near State Street and is permitted to discharge 400,000 gallons per day.

## 3.7.2 Water-Enhanced Uses

Hotels, restaurants and campgrounds and some retail uses can benefit from waterfront locations. The following uses are found along the Northern Chautauqua waterfront:

- Restaurants/Bars
  - Sunset Bay Beach Club (Hanover)
  - Cabana Sam's (Hanover)
  - Demetri's on the Lake (Dunkirk)
  - Zebro's Harbor House (Barcelona)
  - Jack's Barcelona Drive-in (Barcelona)
  - Barcelona Market Café (Barcelona)
- Hotels
  - Clarion Hotel & Conference Center (Dunkirk)
- Retail
  - The Harborfront Boardwalk (Dunkirk)
  - Barcelona Market and Café (Dunkirk)
- Campgrounds
  - Lakeside Campground (Ripley)
  - Westfield KOA (Westfield)
  - Blue Water Beach (Westfield)
  - DJ's Campground (Portland)
  - Lake Erie State Park (Portland)
  - Sheridan Bay Town Park (Sheridan)

## 3.7.3 Surface Water Uses

### 3.7.3.1 *Boating*

Recreational boating, including jet skiing and kayaking are popular activities on Lake Erie. Access to boating is listed under water dependent uses.

### 3.7.3.2 *Fishing*

The eastern basin of Lake Erie is famous for trophy-size walleye, which are mostly available during the months of July and August. The New York waters of Lake Erie may have the best



smallmouth bass fishing in the Northeastern United States. Bass are found along the entire New York shoreline, with hotspots along rocky dropoffs in 15 to 35 feet of water. Bass season on Lake Erie runs from the first Saturday in May until the third Saturday in June. During this early season, there is a 1 fish per person limit and 20-inch minimum size requirement. Boat access for fishing is listed under water dependent uses. Fishing is also carried out from piers, breakwaters and from the shoreline.

### 3.7.3.3 *Swimming*

Beach Access provides opportunities for swimming. Beaches with public access are listed in the water dependent uses. There are also beaches located along privately developed residential areas of the Northern Chautauqua shoreline. These areas include Hanford Beach, Van Buren bay, the west side of Van Buren Point and west of Barcelona Harbor.

### 3.7.3.4 *Fishing Charters*

Local fishing charters offer fishing experiences to residents or tourists who are traveling throughout the NCC region. Fishing charters operate out of Barcelona and Dunkirk Harbors.

### 3.7.3.5 *Shipwrecks*

Lake Erie was once heavily traveled by ships. The 1800's were known for maritime disasters due to lack of navigation equipment and no warning of coming storms. Because of the sheer number of wrecks along Lake Erie's shoreline in the 18<sup>th</sup> and 19<sup>th</sup> centuries, recreational scuba diving is thriving. Osprey Charters is located in the Town of Westfield and ports in Monroe Harbor. Osprey Charters offers dives to the following shipwrecks along the NCC shoreline boundaries:

- **ACME:** The ACME sank on November 11, 1867. Today, the ACME lies upright in about 130 feet of water. The cabin was blown off during the wreck, exposing the boiler and steam engine. Visibility ranges from 20 to 60 feet and water temperatures range from 40 to 45 degrees.
- **Barge F:** An unknown barge that rests in 145 feet of water off of Barcelona on the Canadian/American border.
- **Betty Hedger:** A 113-foot barge that was wrecked on November 2, 1937 about 2 miles east of Barcelona Harbor. The remains lie in 115 feet of water, with visibility between 20 and 70 feet and dive temperatures that do not exceed 42 degrees.
- **Brunswick:** A 235 foot four-masted steam ship has laid 12 miles off Dunkirk shoreline since November 12, 1881. Today, Brunswick lies upright in 100 feet of water and only a portion of the four masts still remain. During the wreck her cabins were blown off exposing the boiler and steam engine. Diving conditions include 20-50 visibility and temperatures averaging 45 degrees.



wrecksandreefs.com

- **George Whelan:** A 220-foot steel steamer that sank July 29, 1930 near Barcelona. The George Whelan is an untouched wreck site that has not been stripped of anything. All materials that the ship sank with are still there. Today, George Whelan lies in 150 feet of water with dive conditions including visibility ranging from 30-60 feet and bottom temperatures in the 40's.
- **John J. Boland:** This steel bulk freighter was powered by a triple expansion steam engine and was lost in a storm on October 5, 1932 10 miles from Barcelona. Today, the John J. Boland lies on its side in 130 feet of water. Dive site conditions include temperatures around 45 degrees and visibility between 20 and 60 feet.
- **Passaic:** The 198-foot propeller package freighter was lost on October 31, 1891 approximately six miles west of Dunkirk. The Passaic lies upright in 80 feet of water with wreck conditions including visibility between 15 to 50 feet and bottom temperatures around 45 degrees.
- **Schooner G:** This unknown two-masted schooner measures 90 feet in length. Schooner G lies upright in 170 feet of water east of Barcelona. Divers can expect conditions to include visibility ranging from 30 to 60 feet and bottom temperatures in the low 40's.
- **Unknown C:** This unknown 125-foot brigantine vessel lies in 155 feet of water off the coast of Dunkirk. This vessel is covered in Zebra Mussels and divers can expect dive conditions to include visibility ranging from 20 to 60 feet and bottom temperatures in the mid-40's.
- **Washington Irving:** This 81-foot two-mast schooner sank approximately seven miles northwest of Dunkirk. The Washington Irving lies in 120 feet of water and the reasons for the wreck are unknown. Divers can expect dive conditions to include temperatures from 40 to 46 degrees and visibility varying from 20-60 feet.

*The John J. Boland sank October 5, 1932 en route from Erie, PA to Hamilton, ON. The ship was so overloaded some hatches were left open and coal was mounded on top of them. As a result of the Bolan disaster, regulations were changed and it was the last vessel ever to sail with open hatches.*

*Credit:  
wrecksandreefs.com*

There are numerous other dive sites throughout Lake Erie that are outside the NCC region borders offered by Osprey Charters. These locations include Pennsylvania and Long Point, ON. These dive locations are described below:

- **Andrew B:** A towed dredge barge that was lost on November 8, 1995. Andrew B lies on the bottom of Lake Erie on her side with crane still attached to the deck. The wreck lies in 180 feet of water and visibility can reach 60 feet.
- **Atlantic:** This side-wheel steamer measured 265 feet in length and was lost on August 20, 1852 in Long Point, ON. The Atlantic is covered in Zebra Mussels but artifacts can be seen throughout the ship.
- **C.B. Benson:** Was wrecked on October 14, 1893 and lies in 86 feet of water. C.B. Benson measures 136 feet in length and is well preserved for divers.

- **Carlingford:** The 154-foot three-masted schooner sits 13 miles northwest of Dunkirk in Canadian waters and wrecked on November 12, 1881 in a collision with the Brunswick. Carlingford lies in upright in 95 feet of water. Most of the wreck is covered in Zebra Mussels and silt. Dive conditions include visibility ranging from 20 to 60 feet and temperatures in the mid-40s.
- **Cracker:** Is an unknown Lake Erie scow sailing boat measuring 118 feet that sank in Eastern Lake Erie off of Dunkirk. The diving characteristics include a dive depth of 190 feet with visibility of around 30 feet.
- **Crystal:** A 117 foot three-masted schooner sank at an unknown date. This schooner lies upright in 120 feet of water. The cabin was blown off during the wreck exposing the cook stove. Dive conditions include temperatures in the low 40's and visibility near 100 feet.
- **Dean Richmond:** A 238-foot twin screw steel over wood steamer ran into a reef during a storm and sank near the northeast Pennsylvania and New York border. Today, the Dean Richmond lies in 115 feet of water. Divers can expect conditions to include temperatures in the mid 40's and visibility between 20-60 feet.
- **George C. Finney:** A 136 foot three-masted schooner that was wrecked on November 17, 1891 near the US and Canadian border. The Finney lies in 100 feet of water and dive conditions include visibility from 30 to 50 feet and temperatures in the 40's.
- **Howard Gerkin:** A long wood-bottomed steel freighter measuring 241 feet sank on August 21, 1926. Today, the Howard Gerkin lies face down in 80 feet of water.
- **Indiana:** Is a three-masted barkentine sailing ship measuring 137 feet that sank on September 24, 1970 in northeast Pennsylvania. Today the Indiana lies upright in 90 feet of water. Dive conditions include bottom temperatures in the mid-40's and visibility ranging from 20 to 60 feet.
- **J.G. McGrath:** A 104-foot two-masted schooner that wrecked on October 28, 1878. The J.G. McGrath lies in 90 feet of water in the Canadian/American border off Dunkirk. This is one of the more popular dive sites for recreational divers. Dive conditions include visibility ranging from 15-60 feet and bottom temperatures in the mid-40's.
- **Niagara:** A steam-powered wood propeller was lost December 6, 1899. Niagara lies in northeast Lake Erie in Canadian waters. Today, the wreck lies in 90 feet of water with the engine and parts of cargo exposed. Divers can expect conditions including 20 to 50 feet in visibility and temperatures in the mid-40's.
- **Oxford:** The 114-foot vessel that wrecked on May 30, 1856 on the Canadian/American and Pennsylvania/New York border. The Oxford lies upright in 160 feet of water. Dive conditions include bottom lake temperatures in the 40's and visibility averaging 50 feet.



- **Persian:** A four-masted steamer measuring 245 feet in length that wrecked on August 26, 1875. Today, the Persian lies in 195 feet of water off Long Point, ON. The remains of the wreck is covered in zebra mussels and snagged fishing nets. Conditions for divers include visibility that can exceed 50 feet and bottom temperatures between 42-45 degrees.
- **Saint James:** The 165 foot vessel lies upright in 165 feet of water off Long Point, ON. Dive conditions include visibility around 40 feet and temperatures seldom exceed 42 degrees.
- **Sir C. T. Van Straubenie:** The 127 foot three-masted barquentine wrecked on September 27, 1909 and lies in Long Point, ON.
- **Smith Tug:** Was lost on October 25, 1935 off Long Point, ON and lies in 165 feet of water.
- **Stern Castle:** This unknown 2-masted schooner lies in 185 feet of water off Long Point, ON. Dive conditions include visibility exceeding 50 feet and bottom temperatures in the low 40's.
- **Swallow:** A 113-foot lumber hooker lost October 19, 1901 that lies off Long Point, ON in 190 feet of water.
- **Trade Wind:** This three-masted bark vessel measured 140-feet and was wrecked December 1, 1854. Today, Trade Wind sits upright in 120 feet of water off Long Point, ON. Dive conditions include visibility between 30-70 feet and bottom temperatures in the low 40's.

### 3.7.3.6 *Creeks*

The Creeks in Northern Chautauqua County provide excellent opportunities for fishing. The following describes activities available along the prominent creeks.

#### **Cattaraugus Creek**

Cattaraugus Creek is the largest tributary of Lake Erie in Northern Chautauqua County and New York State. There are relatively undisturbed tributary streams that provide habitat for large numbers of spawning salmonids and other fish species. The creek holds large concentrations of coho and chinook salmon and brown trout that migrate from Lake Erie each fall, from late August through December.

Cattaraugus Creek is also a tremendous steelhead trout resource. The New York State Department of Environmental Conservation (NYSDEC) stocks the creek annually with 90,000 "Washington strain" steelhead trout smolt. The NYSDEC also stocks surplus "skamania strain" steelhead trout when they are available. In addition to smolt stocking of steelhead there is a significant amount of natural reproduction of steelhead. A recent NYSDEC study determined that up to a quarter of the steelhead adults that return to Cattaraugus Creek are wild spawned fish. Steelhead fishing season begins to stall in May. During the warmer season different species including channel

catfish and smallmouth bass move into the lower sections of Cattaraugus Creek. During the spring, large numbers of spawning smallmouth bass control the mouth of the creek (Lake Erie) into the lower Cattaraugus Indian Reservation. There are special regulations on bass during the spawning season. There are also large concentrations of catfish in spring months that inhabit parts of Cattaraugus Creek from center of the Cattaraugus Indian Reservation to the mouth of the creek. Other fish species including brown bullhead, yellow perch, walleye, freshwater drum, sunfish and rockbass often utilize the lower section of the creek.

### **Chautauqua Creek**

Chautauqua Creek flows north over 15 miles before emptying into Lake Erie between the hamlets of Forest Park and Barcelona, in the Town of Westfield (7.5' Quadrangle, Westfield, N.Y.). The creek is a relatively high quality, medium-gradient stream with a rocky substrate that drains about 36 square miles of agriculture land and forested hills. The land bordering Chautauqua Creek is predominantly deciduous forest. Human habitat disturbances include residential development, road crossings (e.g. Route 20 and Route 90) and sewage treatment plant discharges.

Chautauqua Creek offers one of the largest Lake Erie steelhead trout populations in Western New York that is concentrated in the lower section of the creek. There is a 1.3 mile section of the creek located directly below the dam that is catch-and-release only. The lowest section of the creek has high concentrations of brown trout in fall and smallmouth bass in the spring. The creek is also significant due to large populations of coho and chinook salmon in the fall (primarily September-November). There is an important salmonid fishery to anglers in the Northern Chautauqua County region accounting for approximately 2,000 angling trips for recreational fishing through the months of September and October.

### **Twenty Mile Creek**

Twenty Mile Creek is one of the largest of the eastern creeks. Its mouth and lower four miles are in Pennsylvania while the upper section of the creek is in Ripley, New York. The south section of the Town of Ripley sees the creek stretch approximately 10.5 miles and is classified as a class II-IV section by American Whitewater. The South Ripley stretch of the creek is one of the few paddling stretches of this creek. Whitewater rafting and kayaking is also a common recreational activity available in Twenty Mile Creek. Twenty Mile Creek is an approved trout stream and is stocked with brown trout before the trout season opens. This creek is also a popular site for steelhead trout fishing.

### **Canadaway Creek**

Canadaway Creek is located near the Town of Dunkirk and Village of Fredonia. Canadaway Creek flows into Lake Erie approximately two miles southwest of Dunkirk Harbor and flows through the Towns of Dunkirk and Pomfret (7.5' Quadrangle: Dunkirk, NY). The creek is a warm-water, medium

gradient, with gravel and shale substrate. Land area surrounding Canadaway Creek is deciduous forest and includes the Nature Conservancy's Canadaway Creek Nature Sanctuary, located near the mouth of the creek.

Canadaway Creek offers a mostly undisturbed spawning habitat for salmonid and has large concentrations of coho and chinook salmon. Brown trout migrate from Lake Erie into the creek every fall. The NYSDEC Canadaway Creek Wildlife Management Area (WMA) controls a 1.6 mile of public fishing near the Hamlet of Griswold where the creek is stocked with 400 yearling and 100 brown trout each spring. The presence of large concentrations of different species of trout and salmon and variety of different access points for anglers provides one of the most popular recreational fishing locations throughout the NCC communities. The Canadaway Creek Nature Sanctuary also provides anglers the opportunity to view different species of wildlife. The sanctuary is a major migration path for birds in the fall and spring and features over 140 identified species

### **Silver Creek/Walnut Creek**

Silver Creek and Walnut Creek are located in the Village of Silver Creek and the Town of Hanover (7.5' Quadrangle: Silver Creek, NY). Walnut Creek is a tributary of Silver Creek that flows into Silver Creek approximately a quarter mile from Lake Erie. These creeks are relatively small with rock, gravel and shale substrates. Land surrounding these creeks is primarily residential.

The mouth of Silver Creek flows into Lake Erie. Salmonid in the creek can migrate to the lake and steelhead and brown trout, coho and chinook salmon migrate from Lake Erie to Silver and Walnut creeks. Unlike other Lake Erie tributaries, these creeks are not stocked but do experience large concentration of fish attempting to spawn but are success rates are low. There is a significant population of minnows in these creeks that reside in the lower section of the creek where water depth and protection from storms creates an ideal habitat for this species. Minnow species found on this area include emerald shiner, common shiner, golden shiner and spottail shiner. The high concentration of minnows in these creeks creates a rather large bait fishery for NCC communities and Chautauqua County.

### **3.7.4 Underwater Ownership**

Title to the beds of numerous bodies of water is held in trust for the people of the State of New York under the jurisdiction of the Office of General Services. State-owned underwater lands are regulated under the Public Lands Law and prior authorization to place any sort of structure there may be required. These structures include fill and can be anything located in, on, or above state-owned underwater lands.

The Office of General Service can provide land grants, which allows adjacent land owners or other entities make use of the land under water for a variety

of uses. Maps provided by the Office of General Services show that land grants have been granted in the following areas. Some of these land grants were issued in the 1800's.

- Dunkirk Marina area
- NRG Power Plant
- Easement for Dunkirk waste water treatment plant discharge pipe

### 3.8 Scenic Resources

While there are no designated scenic resources of statewide significance identified within the Northern Chautauqua LWRP area, there are countless scenic views to be enjoyed throughout the Study Area. Nearly all views that overlook the lake can be considered scenic resources. Additionally, the study area offers expansive views of vineyards with the backdrop of the Allegheny Plateau. Streams that wind into gorges also provide unique scenic resources. The inventory of the scenic resources includes locations where these features can be enjoyed from public properties. Thus, anywhere along Route 5 where the lake or vineyards are visible are considered scenic resources. These views are better observed in Ripley and Westfield where there are more vineyards, Lake Erie is generally closer to Route 5 with less vegetation and there is the shortest distance between the lake and the escarpment.

Sites along Lake Erie where there is direct public access to the lake include:

- Cattaraugus Creek outlet (Hanover)
- Sunset Bay Beach (Hanover)
- Silver Creek outlet (Silver Creek)
- Pull-over in Sheridan (Sheridan)
- East of St.Columbus Home (Sheridan)
- Sheridan Bay Beach (Sheridan)
- Wright Park (Dunkirk)
- Lake Front Blvd (Dunkirk)
- Dunkirk Pier (Dunkirk)
- Point Gratiot Park (Dunkirk)
- Lake Erie State Park (Portland)
- Ottoway Park (Westfield)
- Barcelona Pier & Beach (Barcelona)
- Foot of Main Street (Barcelona)
- Chautauqua Creek outlet (Westfield)
- Ripley Beach (Ripley)

There are also tremendous views along the gorges of Chautauqua Creek and Canadaway Creek, however public access is limited. There are areas where NYSDEC fishing easements have been obtained.

### 3.9 Shoreline Characteristics

There are nearly 48 miles of shoreline located within the Northern Chautauqua County LWRP Study Area. The shoreline takes on various characteristics along this stretch due to manmade activities and natural process. The types of characteristics are summarized in the following table.

**Table 3-18 – Shoreline Characteristics**

| Type            | Miles | Percent |
|-----------------|-------|---------|
| <b>Beaches</b>  | 11.7  | 24.5%   |
| <b>Bluffs</b>   | 27.7  | 57.8%   |
| <b>Bulkhead</b> | 2.7   | 5.5%    |
| <b>Fill</b>     | 0.1   | 0.3%    |
| <b>Natural</b>  | 1.4   | 2.9%    |
| <b>Rip-Rap</b>  | 2.1   | 4.4%    |
| <b>Seawall</b>  | 2.2   | 4.5%    |

*Source: peter j. smith & company*

#### 3.9.1 Beaches

Beaches make up nearly a quarter of the NCC shoreline. These areas are characterized by large areas of sand at the edge of the water. They are most common in areas near the mouths of streams where the bluffs have been eroded to a gently sloping area and waves are able to flow farther inland. The category includes those areas where there are public access points or private beachfront communities. The largest beach areas are found at Sunset/Hanford Bay, Silver Creek, Eagle Bay, Chadwick Bay, west of Point Gratiot, Van Buren Bay, west of Van Buren Point and on both sides of Barcelona Harbor. The beaches are somewhat rocky and subject to collecting driftwood. Beach cleanliness varies with location, angle to the lake, ownership and time of year.

#### 3.9.2 Bluffs

The Northern Chautauqua shoreline is dominated by captivating bluffs, where cliffs as high as 100 feet rise from the water’s edge. Bluffs are subject to cyclical coastal erosion forces. In some areas, sand gathers at the base of these cliffs, but these sandy ribbons are usually very narrow. The bluffs are present throughout, but are more prevalent in the western communities of Northern Chautauqua County. While water access is generally limited in these areas, the bluffs provide spectacular views over the lake.

#### 3.9.3 Bulkhead

Bulkheads are manmade barriers that separate land and water. These features are installed in marina basins to maintain a consistent division at the required depths. They also line the edges of breakwaters in many places.



### 3.9.4 Fill

The fill shoreline is an area of deposition that has collected on the east side of Dunkirk Harbor. The area is characterized by a mix of material including dirt, large rocks and litter.

### 3.9.5 Natural

Natural shorelines are gently sloping transitions from water to land where sand has not gathered or been maintained. These are commonly wooded areas near the mouths of smaller streams and along the edge of Cattaraugus Creek.

### 3.9.6 Rip-rap

Rip-rap is a manmade shoreline protection feature composed of large rocks. Rip-rap is common along breakwaters. There is also an area in Hanover protected by rip-rap where erosion threatens the railroad corridor.

### 3.9.7 Seawall

Seawalls are large cement walls built along low bluffs to protect residential communities from erosion. While seawalls are a temporary fix, they are expensive and are no match for the erosive forces of Lake Erie. Eventually, they will need to be repaired. There are nearly 5 miles of seawall located in the study area, mostly in the City and Town of Dunkirk and the Town of Pomfret.

## 3.10 Community Resources

Community resources are places where members of the community can turn to for assistance for unmet or professional needs. These organizations can be public or privately funded. Public resources tend to be government funded.

### 3.10.1 Schools

The following schools are located within the NCC boundaries:

#### 3.10.1.1 *City of Dunkirk*

- Northern Chautauqua Catholic School (336 Washington Avenue)
- Erie 2 Chautauqua Cattaraugus (324 Central Avenue)
- Dunkirk Middle School (525 Eagle Street)

#### 3.10.1.2 *Town of Dunkirk*

- School 7 (348 Lake Shore Drive East)

#### 3.10.1.3 *Village of Westfield*

- Westfield Academy and Central School (203 East Main Street)

#### 3.10.1.4 *Town of Ripley*

- Ripley Central School (12 N State Street)

### 3.10.2 Churches

The following are churches located within the boundaries of the NCC region:

#### 3.10.2.1 *City of Dunkirk*

- First United Presbyterian Church (19 West 4<sup>th</sup> Street)
- Saint John the Baptist Church (16 West 4<sup>th</sup> Street)
- Assembly of Christian Church (316 Eagle Street)
- Saint Elizabeth Ann Seton Church (328 Washington Street)

#### 3.10.2.2 *Town of Dunkirk*

- Saint Hyacinth Chapel (Dunkirk, NY)

#### 3.10.2.3 *Village of Westfield*

- First Presbyterian Church (49 South Portage Street)
- Saint Peter's Episcopal (12 Elm Street)
- Saint Dominic Roman Catholic Church (15 Union Street)
- First Baptist Church (19 Union Street)
- United Methodist Church (101 East Main Street)
- Lighthouse Christian Fellowship (20 Washington Street)

#### 3.10.2.4 *Village of Silver Creek*

- First Baptist Church (32 Main Street)
- First United Church (35 Park Place)
- Trinity Lutheran Church (15 Porter Avenue)
- Zion Lutheran Church (Porter Avenue)
- Christ Chapel Wesleyan (64 Buffalo Street)
- Our Lady of Mount Carmel (165 Central Ave)
- St Alban's Episcopal (4 Lake Ave)

#### 3.10.2.5 *Town of Hanover*

- Good Shepherd Church (Irving)

### 3.10.3 Government Buildings

The following government buildings are located within the NCC boundaries:

#### 3.10.3.1 *Village of Silver Creek*

- Silver Creek Village Clerk (172 Central Avenue)

### 3.10.3.2 *Town of Dunkirk*

- Dunkirk Town Hall (Willow Rd)

### 3.10.3.3 *City of Dunkirk*

- Dunkirk Housing Authority (15 North Main Street)
- Dunkirk City Development Department (338 Central Avenue)
- Dunkirk City Clerk (342 Central Avenue)
- United States Marine Corps Recruiting (417 Central Avenue)
- United States Air Force Recruiting (53 West 4<sup>th</sup> Street)
- New York State Recruiting Office (Dunkirk, NY)
- Dunkirk City Office (110 Lake Shore Drive West)
- Dunkirk City Council (11 Taft Place)
- Northern Chautauqua Conservation (1 North Mullet Street)
- Environmental Conservation Office (178 Point Drive North)

### 3.10.3.4 *Village of Westfield*

- Westfield Municipal Office (23 Elm Street)

## 3.10.4 Medical Facilities

The following are medical facilities are located within the NCC boundaries:

### 3.10.4.1 *Town of Hanover*

- TLC Health Network Lake Shore Health Care Center (845 New York 5)

### 3.10.4.2 *City of Dunkirk*

- Brooks Memorial Hospital (529 Memorial Avenue)

## 3.10.5 Emergency Services

### 3.10.5.1 *Town of Hanover and Village of Silver Creek*

The Village of Silver Creek has a contract with the Chautauqua County Sheriff's Department for law enforcement. The Town of Hanover has a contract with the Chautauqua County Sheriff's Department to provide patrol service and response in the Town. There is an increased law enforcement presence during the summer months when seasonal residents increase in the areas of Hanford and Sunset Bay.

The Town of Hanover Center Fire Station is located outside the NCC boundaries (11919 Hanover Road). The following fire departments are located within the NCC boundaries:

- Sunset Bay Volunteer Co. No. 1 (12798 Allegany Road)
- Silver Creek Fire Department (172 Central Avenue)

### 3.10.5.2 *Town of Sheridan*

The Town of Sheridan does not have an independent police force. Police enforcement is provided by the Chautauqua County Sheriff's Office and New York State Police.

The Town of Sheridan fire protection is provided by an independent volunteer fire department run by a board of fire commissioners. This department does not have its own transport ambulance; the Town has contract with Alstar Ambulance for EMS transport. Mutual aid can be requested from Fredonia, Silver Creek and Forestville when Alstar Ambulance is not available.

### 3.10.5.3 *Town of Pomfret*

The Town of Pomfret is patrolled by the Chautauqua County Sheriff's Office. There is no Town police organization in Pomfret.

The Town of Pomfret is served by the Fredonia Fire Department and the Lily Dale Fire Department.

### 3.10.5.4 *Town and City of Dunkirk*

The Town and City of Dunkirk Police Department is located in the City of Dunkirk (342 Central Avenue). The police department consists of 37 officers and 4 civilian 911 dispatchers. The department consists of 3 divisions including Patrol, Detective and Court. Additionally the Dunkirk Police Department provides security for the Dunkirk Public School District. A School Resource Officer patrols the school district but is primarily located at the Dunkirk Senior High School.

The City of Dunkirk Fire Department Local 616 consists of 24 unformed firefighters and is active in water rescue and dive training. The City of Dunkirk Fire Department, Police Department and Fire Department Dive Team respond to emergencies in the lake. The following are fire station locations in the City of Dunkirk:

- Dunkirk Fire Department Eng. Co. No. 3 (5 Middle Road)
- Dunkirk Fire Department (311 Eagle Street)

The Town of Dunkirk has two Fire Department locations listed below:

- East Dunkirk Fire Department (10949 South Roberts Road)
- West Dunkirk Fire Department (4741 Willow Road)

### 3.10.5.5 *Village of Fredonia*

The Village of Fredonia Police Department is located on Church Street. The State University of New York at Fredonia has a University Police Department (UPD) that patrols the university campus.

The Fredonia Fire Department is located at 80 West Main Street and consists of 125 volunteer and 6 full-time professional firefighters.

### 3.10.5.6 *Town of Portland*

The Chautauqua County Sheriff's Office patrols the Town of Portland, which does not have a police department.

The Town of Portland's Fire Department is located outside the NCC boundary at 6481 West Main Street.

### 3.10.5.7 *Town and Village of Westfield*

The Westfield Police Department is located in the Village of Westfield (23 Elm Street). The Police Department consists of 5 full-time and 12 part-time officers. The New York State Police and the Chautauqua County Sheriff's Department provide police protection in the Town of Westfield. The Village of Westfield Police Department will also assist in the Town if called by County Dispatch.

The Westfield Fire Department is located in the Village of Westfield (20 Clinton Street). It is an all-volunteer department of over 45 members that serves both the Town and Village of Westfield. Alstar EMS also has a substation at 202 North Portage Street to service the northwest portion of Chautauqua County.

### 3.10.5.8 *Town of Ripley*

The Town of Ripley contracts out to the Chautauqua County Sheriff's Department located in Mayville and the New York State Police.

The Town of Ripley Fire Department is located outside the NCC boundary at 11 South State Street.

## 3.11 Historic and Cultural Resources

### 3.11.1 Historic Places

The state and national Registers of Historic Places list all buildings, districts and sites that are significant to the history of each county and state. These registers were created by the National Historic Preservation Act of 1966 and New York State Historic Preservation Act of 1980. There are a number of state and federal programs designed to assist owners of historic properties to revitalize and maintain them. In New York, the State Historic Preservation Office (SHPO) maintains the National Register of Historic Places, so the state and national lists are the same. The following sites listed on the national and state registers are within the NCC boundaries.

#### 3.11.1.1 *Village of Westfield*

##### Districts:

- **French Portage Road Historic District, E. Main and Portage Streets, Westfield**



**Buildings:**

- **Thompson, Henry Dwight, House**, 29 Wood St., Westfield  
**Atwater-Stone House**, 29 Water St, Westfield
- **Barcelona Lighthouse and Keeper's Cottage**, also known as Portland Harbor Lighthouse and Dwelling House, East Lake Road. , Westfield
- **Bliss, L, House**, 90 W. Main St., Westfield
- **Campbell-Taylor, Harriet, House**, 145 S. Portage St., Westfield
- **Fay-Usborne Mill**, 48 Pearl St., Westfield
- **Hall, Frank A, House**, 34 Washington St., Westfield
- **Lake Shore & Michigan Southern Freight Depot**, English St., Westfield
- **Lake Shore & Michigan Southern Railroad Station**, English St., Westfield  
**Mack, Gerald, House**, 79 N. Portage St., Westfield  
**McMahan Homestead**, Also known as **Landmark Acres**, 232 W. Main Road. , Westfield  
**Nickplate Railroad, Norfolk & Western Freighthouse and Depot**, E. Pearl St., Westfield  
**Nixon Homestead**, 119 W. Main St., Westfield  
**Ward House**, Also known as **William Allen House**, 118 W. Main St., Westfield  
**Welch Factory Building No. 1**, 101 N. Portage St., Westfield  
**Wright, Reuben Gridley, Farm Complex**, 233 E. Main St., Westfield  
**Wright, Rueben, House**, 309 E. Main St., Westfield  
**York-Skinner House**, 31 Union St., Westfield
- **Rorig Bridge**, Water Street at Chautauqua Creek, Westfield  
*City of Dunkirk*

**Buildings**

- **Dunkirk Light**, Dunkirk Harbor
- **Point Gratiot Lighthouse Complex**, Sycamore Road  
**School No. 7**, 348 East Lake Shore Dr.  
**US Post Office**, 410 Central Ave.,
- **Dunkirk Schooner Site**, Address Restricted Dunkirk

Other sites within the NCC area mark significant historical events but are not listed on the state or national registers. They include:

- The first naval skirmish of the War of 1812 occurred on Lake Erie near the mouth of Canadaway Creek. An historic marker on the corner of Route 5 and Temple Street marks the event.
- In Westfield, a small park and statue commemorate the meeting between Abraham Lincoln and the young girl who convinced him to grow a beard.

**3.11.2 Historic and Cultural Resources and Facilities**

Educational opportunities are another facet to be considered for tourism and recreational activities in Northern Chautauqua County. The following institutions and museums are located within the NCC boundaries.

### 3.11.2.1 *Dunkirk Historical Society and Museum*

The Dunkirk Historical Society and Museum is located on Washington Street in Dunkirk, NY. This institution is dedicated to the promotion of the city's historical, cultural and artistic heritage. The museum stores, collects and exhibits artwork, photographs, sculptures and historical objects that are important to the history of Dunkirk. This institution provides arts programs focused on storytelling, quilting, painting, photography, puppetry, pottery, dancing and music.

### 3.11.2.2 *McClurg Museum*

James McClurg built his mansion in Westfield in 1818. The federal-style mansion has housed the Chautauqua County Historical Society since 1951. The museum features period displays on 3 floors in 14 rooms. Displays include some of the earliest artifacts and archival material relevant to Chautauqua County. The collection features fine art, antique furnishings and textiles.

### 3.11.2.3 *Silver Creek Historical Center*

The Silver Creek Historical Center is located in the Silver Creek Fire Hall/Municipal Building. This historical center holds documents related to local military history, village records, Silver Creek school yearbooks, grape festival inventory, atlases and maps.

### 3.11.2.4 *Dunkirk Lighthouse and Veterans Museum*

The Dunkirk Lighthouse and Veterans Museum is an official National Historic Landmark. The museum has a large collection of military artifacts. There is also a Civil War reenactment held at the lighthouse and museum every summer.

## 3.12 Parks, Recreation and Open Space Resources

### 3.12.1 Parks and Recreation Facilities

The quality and location of parks and recreation resources in a community are crucial to residents' quality of life. This section summarizes parks and recreation in the NCC study area.

#### 3.12.1.1 *City of Dunkirk*

- Wright Park is located on Lake Front Boulevard and measures 67.5 acres. The park includes baseball fields, basketball courts, a street hockey court, picnic areas, beaches and swimming, in addition to multiple sightseeing locations.
- Memorial Park is located on Route 5 and measures five acres. The park offers picnic tables, a walking path and sightseeing opportunities.

- Point Gratiot Park, measuring 59.7 acres, is located on Point Drive. This park includes hiking, beaches and swimming, fishing, picnic areas and tennis courts. Point Gratiot Park also borders the historic Dunkirk Lighthouse.
- Washington Park is located on Washington Street and measures about five acres. The park consists largely of open grassland which accommodates picnics and games such as football or volleyball. This park also includes a playground.
- Main Street Walkway Park, located on Main Street, is a lakefront park that has paved trails for walking, bicycling and fishing. Picnic tables and benches are available for viewing Lake Erie sunsets.
- City Pier Park: Dunkirk Harbor, located on Central Avenue and Route 5, is open year round for fishing, boat launching. It offers picnic tables and is also home to the Boardwalk Marketplace.

#### 3.12.1.2 *Village of Silver Creek*

- The Village ballpark is located along Walnut Creek behind properties fronting on Main Street, Central Avenue and Park Place. The site measures approximately four acres and includes a baseball diamond, tennis courts, picnic tables, basketball courts, rest rooms and a playground.
- The “Village common” area, encompassing the corner of Central Avenue and Main Street, measures approximately 17,500 square feet. This site has benches and a gazebo which identify the park as a public gathering spot for Village residents.

#### 3.12.1.3 *Village of Westfield*

- Welch Field is owned by the Village of Westfield and provides numerous recreational facilities and programs to the residents of Westfield and a number of surrounding communities. Welch Field features a swimming pool, skate park, volleyball court, playground, walking/jogging/cycling path, baseball fields, basketball courts and an indoor field house.

Welch Field is home to the Westfield Recreation Department Summer Program which provides swimming lessons, water exercises, open swim, swim meets and other outdoor activities including wiffleball, flag football and volleyball. Welch Field hosts the YWCA child care program and other community organizations including the Westfield Little League.

- The North Lake Family Recreation Center on Nichols Avenue operates three soccer fields, a baseball/softball field, three basketball courts, a sand volleyball court and a childrens playground on a beautifully maintained 16.3 acre facility. It is fully equipped with a building that provides restrooms and event concessions.

- Smith Field ballpark on Old Hawley Street
- Westfield Little League Field
- Moore Park, a public square

#### 3.12.1.4 *Town of Hanover*

- Hanover Town Beach is located on South Shore Drive. It is a public swimming beach that includes picnic pavilion, charcoal grills, playground and restrooms. Swimming is only permitted when lifeguards are on duty. Hanover Beach prohibits beach camping and recreational activities such as roller blading, bike riding, soccer, football, and baseball.

#### 3.12.1.5 *Town of Dunkirk*

- The Dunkirk Camp & Conference Center on East Lake Drive offers 110 acres of woodland, streams, playing fields, and nature trails overlooking Lake Erie. This area hosts a wide variety of uses including summer camps, retreats and weddings.
- Shorewood Country Club is a 141-acre privately owned golf course located along Route. This 18-hole golf course was established in 1918 and hosts events such as weddings in its clubhouse.

#### 3.12.1.6 *Town of Portland*

- Lake Erie State Park see Section 1.8 – Water Uses

#### 3.12.1.7 *Town of Westfield*

- Ottoway Park see Section 1.8 – Water Uses
- NorthLake Family Rec Center is located on Nichols Avenue. This 16.3 acre facility features three full soccer fields, a baseball/softball field, three basketball courts, a sand volleyball court, and children's playground
- Sugar Hill Golf Course, located on Route 5, is a 9-hole golf course measuring 20 acres on the shore of Lake Erie.
- Dan Reed Pier Park see Section 1.8 – Water Uses

#### 3.12.1.8 *Town of Ripley*

- Lakeside Golf Course, located on West Lake Road, is a 9-hole par 3 public golf course with a clubhouse.

### 3.12.2 Recreation Programs

Each community in the NCC region provides recreation programs for its residents as discussed below.

The City of Dunkirk offers recreational sports including floor hockey, softball, basketball, soccer and football for all ages. Basketball has been a new

addition to the sports leagues and has been a success. There are over 200 players making up 18 teams: 12 “A League” and 6 “B League” teams. Softball includes fast-pitch and slow-pitch. Although there is no official soccer league, more than 30 adults play at the Recreation Center. There are also a variety of youth activities and programs available. Summer Camp at Camp Gross is one of the more successful youth programs. Other youth activities and programs include T-ball leagues, swimming, gymnastics, dance, soccer and little league football, special youth of school years contests, Halloween events, Thanksgiving poster contests and Santa’s Workshop. The Dunkirk Youth Bureau and Recreation Commission is located on Central Avenue; offers recreational programs throughout the year including roller skating, floor hockey and other larger organized events from mid-November until early May. The Youth Engaged in Service (YES), summer youth employment and summer day camp programs are held here. Town of Dunkirk residents are able to take advantage of these City sponsored programs.

The Town of Pomfret and Village of Fredonia recreation programs include youth swimming lessons, tennis, dance, basketball instruction, drama, girls softball, soccer, language instruction and karate. SUNY Fredonia holds a School Age Summer Camp in Thompson Hall. This program includes activities like outdoor games, crafts, field trips, guest speakers, fine arts, bicycle excursions and rollerblading.

The Village of Silver Creek conducts a variety of recreational programs and activities within the Village Ballpark. Youth programs are available for residents between the ages of five and 12. Activities at the Village Ballpark include swimming, volleyball, crafts, hiking and soccer. Also offered are instruction for children by the Police Department such as the (DARE drug prevention and “stranger-danger” programs) and Fire Department (including ambulance program). The annual Festival of Grapes is held the third week in September and includes a pentathlon contest, baby contest, grape grower of the year, t-shirt design contest, grape stomping, arts and crafts. George Borrello Park hosts the annual July 4 fireworks. Most recreational facilities and programs held in Silver Creek are co-funded with the Town of Hanover and The Town of Hanover residents are permitted to attend and use these facilities and programs.

The Town and Village of Westfield conduct a variety of recreational activities and programs. The YWCA of Westfield on South Portage Street facilitates a teen program which provides healthy snacks, an assembly room, kitchen, gym, game room, dances, field-trips, special events and workshops to local teens. The YWCA also hosts discussion groups for middle and high school students. The Westfield Memorial Hospital is outside the LWRP boundaries, but it holds a community aerobic activity challenge, a six-month exercise program.



The Town of Portland and Village of Brocton hold most of their recreational programs jointly. The community center has a variety of youth programs including a six-week recreation program that involves arts and crafts, sports, visiting zoos, swimming, nature walks and dances. Other seasonal events held at the Community Center include Haunted Houses, an Easter Egg Hunt and a Christmas Party. Other recreational programs include Junior Leader Program, Junior Lifeguard and a Junior Swim Program, in addition to adult and senior league basketball, volleyball, baseball and softball.

The Town of Sheridan holds most recreational programs at the Sheridan Memorial Field. Groups include Boy Scouts, Girl Scouts and Little League Softball and Baseball. Memorial Field also hosts seasonal gatherings for Christmas, Easter and Halloween.

The Town of Ripley offers youth sports to its residents. Youth baseball is available for children aged nine to 12 and Babe Ruth Baseball is available for teens aged 13-15. Youth wrestling is offered for children in grades 2 through 7 December through March. Boy Scouts and Girl Scouts meet in the United Methodist Church and Ripley Central School. There is a summer recreation program for school children of all ages. The summer recreation program offers activities such as arts and crafts, sport games such as homerun derby, flag football and wiffle ball and bus trips to local parks and beaches.

### 3.12.3 Trails

**Great Lakes Seaway Trail:** is a 518-mile National Scenic Byway that runs from the Ohio-Pennsylvania state line to the US-Canada border and Seaway International Bridge. In the NCC study area, the Seaway Trail includes the Barcelona Lighthouse and Harbor, Lake Erie State Park and Dunkirk Harbor.

**Barcelona to Chautauqua Institution Trail:** is a proposed 10-mile trail extending from Barcelona Harbor to the Chautauqua Institution. This multi-use trail will connect Lake Erie to Chautauqua Lake.

In addition to the trails listed above, there are trails that run through parks and beaches. In the City of Dunkirk, Point Gratiot Park and Main Street Walkway Park offer trails for walking, hiking and bicycling. Lake Erie State Park, located in Town of Portland, offers nature trails that includes hiking and bicycling and in the winter cross-country skiing. Ottoway Park, located in the Town of Westfield, offers pine and oak-covered trails. The Westfield KOA campground also offers hiking trails around its creek.

Because they are located in a snowbelt, the NCC area and Chautauqua County as a whole, offer a large network of recreational snowmobile trails. There are five official snowmobiling clubs in Chautauqua County:

- Chautauqua Lake Snowmobile Club
- Cherry Creek Sno-goers

- Ellery Sno Cruisers
- Lake Effect Trailbreakers
- Sunset Drifters

While most snowmobile trails are outside of the study area, there are trails within the NCC LWRP boundary in Westfield and Irving.

### 3.13 Environmental Considerations

#### 3.13.1 Flooding Hazards

The flood potential in the NCC region is considered low except near stream mouths and the Lake Erie coastline. The results of these occurrences range from minor inconveniences to the potential loss of homes and businesses. In some cases, the threat of flooding or erosion prevents development; in other cases, flooding and erosion pose the danger of substantial damage to existing uses.

The issues of flooding and erosion are discussed separately below, by municipality. Information on flood hazard boundaries was obtained through mapping by the Federal Emergency Management Agency (FEMA), in which the following descriptions are used:

- Flood Hazard Area (Zone A) – areas of 100-year flood; base flood elevations and flood hazard factors not determined
- Flood Hazard Area (Zone A1-A30) – areas of 100-year flood; base flood elevations and flood hazard factors determined
- Flood Hazard Area (Zone B) – areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than 1 square mile; or areas protected by levees from the base flood.
- Flood Hazard Area (Zone C) – areas of minimal flooding

The following describes the flooding hazards in the NCC region:

##### 3.13.1.1 *Town of Hanover*

Major flooding issues in the Town of Hanover exist at Sunset Bay and Cattaraugus Creek. These locations are classified as A3 and A6 with elevations from 579 feet through 591 feet. Over recent years Sunset Bay has had major problems with flooding, sometimes caused by ice jams and other times due to excessive rain. In 2011, the U.S. Army Corps of Engineers are aware of dredging needed in Cattaraugus Creek and Sunset Bay. Residents of Sunset Bay say depths of the local channel have been as low as 18 inches, resulting in increased flooding and impassable conditions for recreational boaters. A deeper Cattaraugus Creek channel would result alleviate flooding.

### 3.13.1.2 *Village of Silver Creek*

The most extensive and damaging flooding in the NCC region occurs in the Village of Silver Creek. Most often, flooding occurs when Walnut Creek and Silver Creek overflow onto neighboring residential and commercial properties, most notably from Walnut Creek onto Montgomery, Dana, and Jackson streets, Rix and Oliver places and Lincoln Avenue, as well as from Silver Creek on Lake and Central avenues and Mechanic Street. Walnut Creek also floods the Village ballpark periodically. The Village is additionally concerned that future flooding of Walnut Creek will damage its water and sewer treatment plant located on Central Avenue behind the Municipal Hall.

Areas immediately surrounding Walnut and Silver Creeks are classified as Zone A3 with elevations varying from 579 feet and 607 feet. There are also flooding hazards along the Lake Erie shoreline. This area is classified under Zone A3 with an elevation of 579 feet.

### 3.13.1.3 *Town of Sheridan*

There are numerous areas in the Town of Sheridan classified as Zone A. These zones follow Scott and Beaver creeks. There are various Lake Erie shoreline widths that FEMA has also mapped as floodplain areas.

### 3.13.1.4 *Town of Dunkirk*

The “Eastern Town” section of Dunkirk includes Zone A flood hazard area along the Town’s Lake Erie shoreline. There is a small section of Scott Creek that runs into the “Eastern Town” section of the Town of Dunkirk that is classified as Zone A. Hyde Creek is also a flood hazard area that runs in the eastern section of Dunkirk and runs into the City of Dunkirk. Hyde Creek is classified as Zone A and the surrounding area is classified as Zone C.

In the “Western Town” section of Dunkirk, Zone A continues along the shoreline. The Canadaway Creek tributary area is classified as Zone A. The Crooked Brook Creek tributary in the western section of the Town of Dunkirk and the City of Dunkirk is classified as Zone A. The areas outside the tributaries are classified as Zone C.

While not shown on the FEMA flood maps, there is an issue with flooding on Willow Street under the railroad viaduct. When flooding occurs, a major connection to the waterfront is blocked.

### 3.13.1.5 *City of Dunkirk*

The City of Dunkirk is classified as Zone A3 along the Lake Erie shoreline with elevations of 578 feet. The majority of the land surrounding Zone A3 is classified as Zone C. Crooked Brook’s Creek flows through the City of Dunkirk and is classified as A5 and A7 with elevations ranging from 587 feet to 638 feet. As the creek flows towards Lake Erie, the classification transitions to Zone A2 with elevations ranging from 578 feet to 594 feet.

Areas immediately surrounding Crooked Brook Creek are classified as Zone B.

#### 3.13.1.6 *Town of Pomfret*

Little Canadaway Creek and an unnamed tributary flowing into Lake Erie are included in the flood hazard areas of the Town (Zone A). Van Buren Bay is a flood hazard area classified as Zone A3 with an elevation of 578 feet.

#### 3.13.1.7 *Town of Portland*

Several unnamed creeks run through the Town of Portland along with Walker Creek, Corell Creek and Slippery Rock Creek. FEMA maps classify these creeks as Zone A. FEMA maps do not show any flood hazard areas along the Lake Erie shoreline.

#### 3.13.1.8 *Town of Westfield*

The following creeks in the Town of Westfield have Zone A flood hazard areas:

- Bournes Creek
- Spring Creek
- Doty Creek
- Vorce Creek
- Freeling Creek
- Chautauqua Creek

The Lake Erie shoreline flood hazard areas are classified as Zone A.

#### 3.13.1.9 *Village of Westfield*

Doty Creek and Chautauqua Creek run through the Village of Westfield and are classified as Zone A. Areas outside of Zone A are classified as Zone C with minimum flood risk.

#### 3.13.1.10 *Town of Ripley*

FEMA has no mapped flood hazard areas in Ripley.

### **3.13.2 Erosion Hazards**

Coastal erosion is a natural phenomenon, an endless sediment building process that affects beaches, dunes and bluffs. Natural causes of erosion include waves, currents, tides, wind-driven water, ice, rainwater runoff and groundwater seepage. Human causes of erosion include construction, shipping and boating. Natural events are the leading contributors to coastal and creek erosion, however human activities can intensify the erosion process.

The Coastal Erosion Hazard Area (CEHA) maps indicate the landward limit of the “natural protective feature area” along the Lake Erie shore. This

boundary extends inland for varying distances (generally between 40-100 feet) in the NCC communities and indicates those areas with a rate of erosion up to one foot per year. Any regulated activity proposed within this erosion hazard area requires a coastal erosion management permit issued by the Department of Environmental Conservation. Regulated activities are defined by NYSDEC as “the construction, modification, restoration or placement of a structure, or major addition to a structure, or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling or other disturbance of soil.”

A second coastal hazard area classification is the “structural hazard area,” which indicates shorelines that are receding annually at a rate of one foot or more on average. There are three structural hazard areas in the NCC region: the mouth of Silver Creek in the Village of Silver Creek, Wright Park Beach in the City of Dunkirk and the Green Hills development in the Town of Portland. This boundary extends further inland than the natural protective feature area; any regulated activity requires a coastal erosion management permit.

The specific erosion conditions and concerns of the NCC communities are detailed in the paragraphs below.

#### 3.13.2.1 *Town of Hanover*

There are erosion concerns at Cattaraugus Creek, where fishery habitats are thought to be affected by silt and sediment loading. However, much of the sediment loading is considered to be natural, a result of highly erodible soils throughout the basin.

There are also minor concerns of erosion in Silver and Walnut creeks. Aquatic life and recreational uses have experienced elevated nutrient loadings, primarily from agricultural sources, streambank erosion and logging. Elevated silt and sediment found in the creek also have a small impact of recreational activities and aquatic life.

#### 3.13.2.2 *Village of Silver Creek*

The Village has recently dealt with the rapid erosion of Spencer Alley by Silver Creek. The Village was able to obtain assistance from the U.S. Department of Agriculture to design and install a rock levee to restrain the creek’s waters and protect the street. The Petri Baking Products plant, located adjacent to Spencer Alley, is the Village’s largest employer and was nearly lost.

The area surrounding the mouth of Silver Creek has an annual erosion rate averaging one to one-and-a-half feet, one of the most significant erosion locations in the NCC region.



### 3.13.2.3 *Town of Sheridan*

Sheridan Bay Park faces erosion problems and the Town replaces sand every year to keep the park usable. While there are breakwalls installed at various spots along the waterfront; such as at St.Columban's Seminary, other areas remain vulnerable to the lake's waters. The Town Planning Board reports that erosion also threatens several residences.

Despite these concerns, the rate of erosion in the Town of Sheridan is less than one foot per year on average. In general, the extensive cliffs prevent more rapid erosion of the land area. Sand berms are installed in the fall to assist with protection from winter storm surges. The most restrictive natural protective feature area is found at Eagle Bay, where the boundary extends inland up to 90 feet.

### 3.13.2.4 *Town of Dunkirk*

Breakwalls in the west-town section have been prone to erosion damage. Some property owners have lost breakwalls altogether or had them partially damaged. The most restrictive natural protective feature area is found near the mouth of Canadaway Creek, where the boundary extends inland up to 180 feet.

### 3.13.2.5 *City of Dunkirk*

There are several areas within the City experiencing erosion. A structural hazard area exists at Wright Park Beach, where the rate of erosion has been calculated at one foot per year. The U.S. Army Corps of Engineers has redesigned the breakwall along this entire stretch of waterfront with the aim of protecting the treatment plant and its access road and addressing deficiencies at the marina. The City is seeking further assistance from the federal government to correct these ongoing erosion problems.

The residential development at the mouth of Canadaway Creek at Point Gratiot is an area of concern experiencing erosion. In the area between Point Gratiot Park and the west City line, the natural protective feature area boundary extends 100-150 feet inland.

### 3.13.2.6 *Village of Fredonia*

There are minor erosion issues located along Canadaway Creek in the Village of Fredonia and Town of Dunkirk. The fishery habitat has been reported to be negatively affected by sediment loading that can be caused by streambank erosion and logging. Sediment loading is assumed to be largely natural occurring and is thought to have minor impacts on fisheries in the creek.

### 3.13.2.7 *Town of Pomfret*

Van Buren Bay in the Town of Pomfret experiences periodic erosion as the lake levels continue to rise. The natural protective feature area boundary extends inland at distances ranging from approximately 30 feet near the

eastern Town shore to 120 feet in the western portion of the Town. Any regulated activity within this boundary requires a permit issued by NYSDEC.

#### 3.13.2.8 *Town of Portland*

In the Town of Portland, the Green Hills subdivision located north of Walker Road is eroding most rapidly. The area is subject to erosion rates of up to one foot per year. The shoreline in the remainder of the Town is eroding at less than one foot per year.

On the Portland side of Van Buren Bay, the U.S. Army Corps of Engineers has installed a gabion wall for erosion protection. Other areas prone to erosion include the Greencrest subdivision and the beach area at Lake Erie State Park.

#### 3.13.2.9 *Town of Westfield*

Chautauqua Creek runs through the Town and Village of Westfield. There is thought to be minor sediment loading caused by streambank erosion and agricultural activities, though they are likely to be naturally occurring.

#### 3.13.2.10 *Town of Ripley*

There is little concern of erosion in Twenty Mile Creek and Upper Belson Creek/Gage Gulf. There are reports of minor erosion in sections of these creeks that do not affect aquatic life.

### 3.13.3 State Pollutant Discharge Elimination System (SPDES)

The NCC is rich in surface and groundwater resources. The Environmental Conservation Law (ECL) Article 18 entitled “Water Pollution Control” was enacted to protect and maintain surface and groundwater resources. Article 17 created the State Pollutant Discharge Elimination System (SPDES) to maintain New York’s water standards of purity. The SPDES program is designed to eliminate the pollution of New York water and to maintain the highest quality of water possible. SPDES consists of the following:

- Public health
- Public enjoyment of resources
- Protection and propagation of fish and wildlife
- Industrial development in the state

New York's SPDES program has been approved by the U.S. Environmental Protection Agency for the control of surface wastewater and storm water discharges in accordance with the Clean Water Act. However, the SPDES program is broader in scope than that required by the Clean Water Act as it controls point source discharges to ground waters as well as surface waters.

SPDES permits have been obtained by the following facilities within the NCC LWRP area:

- Silver Creek Waste Water Treatment Plant
- Dunkirk Sewerage Treatment Plant
- Dunkirk Steam Generation Plant
- Fredonia Waste Water Treatment Plant
- Westfield Sewerage Treatment Plant
- Ripley Water Pollution Control Facility

### 3.13.4 Topography

The NCC region consists of three topographic areas: the Lake Erie plain, the escarpment and the Allegheny Plateau. The NCC region is entirely within the Lake Erie plain, which extends from Lake Erie to the Escarpment. In general, the plain varies in slope from about one to two percent and ranges in width from two to six miles. The escarpment area contains the steepest slopes in the region, those ranging from about 40-50 percent. The Allegheny Plateau rises beyond the escarpment and has slopes ranging from one to two percent.

Slopes at the Lake Erie shoreline vary widely through the NCC region. In general, the relief at the shoreline ranges from about 10 feet at Van Buren Bay in the Town of Pomfret to about 100 feet at Slippery Rock Creek in the Town of Portland, a distance of only four miles. Overall the relief averages about 40 feet.

In-depth analyses are required for proposed developments on steep slopes to ensure public safety and structural integrity of the development.

### 3.13.5 Agriculture

The combination of soil and climate in the NCC region makes the NCC one of the most important agricultural locations in New York State. Agriculture not only contributes to the region's identity but also forms the backbone of the region's economy. The NCC is part of the Chautauqua grape belt, which contains over 40 percent of the State's grape acreage and produces about 50 percent of its grape tonnage.

Prime farmland, defined as those soils that produce the highest yields of crops with minimal energy and resources, is found throughout the NCC region. The majority of land within the NCC boundaries is prime farmland and the only region in the NCC where agriculture is not present is the Village of Silver Creek. Specific soil types in this area considered to be prime farmland include Niagara silt loam, Barcelona silt loam, Raynham silt loam and Collamer silt loam.

The following are Agricultural Districts in the NCC region:

#### District 1

- Town of Portland
- Town and Village of Westfield
- Town of Ripley

#### District 2

- Town of Sheridan

#### District 5

- Town of Hanover

#### District 9

- Town and City of Dunkirk
- Town of Pomfret
- Village of Fredonia

### 3.13.6 Wetlands

There are no State regulated wetlands within the NCC region.

There are numerous federally-regulated wetlands within the NCC region. These wetlands were identified through the National Wetlands Inventory prepared by the United States Fish and Wildlife Service, Department of the Interior. There are 383 acres of federally designated wetlands within the study area. This area does not include Lake Erie portions of the study area.

### 3.13.7 Wildlife Management Areas

There are no Wildlife Management Areas in the LWRP study area. There is a Wildlife Management Area around Canadaway Creek in the Town of Arkwright outside of the study boundary.

### 3.13.8 Significant Coastal Fish & Wildlife Habitats

There are six Significant Fish & Wildlife Habitats located in the study area. They are:

- Cattaraugus Creek
- Silver & Walnut Creek
- Canadaway Creek
- Chautauqua Creek
- Van Buren Point
- Dunkirk Harbor

Information sheets on these Significant Fish & Wildlife Habitats are in the appendix.

## 3.14 Navigation

### 3.14.1 Harbor and Waterway Maintenance

The Northern Chautauqua County harbors and waterways are the foundation of tourism and recreation. Chautauqua County's harbors generate millions of dollars annually in economic activity. This results in thousands of local jobs and related development. There is a great deal of importance in maintaining of these harbors and waterways.

In May 2014, state Sen. Catharine Young (R,C,I- Olean), announced \$300,000 in funding for critically needed dredging projects in Chautauqua County to be split between the Town of Westfield for Barcelona Harbor, the Town of Hanover for Cattaraugus Creek Harbor and the City of Dunkirk for Dunkirk Harbor. The following describes maintenance issues in harbors in the NCC region.

#### 3.14.1.1 *Dunkirk Harbor*

Dredging is critical for maintaining Dunkirk Harbor on Lake Erie in the City of Dunkirk. Dunkirk Harbor is a fishing and recreation destination in the region and supports 24 chart boats.

The Army Corps estimates that approximately 20,000 cubic yards of material must be dredged every two years to maintain a functional channel and approximately 40,000 cubic yards of sediment must be dredged to restore the functional harbor areas. Dunkirk Harbor has not been dredged since 2009. That dredging removed 106,000 cubic yards of material



Failure of proper maintenance of Dunkirk Harbor can lead to the following:

- Failure of dredging can result in shoaling, reduced channel area and hazardous navigation conditions.
- Failure to repair deteriorated sections of the north breakwater can lead to continued weakening of the structure, increased cost of repair and dangerous navigation conditions
- Poor overall maintenance can have negative economic impacts to the region

#### 3.14.1.2 *Barcelona Harbor*

Barcelona Harbor is located on Lake Erie in the Town of Westfield. Barcelona Harbor is an important Harbor of Refuge that supports nine charter boats and two licensed commercial fishing boats. The proper maintenance of this harbor is critical for the Town of Westfield as well as the NCC region.

The harbor typically requires dredging every five to 10 years. Barcelona Harbor dredged in the summer of 2014. The Hurricane Sandy Fund provided supplemental funding for removal of 32,000 cubic yards of material that impacted Barcelona Harbor during the storm. An additional 50,000 cubic yards of material must be dredged to maintain functional harbor areas. The harbor was also dredged in 1999 when 75,000 cubic yards of material was removed. Dredging is the primary concern at Barcelona Harbor. Failure of dredging at Barcelona Harbor can lead to the following:

- Continued shoaling and reduced channel dimensions; resulting in dangerous navigation conditions
- Further shoaling will limit recreational usage
- Potential functional loss of Harbor of refuge
- Negative economic impacts

#### 3.14.1.3 *Cattaraugus Creek Harbor*

Cattaraugus Creek Harbor is located in the southern shore of Lake Erie in the Towns of Hanover and Bryant. Cattaraugus Creek Harbor is a Harbor of Refuge that supports 11 charter fishing boats. This harbor was last dredged in 1983, when the harbor was constructed. The Town of Hanover conducted a small dredging project on the Town operated boat launch in 2001. The NYSDEC operated boat launch calls for dredging every five years after breakwaters were constructed in the harbor.

Many areas of Cattaraugus Creek are impacted by low water levels. It is estimated that the water levels are down as much as 18 inches in certain areas of the creek. This is a large concern due to the harbors heavy use for sport fishing and recreational boaters.

The Town of Hanover was awarded \$100,000 from the grant from Sen. Young and an additional \$70,000 has been committed by Chautauqua

County. Town Supervisor Todd Johnson estimated that the dredging project would cost about \$750,000; due to the lack of sufficient funding, town officials may reduce the size of the area to be dredged.

The lack of proper maintenance can lead to the following repercussions:

- Safety issues for recreational boating community
- Functional loss of Harbor of Refuge
- Negative economic impacts

### 3.14.2 Harbor Use Regulations

#### 3.14.2.1 *Dunkirk Harbor*

The City of Dunkirk holds regulations for Dunkirk Harbor. The following describes these regulations:

- The speed limit in the middle and inner harbor and dock shall be five miles per hour, except in designated waterskiing areas
- Bicycles shall not be permitted on the breakwalls or footbridge which connects the easterly breakwall to North Main Street
- No person shall operate any vessel within 500 feet of any shore or beach which is marked by signs, buoys, or other devices
- Any vessel or barge, whether loaded or empty, that carries or designated for the carriage of flammable volatile explosive material, shall not be docked at any dock or mooring area owned by the city, until written permission has been secured by Harbormaster. Thereafter shall be docked or moored strictly in accordance with the terms of such permission
- Pleasure vessels shall have the right to tie up on the side of the Pier, as directed by the Harbormaster and pursuant to the supervision of the Harbormaster. Such pleasure vessels may be allowed maximum tie-up time of three hours before a fee is imposed
- There is a \$10 fee for the balance of a twenty-four hour period, which period shall be deemed to have commenced at the time such vessel first tied up. The fee charged for any pleasure vessel tying up for more than the three-hour limit shall be as follows: An additional \$10 for each 24-hour period or fraction; however, no tie-up period shall exceed 72- hours, except at the discretion of the Harbormaster, or due to a emergency situation as determined by the Harbormaster.
- Commercial vessels shall tie up on the side of the Pier under the direction/supervision of the Harbormaster

#### 3.14.2.2 *Barcelona Harbor*

The following are regulations of Barcelona Harbor located in the Town of Westfield:

- The Harbormaster be and he is hereby authorized to issue permits and allocate spots for mooring boats within the Westfield buoy field

- The size of boats to be moored within the buoy field shall be limited to between 15 feet and 30 feet
- The fee per buoy will be in an amount as set forth from time to time by the Town Board
- No person shall use or occupy that portion of land known as Main Street at Barcelona from Front Street to Lake Erie, or any other town-owned waterfront property, between the hours of 12:00 midnight and 6:00 a.m.

### 3.15 Transportation Characteristics

#### 3.15.1 Jurisdiction

##### 3.15.1.1 State Roads

###### Route 5

New York State Route 5 is a major roadway in the NCC region that defines the boundary of the NCC study area outside the City of Dunkirk, Village of Silver Creek and Village of Westfield. Route 5 begins in Chautauqua County at the Pennsylvania state line and follows the shoreline of Lake Erie before crossing into Erie County. Route 5 extends approximately 40 miles in Chautauqua County and part of the Seaway Trail. Route 5 links the waterfront communities to one another and also connects the region to other larger metropolitan areas.

###### Route 20

US Route 20 mainly runs outside the NCC boundary, however it comes into contact with the NCC boundary in the villages of Westfield, Fredonia and Silver Creek.

##### 3.15.1.2 County Roads

Chautauqua County posts a system of touring routes, with standard pentagon shield and given the name “CR#.” Even numbers are east-west bound and odd numbers are north-south bound. The following table displays County roads located in the NCC study area:

**Table 3-19 – County Roads**

| County Road | Road Name                        | Location (Town, Village, City) |
|-------------|----------------------------------|--------------------------------|
| CR 21       | Sherman Rd./Chestnut Rd.         | Westfield                      |
| CR 24       | Hawley St.                       | Westfield                      |
| CR 29       | Plank Rd./Academy St.            | Portland, Westfield            |
| CR 73       | Water St.                        | Pomfret, Fredonia              |
| CR 74       | Berry St./Berry Rd./Chestnut St. | Portland, Pomfret, Fredonia    |
| CR 78       | Van Buren Rd./Matteson St.       | Pomfret, Fredonia              |

Source: peter j. smith & company, inc.

|              |                         |                       |
|--------------|-------------------------|-----------------------|
| <b>CR 93</b> | Hanover Rd./Hanover St. | Hanover, Silver Creek |
| <b>CR 95</b> | York Rd./Allegheny Rd.  | Hanover               |

Several County roads intersect with Route 5. The following table includes County roads that intersect with Route 5:

**Table 3-20 – County Roads and Route 5 Intersections**

| County Road  | Road Name                | Location(Town, Village, City) |
|--------------|--------------------------|-------------------------------|
| <b>CR 79</b> | Center Rd.               | Sheridan                      |
| <b>CR 81</b> | Whitaker Rd./Roberts Rd. | Sheridan, Dunkirk             |
| <b>CR82</b>  | Middle Rd.               | Dunkirk                       |

Source: peter j. smith & company, inc.

### 3.15.2 Functional Class

Route 5 is classified as a major collector from the Pennsylvania state line to Lake Erie Beach. From Lake Erie Beach to Central Avenue in Dunkirk, Route 5 is classified as a minor arterial. From Central Avenue in Dunkirk to the Chautauqua County Line, Route 5 is classified as a major arterial.

### 3.15.3 Speed Limits

The following presents the speed limits along sections of Route 5

- From PA State line to Dunkirk – 55 mph
- In the City of Dunkirk – 35 mph
- From Dunkirk to Silver Creek – 55 mph
- In Silver Creek – 30 mph
- From Silver Creek to Interchange – 45 mph
- From Interchange to County Line – 50 mph

### 3.15.4 Traffic Volume

The following table summarizes Average Annual Daily Traffic counts on some sections of Route 5.

**Table 3-21– Route 5 Traffic Counts**

| Road Section                               | AADT   |
|--|--------|
| State line -Shortman Rd                    | 1,277  |
| Shortman Rd - State St                     | 1,452  |
| State St - Portage St                      | 1,565  |
| Portage St - Lake Erie State Park          | 2,502  |
| Lake Erie State Park - Dunkirk City Limits | 2,737  |
| Dunkirk City Limits - Central Ave          | 9,291  |
| Central Ave - Main St                      | 11,932 |

|  |        |
|--|--------|
| Main St - Dunkirk City Limits          | 8,393  |
| Dunkirk City Limits - Central Ave (SC) | 3,732  |
| Central Ave - Merge with Rt 20         | 7,072  |
| Merge with Rt 20 - Thruway Interchange | 12,043 |
| Thruway Interchange - County Line      | 17,012 |

*Source: NYSDOT and peter j. smith & company, inc.*

### 3.15.5 Bus Service

There are several public bus line services within the NCC boundaries. These include:

- Chautauqua Area Regional Transit System (CARTS): is public transportation for all of Chautauqua County. Services include city service, rural-route service and dial-a-ride service
- First Student: is located in the Village of Fredonia. First Student is a school bus company.
- D & F Travel Bus Chartering: corporate office is located in the City of Dunkirk. This bus charter offers services for sightseeing, school trips, organizations, churches, senior groups, shopping and airport transfers
- First Transit: located in the Village of Fredonia, offers commercial services and public transportation.

### 3.15.6 Air Service

There are no airports inside the study area. The Dunkirk Airport is a county-owned public-use airport located in the Town of Dunkirk outside the study area. Other nearby commercial airports are located in Jamestown and Erie, PA, and Buffalo Niagara International Airport .

### 3.15.7 Rail Service

CSX operates a rail corridor that parallels Lake Erie. This corridor connects the Northeast to the Midwest and is heavily traveled with freight. The corridor passes through the study area in the Town of Hanover, Village of Silver Creek, City of Dunkirk and Village of Westfield. The freight corridor serves industries in and around the City of Dunkirk. Coal is also shipped to the NRG Plant via rail. Eventually, as the power plant switches to natural gas, coal shipments will no longer be necessary.

Amtrak leases this corridor to provide passenger rail service between Buffalo and Erie, PA and beyond. There are no stops in Northern Chautauqua County.



## **3.16 Infrastructure**

### **3.16.1 Water Service**

A variety of water districts provide public water service throughout the study area. The Town of Hanover and the Village of Silver Creek currently get water from the Erie County Water Authority which draws water from Lake Erie at the Sturgeon Point Treatment Facility. The Dunkirk Treatment Plant also draws water from Lake Erie and serves the City of Dunkirk as well as parts of the towns of Dunkirk, Sheridan, Pomfret and Portland through various water districts. The Village of Westfield draws water from Minton Reservoir and Chautauqua Creek and also provides water serve to parts of the Town of Westfield. Parts of the Town of Ripley are served by their own water district which draws water impounded from Belson Creek. All of these providers have reported water quality within New York State quality guidelines.

The distribution systems of all these water districts, particularly that of the City of Dunkirk, are aging and prone to frequent breaks, resulting in loss of water and decreased water pressures. Storage capacity of the Dunkirk system is also deficient; the system holds a half a day's usage. Upgrades necessary for these distribution systems would be cost prohibitive for the individual water districts. For details about the regional water project planned to address the problem, see Section 4.

### **3.16.2 Sewer**

Public sanitary sewer is provided to portions of the communities within the study area. Wastewater treatment plants are located in the Town of Hanover, Village of Silver Creek, City of Dunkirk, Town of Dunkirk (Fredonia), Village of Westfield and the Town of Ripley. The treatment plants in Silver Creek and Dunkirk have recently undergone extensive upgrades to comply with regulatory consent orders.





## Section 4 Waterfront Revitalization Policies

An integral part of the Local Waterfront Revitalization Program is the adaptation for the local communities of the waterfront policies established by New York State. This policy framework allows the communities to use their own approaches to addressing local issues identified through the LWRP process. Once the LWRP is adopted by the communities and accepted by the Department of State, the policies are the legal authority enabling any activities within the designated LWRP boundary. In other words, the policies enable implementation of the projects in this LWRP and they also promote the implementation of projects consistent with the policies that may surface after completion of the LWRP.

The policies below are the New York State policies specifically modified to address the specific needs of the waterfront communities in Northern Chautauqua County. The policies have been developed based upon the inventory, local characteristics and input obtained throughout the LWRP process. Also consulted were background documents, including communities' comprehensive plans and zoning, as well as downtown and specific area plans that have been done over the course of time, as well as the Chadwick Bay LWRP and regional comprehensive plan and others. These are summarized in Section 2.

Standards are provided for each Department of State-designated policy to explain the general policy. They provide benchmarks by which the local, state and federal government can better determine if the overall LWRP policies are being adequately addressed and met within the communities.

## 4.1 Developed Coast Policies

**Policy 1. Foster a pattern of development that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development**

This policy is intended to foster a development pattern that provides for beneficial use of waterfront resources. The primary components of the desired development pattern are: strengthening traditional waterfront communities as centers of activity, encouraging water-dependent uses to expand in these centers of activity, enhancing stable residential areas and preserving open space.

The character of the NCC waterfront is dominated by a rural/agricultural landscape. Concentrated development patterns are present at intervals along the where major waterfront access is provided. Silver Creek, Dunkirk and Westfield are historic traditional communities and are currently experiencing decline. Some residential communities take advantage of their waterfront location where infrastructure has been extended from the urban areas.

**Policy 1.1**

**Concentrate development and redevelopment in order to revitalize underutilized waterfronts and strengthen the traditional waterfront focus of the communities.**

New development should be located where infrastructure is adequate or can be upgraded to accommodate new development. Future development within the LWRP Study Area should be directed to occur within the existing sewer service areas. Where practical, sewer service can be extended to serve inadequate septic systems and permit new development. Sewer service should not be extended to permit development that displaces agriculture on the south side of Route 5.

**Policy 1.2**

**Ensure that development or uses make beneficial use of their waterfront location**

The amount of waterfront and its associated resources are limited. All uses should relate to the unique qualities associated with a waterfront location. Consideration should be given to whether a use is appropriate for a waterfront location. When planning waterfront development or redevelopment, the waterfront location should be reflected in the siting, design and orientation of the development.

### Water-dependent uses

Water-dependent uses should be promoted where appropriate and given precedent over other types of development at suitable waterfront sites. Existing water dependent uses should be protected. Water-dependent uses are activities which require a location in, on, over, or adjacent to the water because the activities require direct access to water and the use of water is an integral part of the activity. Current Water-dependent uses along the NCC waterfront include:

- Dunkirk Power station
- Harbors at Barcelona, Dunkirk and Sunset Bay
- Beaches in Sunset Bay, Dunkirk, Point Gratiot, Barcelona, Ripley and Lake Erie State Park, as well as private residential beach areas

### Water-enhanced uses

Water-enhanced uses may be encouraged where they are compatible with surrounding development and are designed to make beneficial use of their waterfront location.

Water enhanced uses are activities that do not require a location on or adjacent to the water to function, but whose location on the waterfront could add to public enjoyment and use of the water's edge, if properly designed and sited. Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature.

To ensure that water-enhanced uses make beneficial use of their waterfront location, they should be sited and designed to:

- Attract people to or near the waterfront and provide opportunities for access that is oriented to the coast;
- Provide public views to or from the water;
- Minimize consumption of waterfront land; and
- Not interfere with the operation of water-dependent uses.
- Not cause significant adverse impacts to community character and surrounding land and water resources
- Where appropriate, improve public access to waterfront

Since much of the existing waterfront land use is residential, in-fill development in existing residential areas should continue to be allowed in existing sewer service areas and expanded to adjacent areas where practical.

Avoid uses on the waterfront which cannot by their nature derive economic benefit from a waterfront location.

### **Policy 1.3**

### **Protect stable residential areas**



There are several residential neighborhoods located along the NCC coast. In addition to desirable lake front properties there are residential streets perpendicular to Lake Erie which also provide lake access. In some areas, small communities are located along the Lake. These communities include Barcelona, Van Buren Point, Sunset Bay and Hanford Bay. Denser residential neighborhoods with lake access are located in the City of Dunkirk. The character of these communities should be protected and strengthened. Redevelopment within these communities should account for environmental conditions such as flooding and coastal erosion.

**Policy 1.4**

**Maintain and enhance natural areas, recreation, open space and agricultural lands**

Natural areas, agricultural lands, open space and recreational land produce public benefits that may not be immediately tangible. In addition to scenic and recreational benefits, these lands may also support habitat for ecologically important fish and wildlife, provide watershed management of flood control benefits and maintain links to a region's agricultural heritage.

Special consideration should be given to protecting stands of large trees, unique forest cover types and habitats and old fields. The open space value of agricultural land should be protected, preferably through retention of agricultural production.

New development should not displace wooded areas surrounding the mouths of creeks except for recreational uses.

New development should not displace agriculture uses on the south side of Route 5.

**Policy 1.5**

**Minimize potential adverse land use, environmental and economic impacts that result from proposed development**

To enhance community character and maintain the quality of the natural and man-made environments of Northern Chautauqua Coastal Area, potential adverse impacts on existing development, the natural environment and the economy should be addressed and mitigated. Local review of proposed development falls under the purview of site plan review, by which the community can require that site development meets established requirements for layout, size and appearance. Further, the State Environmental Quality Review (SEQR) process provides an additional means whereby the local community can assess all potential environmental impacts of a proposed development.

**Policy 2. Preserve historic resources**

Archaeological sites and historic structures are tangible links to the past development of a community-both its cultural and economic life-providing a connection to past generations and events. Along the Lake Erie waterfront, there are several identified archaeological or historical resources of statewide significance. Therefore, the effective preservation of historic resources must include efforts to identify, document restore and revitalize important resources, where appropriate.

Historic lighthouses stand as a symbol of a time when water ports were a vital link in commerce and transportation. While no longer an essential element for navigation, they stand as a monolithic testament of the maritime history of the communities in which they are located. These structures establish an identity to their communities and can serve as important tourist attractions. Preservation of these structures should be a priority. Historic lighthouses are located in the Dunkirk and Barcelona. They have both been added to the national Register of Historic Places. The Dunkirk light is one of the few historic lighthouses still in operation today.

The Village of Westfield is an historic community that has an abundance of historic structures on the National Register of Historic Places including two historic districts. Two other structures listed on the national register are located in the City of Dunkirk.

As time goes on, other structures may be found to have historical significance. Even if only locally nominated as historic, these structures can play a significant role in establishing the character of the community creating a tourist destination. In identifying those elements that are important in defining the character and value of an historic resource, designation information, available documentation and original research should be used. Important character-defining elements of the historic resource should be identified in terms of its:

- Time, place and use;
- Materials, features, spaces and spatial relationships;
- Setting within its physical surroundings and the community; and
- Association with historic events, people, or groups.

**Policy 2.1**

**Maximize preservation and retention of historic resources**

Historic structures on the National Register of Historic Places and those structures determined by the individual communities to be of historical significance shall be preserved to the maximum extent possible. The City of Dunkirk already has such an ordinance. The Village of Westfield has many historic structures and districts but does not have an ordinance to protect them.

Communities that have identified historic structures shall establish an ordinance designed to protect these resources. The ordinance shall be guided by the following principles:

- Restoration of historic structures shall use original materials if possible or materials that are similar in nature.
- Architectural elements of historic structures shall be preserved.
- Development of buildings adjacent to historic structures shall be compatible.
- The character of historic districts shall be maintained.
- Historic structures shall only be demolished if it is determined that restoration of the structures is not economically feasible.
- An historical review committee shall be established to determine if the above conditions are met.

### **Policy 2.2**

### **Protect and preserve archeological resources**

The Northern Chautauqua waterfront was home to several Native American tribes stretching as far back as 10,000 years. Archeological resources may be present anywhere within the LWRA. Before approval of a development, it is necessary to conduct a cultural resource investigation when an action is proposed on an archaeological site, fossil bed, or in an area identified for potential archaeological sensitivity on the archaeological resources inventory maps prepared by the New York State Department of Education.

- Conduct a site survey to determine the presence or absence of cultural resources in the project's potential impact area.
- If cultural resources are discovered as a result of the initial survey, conduct a detailed evaluation of the cultural resource to provide adequate data to allow a determination of the resource's archaeological significance.

If impacts are anticipated on a significant archaeological resource, minimize potential adverse impacts by:

- Redesigning the project;
- Reducing direct impacts on the resource; and
- Recovering data prior to construction.

Avoid disturbance or adverse effects on any object of archaeological or paleontological interest situated on or under lands owned by the State of New York. These resources may not be appropriated for private use.

### **Policy 2.3**

### **Protect and enhance resources that are significant to the waterfront culture**

Historic lighthouses are located at Point Gratiot and Barcelona Harbor. There are also numerous shipwrecks located in Lake Erie within the LWRP

study area and beyond. The following measures should be followed concerning these historic maritime resources:

- Historic lighthouses shall be maintained or restored to their original character.
- Shipwrecks shall be maintained in their present condition and the removal of artifacts shall be strictly prohibited.

**Policy 3.     Enhance visual quality and protect scenic resources**

Waterfront landscapes possess inherent scenic qualities. The presence of water and ever-changing expansive views, the ephemeral effects of wildlife and atmospheric changes and the visually interesting working landscape draw people to the water's edge. Due to their importance, scenic resources should be considered in balancing wise use and conservation of waterfront resources. In addition to Lake front views, the southern side of Route five offers tremendous views of endless vineyards stretching far back to the escarpment in the distance.

**Policy 3.1                             Enhance visual quality and protect scenic resources throughout the Lake Erie communities**

There are several areas within the Northern Chautauqua waterfront areas that present open views out over Lake Erie. These scenic resources should be protected from development so that they can be enjoyed by travelers along the route. The vineyards on the south side of route 5 also provide a positive scenic environment. New development should preserve views to the lake and vineyards to the greatest extent possible through spacing and building orientation.

There are some areas along the waterfront where deteriorating buildings detract from the scenic quality of the LWRP Study Area. Each municipality should identify deteriorating structures. Restoration and redevelopment of these structures should be prioritized through incentives. Where the restoration of deteriorating structures is infeasible, efforts should be made to demolish the structure and prepare the lot for redevelopment or preserve the lot for open space. The Chautauqua County Land Bank should play a lead role in the disposition of these properties.

**Policy 3.2                             Develop scenic resources for the benefit of citizens and visitors**

Where possible, scenic resources should be acquired and developed with amenities that add to the viewer's experience. Pullovers on scenic roads such as Route 5 can be created with seating available and perhaps an interpretive element could be added. These amenities will improve the visitor experience. New developments which require subdivision of land should develop publicly accessible scenic vistas as part of open space dedications.

## 4.2 Natural Coast Policies

### **Policy 4. Minimize loss of life, structures and natural resources from flooding and erosion**

This policy seeks to protect life, structures and natural resources from the hazards of flooding and erosion. The policy reflects New York State flooding and erosion regulations and provides measures for the reduction of hazards and protection of resources.

In the NCC LWRP Study Area, there are numerous streams that flow into Lake Erie that are subject to flooding along the banks. The flood hazard area around Cattaraugus Creek is of particular concern as there is the potential to inundate much of the Sunset Bay and Irving communities. During periods of high winds, many coastal areas are also subject to coastal flooding. Coastal erosion is an issue along the entire coastline.

#### **Policy 4.1**

#### **Minimize flooding and erosion damage in Lake Erie communities through the use of appropriate management measures**

Development other than water-dependent uses should be avoided in coastal hazard areas. Development within a flood hazard area shall follow established guidelines already adopted by the communities.

Structures shall be set back from the edge of bluffs to avoid loss of property.

The Town of Ripley has no designated 100-year flood hazard zone. Risk of flooding shall be considered during the site plan and subdivision review process.

#### **Policy 4.2**

#### **Preserve and restore natural protective features**

As flooding and erosion protection features, natural protective features are considered superior to manmade features and should be preserved where feasible in the LWRP Study Area. Excavation of waterfront features, improperly designed structures, inadequate site planning, or other similar actions that fail to recognize their fragile nature and protective value may lead to weakening or destruction of these landforms.

Activities and development in, or in proximity to, natural protective features shall ensure that all such adverse effects are avoided. Nonstructural measures to minimize damage from wave action and ice movement will primarily involve facilitating the location of water-dependent uses that rely on shoreline structures in areas of the waterfront less exposed to such forces.

Standards applicable to preserving and restoring natural protective features include:

- Avoiding alteration or interference with shorelines currently in a natural condition;
- Avoiding development other than water-dependent uses in, or in close proximity to natural protective features;
- Enhancing existing natural protective features;
- Restoring the condition of impaired natural protective features, wherever practical;
- Using practical vegetative approaches to stabilize natural shoreline features; and
- Providing signage or other interpretive materials to increase public awareness of natural features.
- Minimize interference with natural coastal processes of sediment transport and supply

**Policy 4.3**

**Protect public lands and public trust lands and use of these lands when undertaking all erosion and flood control projects**

Every effort should be made to protect the use of public lands from flooding and erosion control projects using the techniques and standards described above and the following:

- Avoid impairments, losses or likely losses of public trust lands or use of these lands, including public access to and along the shore, which can be reasonably attributed to or anticipated to result from erosion protection structures. Impairments of lands can include, but is not limited to, impacts on habitat, degradation of water quality, reduction of public access, or interference with navigation.
- Mitigate unavoidable impacts on adjacent property, natural waterfront processes and natural resources and on public trust lands and their use.

**Policy 4.4**

**Manage navigation infrastructure to limit adverse impacts on coastal processes.**

Manage navigation channels to limit adverse impacts on natural waterfront processes that shape the shoreline, such as sediment transport and deposition. Techniques for designing channel construction and maintenance practices to protect and enhance natural protective features and prevent destabilization of adjacent areas; and make beneficial use of suitable dredged material include:

- Using dredging setbacks from established channel edges and designing finished slopes to ensure their stability.
- Locating channels away from erodible features, where feasible.
- Preventing adverse alteration of basin hydrology.
- Managing stabilized inlets to limit adverse impacts on waterfront processes.



**Policy 4.5****Ensure that expenditure of public funds for flooding and erosion control projects result in a public benefit.**

Give priority in expenditure of public funds to actions that protect public health and safety, mitigate past flooding and erosion, protect areas of intensive development and protect substantial public investment (land, infrastructure, facilities). The expenditure of public funds for flooding or erosion control projects:

- Is limited to those circumstances where public benefits exceed public costs; and
- Is prohibited for the exclusive purpose of flooding or erosion protection for private development.

A public benefit is defined as one

- That protects life and damage in existing development;
- Is necessary to provide long lasting public access improvements;
- Is necessary to protect from immediate threats to existing public facilities and infrastructure.

**Policy 5. Protect and improve water quality**

The purpose of this policy is to protect the quality and quantity of water in the waterfront area. Quality considerations include both point and nonpoint pollution management. Water quality protection and improvements should be accomplished by the combination of managing new and remediating existing sources of pollution.

Lake Erie is the primary water resource of the LWRP Study Area. The streams that flow into Lake Erie are individually water resources as well as contributors to the water quality of the Lake.

**Policy 5.1****Prohibit direct discharges that would contribute to lowering water quality standards.**

This sub-policy focuses on those discharges into the water resources of Northern Chautauqua County which have an identifiable source, such as a development site, industrial operation, or wastewater treatment plant. These are called “point-source” discharges. Point-source discharges into water resources are regulated by New York State Pollutant Discharge Elimination System (SPDES) permits that serve to prevent discharges that:

- Exceed applicable effluent limitations for the discharge source.
- Cause or contribute to contravention of water quality classification and use standards.
- Materially adversely affect the water quality of receiving rivers and streams.

- Violate a vessel waste no-discharge zone.

The effective treatment of sanitary sewage and industrial discharges shall be ensured by:

- Maintaining efficient operation of sewage and industrial treatment facilities pursuant to the applicable NYSDEC regulations.
- Providing, at minimum, secondary treatment of sanitary sewage.
- Making improvements to sewage treatment facilities to improve nitrogen removal capacity.
- Reducing the loading of toxic materials into waters by including limits on toxic metals as part of wastewater treatment plant effluent permits.
- Reducing or eliminating combined sewer outflows.
- Providing and managing on-site disposal systems in accordance with NYS Codes, Rules and Regulations.

Within the NCC LWRA there are seven waste water treatment facilities with SPDES permits. Six of these are sewage treatment plants in the varying communities and the other is the Dunkirk power plant.

#### **Policy 5.2**

#### **Minimize indirect or non-point pollution of water resources of the Lake Erie Communities and manage activities causing non-point pollution.**

Non-point source pollution is pollution that originates from sources that are not localized or easily identifiable. Non-point source pollution includes runoff from urban areas and agricultural operations. Limiting non-point sources of pollution is the best way to avoid non-point pollution. This can be accomplished by the following:

- Utilizing best management practices for storm water management
- Reducing or eliminating the introduction of materials which may contribute to nonpoint source pollution;
- Avoiding activities that would increase storm water runoff;
- Controlling and managing storm water runoff through design or use of “green” infrastructure;
- Retaining or establishing vegetation or providing soil stabilization; and
- Preserving natural hydrologic conditions through maintenance of natural water surface flows, retainage of natural watercourses and drainage systems.

Non-point pollution from roadways, fertilized lawns and golf courses, eroded stream banks and steep slopes should be prevented through the implementation of the following standards:

- Develop both watershed planning and protection approaches and efforts targeting specific pollution sources to reverse the pollution that continues to degrade Lake Erie and its tributaries, particularly failing septic systems.
- Develop community-wide storm water management plans, in accordance with current EPA Phase 2 Storm water Management standards, to address any non-point sources of pollution and to establish physical and regulatory mechanisms to prevent further non-point pollution.
- Incorporate integrated pest management (IPM) practices that encourage use of native or other species in landscaping and that requires no or minimal use of fertilizers, pesticides, herbicides, or fungicides.
- Incorporate the use of oil-separating catch basins at gas stations and parking lots and all other instances where catch basins are proposed as part of development plans.
- Manage nutrient loadings by applying nutrients only in amounts needed for crop growth, avoiding nutrient applications that will result in nutrient loadings to lake waters and tributary creeks and streams.
- Limit contamination of lake and creek waters from pesticides to the extent possible by applying pesticides only when economically appropriate and in a safe manner.

#### **Policy 5.3**

#### **Protect and enhance water quality of waterfront area waters.**

To preserve and improve water quality, non-point source pollution should be minimized by the following actions:

- Retaining as much of the natural vegetation as possible near the waterfront and avoiding the mass clearing of sites.
- Conducting grading and clearance activities outside of floodplains to the extent feasible.
- Completing construction work pursuant to a NYSDEC State Pollutant Discharge Elimination System (SPDES) permit for storm water discharge related to construction work and maintaining a Construction Pollution Prevention Plan (CPPP) on-site for NYSDEC inspection.
- Continually evaluating the effectiveness of storm collection systems and making improvements, where possible, aimed at collecting and detaining sediments in filtering catch basins and retention areas.
- Adequate pump-out facilities should be maintained by local marinas.

Another potential source of pollution is dredging. Dredging is often essential for waterfront revitalization and development, as it is needed to maintain navigation channels and remove pollutants. Dredging activities, however, may adversely affect water quality, fish and wildlife habitats and other waterway resources. While there is no longer the need to maintain navigational channels for commercial shipping, the harbor areas of

Barcelona, Dunkirk and Cattaraugus Creek are becoming too shallow in parts for even recreational vessels. Dredging activities within these harbors shall use best management practices to ensure water quality and minimize disturbance of habitats.

On-site septic systems filter into ground water. Due to their proximity to the lake they flow directly into Lake Erie. Use of on-site septic systems should be minimized and reduced by providing sanitary sewer system extensions where practical without promoting sprawl

**Policy 5.4**

**Limit the potential for cumulative and secondary impact of watershed development and other activities on water quality and quantity.**

Protect water quality by ensuring that watershed development results in:

- Protection of areas that provide important water quality benefits,
- Maintenance of natural characteristics of drainage systems and
- Protection of areas that area particularly susceptible to erosion and sediment loss.

**Policy 6. Protect and restore the quality and function of waterfront ecosystems**

The ecosystem consists of physical/non-living components, biological/living components and their interaction. Its physical components include environmental factors such as water, soils, geology, energy and contaminants. The biological components include the plants, animals and other living things in and around the shore. Certain natural resources that are important for their contribution to the quality and biological diversity of the ecosystem have been specifically identified by the State for protection. These natural resources include regulated tidal and freshwater wetlands; designated Significant Coastal Fish and Wildlife Habitats; and rare, threatened and endangered species.

In addition to specifically identified discrete natural resources, the quality of the ecosystem also depends on more common, broadly distributed natural resources, such as the extent of forest cover, the population of overwintering song birds, or the benthic communities. These more common natural resources collectively affect the quality and biological diversity of the ecosystem.

**Policy 6.1**

**Protect Significant Coastal Fish and Wildlife Habitats that exist throughout the Lake Erie waterfront.**

Significant coastal fish and wildlife habitats are those areas that are difficult or impossible to replace or exhibit one or more of the following characteristics:

- Essential to the survival of a viable population of a particular fish or wildlife species.
- Support a species which is either endangered, threatened or of special concern as those terms are defined in 6 NYCRR Part 182.
- Support fish or wildlife populations having significant commercial, recreational, or educational value to human beings or are of a type that is not commonly found in this region of the state.

There are six Significant Coastal Fish and Wildlife Habitats identified within the NCC Study Area. They are:

- Cattaraugus Creek;
- Silver Creek & Walnut Creek;
- Canadaway Creek;
- Chautauqua Creek;
- Dunkirk Harbor; and
- Van Buren Point

In order to protect and preserve a significant habitat, land and water uses or development shall not be undertaken if such actions would:

Cause the loss of fish or wildlife use through direct physical alteration, disturbance, or pollution of a designated area or through the indirect effects of these actions on a designated area; or,

Cause reduction in vital resources or change in environmental conditions beyond the tolerance range of an organism.

The range of parameters which should be considered in applying the habitat impairment test include but are not limited to the following:

Physical parameters such as living space, circulation, flushing rates, tidal amplitude, turbidity, water temperature, depth (including loss of littoral zone), morphology, substrate type, vegetation, structure, erosion and sedimentation rates;

Biological parameters such as community structure, food chain relationships, species diversity, predator/prey relationships, population size, mortality rates, reproductive rates, meristic features, behavioral patterns and migratory patterns; and,

Chemical parameters, such as dissolved oxygen, carbon dioxide, acidity, dissolved solids, nutrients, organics, salinity and pollutants (heavy metals, toxics and hazardous materials).

All projects along the waterfront and especially projects involving waterfront access, must be developed in a manner that ensures the protection of fish and wildlife resources. Project reviewers must consider potential impacts on fish and wildlife habitats, avoid project development and other activities that would destroy or impair habitats and encourage project design that will restore previously impacted habitats for desirable species.

**Policy 6.2**

**Protect freshwater wetlands or woodlands in the NCC LWRP Study Area.**

Several wetlands areas have been identified within the LWRP Study Area. Wooded areas are commonly found along the corridor. They contribute to the natural ecosystem of the area and add beauty and balance to the overall landscape. The maintenance restoration of these areas, as important wildlife habitats, will enhance their functioning as natural, self-regulating systems. Development actions that would negatively impact wetlands and wooded areas shall be avoided. In such cases where impairment of these resources cannot be avoided, the negative impacts shall be minimized through appropriate mitigation measures.

**Policy 7. Protect and improve air quality along the NCC Waterfront**

This policy provides for protection of the Lake Erie Waterfront from air pollution generated within the waterfront revitalization area boundaries or from outside the area which adversely affects the air quality in the waterfront revitalization area. There are several facilities currently being monitored by the EPA for air emissions. The Dunkirk Steam Plant is the largest such facilities.

Encourage the transition source energy at the Dunkirk Steam Plant from coal to natural gas.

New development that would cause the release of substances that would be detrimental to air quality near the Northern Chautauqua coastal area should be prohibited.

Continue to monitor existing air emission facilities near the waterfront to ensure that pollutant levels are not increasing and that efforts are being made to reduce the emissions of air pollutants.

**Policy 8. Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes**

The intent of this policy is to protect people from contamination and to protect waterfront resources in Northern Chautauqua County from degradation through proper control and management of wastes and hazardous materials.



**Policy 8.1****Manage solid waste to protect the public health and control pollution**

Solid waste should be managed by:

- Reducing the amount of solid waste generated.
- Reusing or recycling materials.
- Using commonly approved methods to dispose of solid waste that is not reused or recycled.

The discharge of solid wastes into the environment should be prevented by using proper handling, management and transportation practices. Solid waste disposal should be adequately addressed when evaluating any development proposal in Northern Chautauqua County.

**Policy 8.2****Manage hazardous waste to protect the public health and control pollution**

Hazardous wastes should be managed in accordance with the following priorities:

- Eliminate or reduce the generation of hazardous wastes to the extent feasible.
- Recover, reuse, or recycle remaining hazardous wastes to the extent feasible.
- Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused, or recycled.

**Policy 8.3****Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.**

The Northern Chautauqua County communities should develop pollution prevention programs to prevent the release of any toxic pollutants or substances hazardous to the environment that would have a harmful effect on public health and fish and wildlife resources. Public health, private property and fish and wildlife need to be protected from the inappropriate use of pesticides and petroleum products by:

- Limiting the use of pesticides to the effective targeting of actual pest populations.
- Preventing direct or indirect entry of pesticides into waterways except when waterway application is essential for controlling the target species as in pond reclamation projects, black fly control operations, or nuisance aquatic vegetation control projects.
- Minimizing the exposure of people, fish and wildlife to pesticides.

- Minimize adverse impacts from potential oil spills through the appropriate siting of petroleum facilities.
- Prevent discharge of petroleum products by following approved handling, storage and facility design and maintenance principles

**Policy 8.4**

**Prevent and remediate any discharge of petroleum products.**

Prevent discharges of petroleum products by following methods approved for handling and storage of petroleum products and using approved design and maintenance principles for storage facilities.

Undertake clean-up and removal activities in accordance with the guidelines contained in the New York State Water Quality Accident Contingency Plan and Handbook and the procedures specified in the New York State Water Quality Accident Contingency Plan and Handbook.

**Policy 8.5**

**Transport solid waste and hazardous substances and waste in a manner which protect the safety, well-being and general welfare of the public and the environmental resources of the State; and protects continued use of transportation facilities**

The transport of solid waste and hazardous substances shall not be operated or conducted in a manner that will unnecessarily contribute pollutants to the soil, air, ground water and surface water, or unnecessarily contribute noxious odors or fumes to the air or environment.

**Policy 8.6**

**Site solid and hazardous waste facilities to avoid potential degradation of lakeshore resources.**

The siting of solid and hazardous waste facilities in the NCC LWRP Study Area is considered an inappropriate use of land and shall be prohibited. This prohibition does not apply to waste temporarily stored on site to be relocated to another location that is not within the LWRP boundary.

While not within the LWRP boundary, the coal ash landfill site will continue to be monitored by the appropriate authorities to insure that there is no degradation to Lake Erie as well as a hazard to the surrounding environment.

### **4.3 Public Coast Policy**

**Policy 9. Provide for public access to and recreational use of, coastal waters, public lands and public resources of the waterfront area**

This policy incorporates measures needed to provide and increase public access throughout the waterfront area. The need to maintain and improve existing public access and facilities is among these measures and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing and potential future demand. This policy calls for the NCC waterfront communities to capitalize on all available opportunities to provide additional visual and physical public access along with appropriate opportunities for recreation.

### **Policy 9.1**

### **Promote appropriate physical public access and recreation throughout the waterfront area**

Public access and recreation facilities improve the quality of life for residents and generate revenues for the businesses throughout Northern Chautauqua communities. The following standards will be used as a guide in making future decisions regarding public access and expanding recreation opportunities:

- Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site and adjacent land uses and needs of special groups.
- Provide convenient, well-defined, physical public access to and along the shoreline for water-related recreation.
- Protect and maintain existing public access and water-related recreation.
- Establish a 50 foot setback from the shoreline for all structures to provide the potential for public access
- Provide additional physical public access and recreation facilities at public sites.
- Establish linkages from city and village centers to the waterfront
- Include physical public access and/or water-related recreation facilities as part of development whenever development or activities are likely to limit the public's use and enjoyment of public waterfront lands and waters.
- Provide incentives to private development which provides public access and/or water-related recreation facilities.
- New developments along the waterfront requiring subdivision shall provide public access to the waterfront as part of open space dedication.
- Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources.
- Ensure access for the general public at locations where State or Federal funds are used to acquire, develop, or improve parkland.

**Policy 9.2**

**Provide and protect visual access to waterfront lands and waters or open space at all sites where physically possible**

To the extent feasible, views of the waterfront from roads and public access locations should be expanded to allow full appreciation of the beauty of these resources and to increase the attractiveness of the waterfront for residents and tourists.

The following standards should be applied with respect to increasing visual access to waterfront lands and water:

- Limit physical blockage of existing visual access by constructing improvements and buildings at an appropriate scale and location.
- Protect view corridors provided by streets or natural resources.
- Provide interpretive signs/kiosks/exhibits at appropriate locations to enhance the understanding and enjoyment of views.
- Adopt and enforce regulatory and land use mechanisms that preserve and enhance visual resources.

**Policy 9.3**

**Preserve public interest in and use of lands and waters held in public trust by the state and other government entities.**

Retain public interest in the transfer of interest in underwater lands and limit grants, leases, easements, permits, or lesser interest in lands underwater in accordance with an assessment of potential adverse impacts of the proposed use, structure, or facility on public interest lands under water.

Provide free and substantial unobstructed passage along public trust shore lands. Interference with passage along the shoreline is limited to the minimum extent necessary to gain access from the upland to the water.

**Policy 9.4**

**Assure public access to public trust lands and navigable waters**

Ensure that the public interest in access below mean high water and to navigable waters is maintained. Mitigate substantial interference or obstruction of public use of public trust lands and navigable waters.

## **4.4 Working Coast Policies**

**Policy 10. Protect water-dependent uses, promote siting of new water-dependent uses in suitable locations and support efficient harbor operation.**

The intent of this policy is to protect existing water-dependent commercial and recreational uses and to promote future siting of water-dependent uses at suitable locations. It is also the intent of this policy to enhance the economic viability of water-dependent uses by ensuring adequate infrastructure for

water-dependent uses and their efficient operation. Water-dependent uses are vital to the economic health of the region and therefore Northern Chautauqua County communities should facilitate the location and expansion of water-dependent uses with particular emphasis on those that will contribute to local revitalization efforts and tourism development.

### **Policy 10.1**

#### **Protect existing public and commercial water-dependent uses**

Water-dependent uses are activities that require a location in, on, over, or adjacent to a waterway because the activity requires direct access to the waterway (i.e. a marina) or the use of water (i.e., an industry which uses water for production or cooling purposes).

Actions should be avoided which would adversely impact or interfere with existing water-dependent uses.

The uses and facilities considered as water-dependent are:

- Uses that depend on the utilization of resources found in coastal waters (e.g.: fishing, marine culture activities, wetland habitat);
- Recreational activities that depend on access to coastal waters (e.g. swimming, fishing, boating, wildlife viewing);
- Flood and erosion protection structures (e.g. breakwaters, bulkheads);
- Commercial facilities needed to store and service boats and ships (e.g. marinas, boat storage and repair, boat construction yards);
- Scientific/educational activities which, by their nature, require access to coastal waters (e.g. oceanographic activities, historic, cultural and environmental interpretation);
- Support facilities that are necessary for the successful functioning of permitted water-dependent uses (e.g. parking lots, fish and crab shacks, snack bars, first-aid stations, short-term storage facilities.) Though these uses must be near the given water-dependent use, they should, as much as possible, be sited inland from the water-dependent use rather than on the shore.
- Structures needed for navigational purposes (e.g. locks, dams, lighthouses).

### **Policy 10.2**

#### **Promote Maritime centers as the most suitable locations for water-dependent uses**

Water-dependant uses should be discouraged from rural or undeveloped areas unless there is a lack of suitable sites within a nearby community area and there is a demonstrated demand for the use, the use has unique locational requirements that necessitate a particular site, or the use is of a small scale consistent with the character of the area.

Aside from recreational uses, the establishment of water-dependent should be targeted to areas surrounding Barcelona Harbor, Dunkirk Harbor and Sunset Bay Harbor. Seek to attract a mix of unique, water-dependant uses that increase the economic activity within these maritime centers

**Policy 10.3**

**Allow the siting of new water dependent uses at suitable locations along Lake Erie**

When siting new water-dependent uses, NCC communities should follow State guidelines which encourage:

- Compatibility with adjacent uses, protection of other coastal resources and enhancement of the surrounding community.
- Match water-dependent uses with suitable locations to reduce any conflicts that might arise between competing uses and to anticipate impact on the local and regional real estate market.
- The anticipated impact of these considerations could be the increased protection of existing water-dependent activities, or the encouragement of water-dependent development or an ecological reclamation project.
- Consider the availability of in-place facilities and services such as public sewers, public water lines, adequate power supply, emergency vehicle access and pedestrian and public transportation access.
- If recreational boating is planned, consider setting aside a sheltered site (e.g. protected cove or navigational channel).
- Give preference to underutilized and environmental reclamation sites to provide stimulus for capital programming, permit expediting and other State and local actions that will be used to promote the site.
- Provide for future expansion by considering long-term space needs for water-dependent uses and, where practicable, accommodate future demand by identifying more land that is needed in the near future.

**Policy 10.4**

**Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water enhanced and maritime support services.**

Many water-dependent uses are often supported by or contain non-water dependent uses, which complement and support the water-dependent uses. Non-water-dependent accessory or mixed-use development should be encouraged if the use meets the following criteria:

- Accessory uses are subordinate and functionally related to the principal water-dependent use and contribute to sustaining the water-dependent use;



- Mixed uses support the water-dependent use and are accompanied by a demonstrable commitment to continue operation of the water-dependent use;
- Uses are sited and operated so as not to interfere with the principal operation of the site for a water-dependent use; and
- Users do not preclude future expansion of a water-dependent use.
- Locations with important natural resource values, such as wetlands and fish and wildlife habitats, should be avoided.

Other uses may be included in the waterfront, especially water-enhanced and marine support services, as long as these uses:

- Improve the working waterfront and its character;
- Do not hinder efficient operation of another water-dependent use; and
- Make beneficial use of a waterfront location through siting and design to increase public enjoyment of the waterfront.

In addition to water-dependent uses, certain uses which are enhanced by a waterfront location may be appropriate to locate along the shoreline, though not in a manner which would preclude future water-dependent uses.

Water-enhanced uses are activities that do not require a location on the waterfront to function, but whose location on the waterfront could add to public enjoyment and use of the water's edge, if properly designed and sited. Water-enhanced uses are generally of a recreational, cultural, commercial, or retail nature.

Many water-dependent uses are often supported by water-enhanced uses that are complementary to the water-dependent use and do not impair the ability of water-dependent uses to function. Water enhanced uses should be compatible with water-dependent uses, provide beneficial support and be a positive impact on the waterfront.

A water enhanced use could function on an inland site but would be more profitable and provide more enjoyment to users if located on the water. A water enhanced use must be open to the public (e.g., a restaurant, hotel, or complex of shops).

When determining if a water-enhanced use is appropriate for siting along a waterfront, the following factors should be considered:

- The use would provide an economic incentive to prevent the loss of a water-dependent use.
- The use would be sited and operated so as not to interfere with water-dependent uses.
- The use would be sited in a manner which does not preclude future expansion of a water-dependent use.

- The activity makes beneficial use of a shoreline location through siting and design to increase public enjoyment of the waterfront and enhance community character.

**Policy 10.5**

**Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation and maintain regionally important uses.**

Water-dependent uses shall not be expanded so as to create unsafe conditions with the amount of waterborne traffic in a limited area.

**Policy 10.6**

**Provide sufficient infrastructure for water-dependent uses.**

Maintain the existing infrastructure that currently serves the maritime nodes along the NCC waterfront. These maritime communities should work with the U.S. Army Corp of Engineers to ensure that their harbors remain safe for navigation.

**Policy 10.7**

**Promote the efficient management of surface waters and underwater lands.**

Lack of effective water use management contributes to congestion and competition for space within harbors, surface waters and underwater lands. As a result, natural resources can be degraded and communities are not able to take advantage of tourism and economic growth opportunities.

- To assure safety, vessel speed zones can be established and zones for bathing, water skiing and other recreational uses should be located away from marinas or commercial boating facilities.
- Site marinas and in-water structures so as not to encroach upon navigation channels.

A Harbor Management Plan has been included within this plan to be used by the NCC communities to manage the use of surface waters. Harbor communities have established regulations for managing the harbor areas.

**Policy 11. Promote the sustainable use of marine resources.**

Recreation uses of fish and wildlife resources include consumptive uses such as fishing and non-consumptive uses such as wildlife photography, bird watching and nature studies.

The following guidelines should be considered relative to State and Federal regulations as they relate to their consistency with the above policy:

- Consideration should be made as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.

- Efforts should be made to increase access to recreational fish and wildlife resources while not leading to over utilization of any such resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using a habitat area.

### **Policy 11.1**

### **Provide for the long-term maintenance and health of living marine resources**

Ensure that commercial and recreational use of living marine resources is effectively managed in a manner that:

- Eliminates contaminant threats to local marine communities.
- Places primary importance on maintaining the long-term health and abundance of fisheries.
- Results in sustained useable abundance and diversity of the resource.
- Does not interfere with population and habitat maintenance and restoration efforts.
- Uses best available scientific information in managing the resources.
- Minimizes waste and reduces discard mortality of fishery resources.

Protect and manage native stocks and restore sustainable populations of indigenous fish and wildlife species and other living marine resources.

Foster the occurrence and abundance of marine resources in Lake Erie through the protection and enhancement of water quality; and the protection, enhancement and restoration of spawning grounds and other breeding habitat.

Make every effort to eliminate the introduction of invasive species.

Support efforts to research the health of living marine resources, particularly the SUNY Fredonia marine research facility.

### **Policy 11.2**

### **Provide for and promote the recreational use of marine resources.**

Market the availability of fishing access along the NCC waterfront.

Improve existing angling facilities to make them more attractive. Encourage the establishment of more charter operations for fishing, sightseeing and waterborne entertainment.

Increase access to quality fishing streams in Northern Chautauqua County including parking facilities.

Establish festivals and competitions that promote the recreational use of marine resources.

**Policy 12. Protect existing agricultural lands within the Lake Erie waterfront areas**

The intent of this policy is to conserve and protect agricultural land by preventing the conversion of farmland to other uses and protecting existing and potential agricultural production. Existing agricultural lands significantly add to the community character within the NCC LWRA. Agricultural lands occur on the south side of Route 5 and, to a lesser extent, on the north side of Route 5. Farming activities are primarily grape cultivation. The region is heavily dependent on grape farming not only for economic output, but also for tourism related industries. These lands have the capacity to degrade the water quality of the corridor if improperly managed, but they also add significant value to the scenic viewshed and rural setting, making Route 5 an attractive driving and bicycling corridors. Protecting the remaining agricultural land is necessary to ensure preservation of the agricultural economy, farming heritage, open space and scenic quality.

**Policy 12.1 Discourage the conversion of agricultural land to non agricultural uses**

Protect existing agricultural use and production from adverse impacts due to public infrastructure and facility development, creation of other conditions which are likely to lead to conversion of agricultural lands and environmental changes which are likely to reduce agricultural productivity or quality

Provide sufficient buffering as part of new development located near agricultural land.

Support right to farm laws and respect all rights afforded to agricultural districts

**Policy 12.2 Establish and maintain favorable conditions which support existing agricultural production**

Support activities that increase the viability of agricultural uses such as farmers markets and agritourism

**Policy 12.3 Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.**

Minimize encroachment of commercial, industrial, institutional or residential development on agricultural lands.

Retain or incorporate opportunities for continuing agricultural use.

Locate and arrange development to maximize protection of the highest quality agricultural land in large contiguous tracts for efficient farming.

**Policy 12.4**

**Continue to market the agricultural resources of the region**

Northern Chautauqua County is in the Lake Erie Concord Grape Belt Heritage Area. The Concord Grape Belt is the oldest and largest Concord grape growing region in the world. Marketing the region to tourist for Lake Erie water resources and grape heritage should be interchangeable.

**Policy 13. Promote appropriate use and development of energy resources**

Northern Chautauqua County recognizes the trends in climate change and the need to operate sustainably. In dealing with energy issues, the first order of preference is the conservation of energy. Energy efficiency in transportation and site design and efficiency in energy generation are the best means for reducing energy demands. Reduced demand for energy reduces the need for construction of new facilities that may have adverse impacts on waterfront resources.

**Policy 13.1**

**Conserve energy resources.**

The conservation of energy should be an important part of prudent future planning. Energy efficiency can be achieved through several means that fall under the jurisdiction of local governments, including:

- Promoting an increased use of public transportation to the extent feasible, where practical;
- Integrating modes of transportation (pedestrian, bicycle, auto and waterborne);
- Promoting energy efficient design in new developments; and
- Promoting greater energy generating efficiency through upgrades of existing public facilities.

**Policy 13.2**

**Promote alternative energy resources that are self-sustaining, including solar and wind powered energy generation.**

Northern Chautauqua communities support the development of alternative energy sources. Alternative energy facilities should be located further inland as the establishment of off-shore and near shore facilities will detract from the scenic quality of the waterfront. Offshore wind energy development is also found to be a hindrance to recreational boating activities.

**Policy 13.3**

**Ensure maximum efficiency and minimum adverse environmental impact when siting energy generating facilities.**

Major energy generating facilities may be sited on the NCC Waterfront where a clear public benefit is established using the following factors:

- There is a demonstrated need for the facility
- The facility will satisfy long-term electric capacity needs or electric system needs
- Alternative available methods of power generation and alternative sources of energy cannot reasonably meet the public need
- Upgrades of existing facilities cannot reasonably meet the public need
- The facility incorporates feasible public recreational uses
- Major energy generating facilities shall be sited close to load centers to achieve maximum transmission efficiency

Avoid the degradation of waterfront resources in the NCC Waterfront by siting new energy generating and transmission facilities so they do not adversely affect the following:

- Recreational fishing and associated support businesses.
- Significant Fish and Coastal Wildlife Habitat
- Shorelines and stream banks sensitive to erosion
- Wetlands
- Historic resources
- Scenic resources

**Policy 13.4**

**Minimize adverse impacts from fuel storage facilities**

The following standards were derived from Environmental Conservation Law, Article 23, Title 17, and from Federal Safety Standards 40 CFR Part 193:

- Ensure that production, storage and retention of petroleum products on the NCC Waterfront is done in accordance with DEC regulations.
- Liquefied natural gas facilities must be safely sited and operated.
- Natural resources must be protected by complying with local, county and state oil-spill contingency plans.

The storage of fuel for marine uses shall be carried out in a safe and efficient manner compliant with NYSDEC regulations.

**Policy 13.5**

**Minimize adverse impacts associated with mineral extraction**

Sand and aggregate mining is assumed to be an inappropriate use in the NCC waterfront area. The extraction of fossil fuels by conventional or unconventional methods is also assumed to be inappropriate for the NCC waterfront area. Factors to be used the appropriateness of mining and extraction operations include:

- Compatibility with adjacent uses
- Loss of use of the site for other potential uses



- Alteration of waterfront geological landforms
- Adverse impacts on natural resources
- Potential risk to water quality
- Degradation of visual resources



## Section 5 Proposed Land & Water Uses & Projects

The uses proposed for the Northern Chautauqua waterfront should comprise a compatible mixture of uses accommodating activities that fulfill the LWRP vision. Proposed land and water uses are intended to provide help the LWRP communities implement the physical aspect of the in an orderly and collaborative fashion. The projects in this section and the proposed land and water uses will reshape the waterfront to an overall pleasing and attractive destination for private investment in new facilities and investments. LWRP area development should also encourage increased public use of existing and proposed retail, commercial, recreational, residential, open space and tourist facilities.

Also included in this section is a Harbor Management Plan (HMP), which addresses the communities' desires to appropriately manage the near shore areas of Lake Erie. The HMP addresses conflict, congestion and competition for space in the use of surface water and underwater lands. The HMP provides guidance for regulating and managing boat traffic, general harbor use, optimum locations and numbers of boating support structures, such as docks, piers, moorings and pump-out facilities and the identification of local and federal navigation channels.

### 5.1 Future Land Use Plan

A future land use plan was developed to guide future land use decisions. Any zoning changes in the future should be consistent with the future land use plan. The comprehensive plan for each community should be amended to be consistent with the LWRP future land use plan. Future land use plan is not a rigid boundary designation; it is a guideline that can be expanded or

contracted if the alteration is appropriate and consistent with the intent of the LWRP and its policies.

The waterfront revitalization area has been divided into the following future land use classifications:

- Active Waterfront
- Agriculture
- Central Business District
- Conservation
- Gateway Commercial
- Mixed Industrial
- Mixed Use
- Residential
- Rural Commercial
- Rail Corridor (not a future land use, but a considerable area of right of way within the boundary)
- Waterfront Residential

Descriptions of the proposed land uses are below.

### **5.1.1 Active Waterfront**

The Active Waterfront is designated for the area surrounding marine facilities. These areas are reserved for water dependent uses or water enhanced uses that complement the existing water dependent uses. These areas should also be aesthetically enhanced to improve these locations' status as a major attraction.

### **5.1.2 Agriculture**

The agriculture land use designation is intended to preserve agriculture uses. Lot sizes should remain large. New residential uses are discouraged, but not prohibited. Septic systems serving these properties must be approved as adequate and monitored periodically. Isolated commercial uses may be appropriate particularly if the are agricultural in nature. Farm Stands and agritourism opportunities are encouraged.

### **5.1.3 Central Business District**

The Central Business District designation is a mixed-use district established of the core of the City of Dunkirk along Central Avenue. A higher density is permitted to encourage redevelopment of the area and to create an attractive walkable environment. Buildings should be up against sidewalks and parking located in the rear of building. 2-3 floors of apartment dwelling should be located above first floor retail. Office uses are also appropriate for upper levels. The streetscape should be improved into an attractive complete street. Connections to the waterfront should be enhanced with walkways and signage.

#### **5.1.4 Conservation**

The conservation future land uses are designations for larger areas that should remain undisturbed. If an agricultural use is present, it should be maintained. These areas are primarily wooded areas that create a natural habitat and define the landscape. The major stream corridors and the broader area surrounding their mouth are included. Areas that were zoned conservation by their community were also included. Recreational uses are appropriate with minimal disturbance. Smaller natural areas and wetlands may not be included within this larger general land use classification, but should be treated as such.

#### **5.1.5 Gateway Commercial**

The gateway commercial land use promotes the development of commercial areas surrounding thruway interchanges. Commercial uses could serve travelers passing by as well as be inviting for travelers entering the Northern Chautauqua waterfront on their way to their destination(s). Design guidelines should protect the character of these areas that are auto oriented by definition.

#### **5.1.6 Mixed Industrial**

The mixed industrial area provides an opportunity for employment based businesses to locate with similar uses on the north side of the Village of Westfield. The presence of the interchange also makes this area appropriate for commercial uses. The character of these uses should be compatible with and not visually detract from the connection between Barcelona and the Village of Westfield.

#### **5.1.7 Mixed Use**

The mixed use designation promotes areas with a mix of commercial and residential uses both independently and combined at densities slightly less than the CBDs. They are established along corridors that connect the waterfront with inland communities.

#### **5.1.8 Residential**

The residential land use is designed to preserve existing neighborhoods and encourage infill development of waterfront neighborhoods with a greater density. These areas are already serviced with public sewer and water. Some of the neighborhoods have been designed but have not been fully developed.

#### **5.1.9 Railroad Corridor**

The railroad corridor is not a future land use. It is a large area within the study boundary that is taken up by a rail right-of-way.

### 5.1.10 Waterfront Residential

The waterfront residential land use designation is located in less developed areas along the waterfront. There are some residential uses existing, but many of them have aging septic systems. Efforts to correct the septic systems could result in the establishment of public sewer and water. If these areas are serviced, there may be an opportunity for additional residential development. These areas should maintain a low density and retain wooded areas to the greatest extent possible. Vegetative setbacks from the edge of the bluff should be maintained. These areas present an opportunity for higher end residential development to increase tax revenues of the municipality. Recreational uses are also appropriate.

## 5.2 Harbor Management Plan (HMP)

Harbor Management Plans (HMPs) address conflict, congestion, and competition for space in the use of surface waters and underwater lands; they also identify various alternatives for the optimum use of the waterfront and adjacent water surfaces. Like a future land use plan, the HMP is essentially a future water use plan. If they want to give their HMPs force of law, communities can adopt appropriate legislation. Two of the three NCC harbor communities, the City of Dunkirk and the Town of Westfield, have done so. The Town of Hanover does not have such legislation but its marina is managed by the NYS DEC. The Harbor Management Plan does not propose any changes to these existing laws and uses but rather is consistent with the existing regulations.

One existing use, that of commercial freight navigation, no longer needs to be accommodated by the LWRP since the freight navigation channel located next to the steam generation plant in Dunkirk Harbor is no longer used. Freight ships should not be permitted within the waters of the NCC waterfront area except in emergency situations.

To ameliorate the conflicts, congestion and competition for space, the following use areas are recommended as guidelines for the HMP. They are summarized below.

### 5.2.1 Destination Shallows

The Destination Shallows is a specific area located within 500 feet of the shore along Sunset Bay Beach in the Town of Hanover. This is a special area where seemingly incompatible water uses coexist. These waters are used for public bathing by people enjoying the beach as well as the waterfront clubs. The water is also used by visiting boaters. At times, this area becomes quite crowded as these two sets of users interact. Motorized watercraft should never go more than 5 miles per hour and should shut off their engines when they enter an area where swimmers and other watercraft are present. Non-motorized watercraft should continue to be allowed to pull up onto the beach. Fishing is not compatible with these uses and should be prohibited.

Rules regarding alcohol and public conduct apply. This area should be patrolled by the Chautauqua County Sheriff's Department. A representative of the property owner should be responsible for reporting disturbances. The Coast Guard may also be contacted when disruptive behavior warrants.

### **5.2.2 Marina**

Marinas are defined by the areas within the breakwater. These areas have posted 5 miles per hour regulations with some designated no wake zones. All watercrafts are permitted within these areas. Fishing off the piers and shore areas is also permitted. In Barcelona and Dunkirk, regulations are already in place for the safe use of the harbor. A harbormaster is designated to coordinate use of docking facilities and monitor watercraft speeds. In Sunset Bay Marina, a NYSDEC agent acts as the harbormaster. Swimming is not permitted in harbor areas.

### **5.2.3 Middle Harbor**

The Middle Harbor is a unique water use zone to Dunkirk. Within 200 feet of any structure, the speed limit is 5 miles per hour. There is a central area where waterskiing is permitted at higher speeds.

### **5.2.4 Near Shore**

The near shore area is designated for all areas within 500 feet of the shoreline that are not defined as any other water-use district. All uses are permitted within this area, except there is a maximum speed limit of 5 miles per hour. The restricted speed limit is designed to reduce erosion forces from wakes on bluff areas. The reduced speed is also meant to ensure the safety of non-motorized watercraft users and people swimming from private beaches.

### **5.2.5 Open Water**

All areas outside of marinas and farther than 500 feet from shore are designated as open waters. State rules of navigation and boater safety apply. The Coast Guard shall be the responsible authority to oversee the safe conduct of water users in this area of the LWRP Study Area and beyond. As the area is close to the border of Canada, boaters should be aware of Canadian law regarding use of water.

### **5.2.6 Public Bathing**

The water areas within 500 feet of public beaches are designated for public bathing. Public bathing by beach patrons is the preferred use of these waters. Non-motorized watercraft are also permitted. Motorized watercraft shall not be permitted within these areas. Fishing may be permitted at times when there are no persons engaged in bathing present. Public conduct rules always apply. The individual community's police department or the Chautauqua County Sheriff's Department shall be responsible for enforcement. Lake Erie State Park may have a separate law enforcement agency.



### 5.2.7 Stream Corridors

Fishing and non-motorized watercraft are the only permitted use of the water in the stream corridors. People may use these areas for hiking and nature watching. Rights of the adjacent property owners shall be respected.

## 5.3 Proposed Projects

The overall design concept for the communities of Northern Chautauqua County as related to the development of a Local Waterfront Revitalization Program is to establish desirable water-based uses for Lake Erie, the creeks and streams and adjacent land, resulting in the establishment of a series of destinations serving the recreational, social and economic needs of residents and acting as a draw for tourists, investors and entrepreneurs. The potential projects throughout this section of the LWRP all incorporate the following guiding premises:

- Making the waterfront accessible;
- Supporting, preserving and enhancing community character;
- Making the experience of the waterfront the highest quality and enjoyable experience possible;
- Improving the public realm as an incentive for the improvement of the private realm; and
- Creating opportunities for increased economic activity and revitalization throughout the study area.

The projects listed in this section were developed through analysis of existing conditions and the public input process throughout the LWRP process. The projects are prioritized in the implementation section. Projects may develop in the future due to changing conditions or new technologies. Any projects consistent with the goals, objectives and intent of this LWRP and are in compliance with the policies established may be considered equally important as any presented on this list.

### 5.3.1 Study Area-Wide Projects

#### 5.3.1.1 *Regional Water Supply*

In response to the problem of aging water distribution systems and the high cost of repair, the communities of Northern Chautauqua County have prepared a feasibility study and planned implementation of a regional water supply to reduce costs through efficiencies of scale. The regional water district would be anchored by the Dunkirk water system. The project is planned in phases and will eventually supply water to Hanover and Silver Creek, currently under contract with Erie County, and then Westfield and Ripley. The project will provide a reliable water system to the Northern Chautauqua communities at a reasonable cost.

#### 5.3.1.1 *Public Sewer Upgrade*

There are several areas within the study area that are not served by public sanitary sewers. These properties rely on septic systems. Many of these septic systems are old and designed before current regulations were in place. As a result, these systems may be releasing sewage which enters the groundwater and eventually seeps into Lake Erie and nearby streams. Failing septic systems are also a problem further inland from the study area. Failing septic systems are a major contributor to the degradation of water quality along the shores of Lake Erie and are currently being addressed on a case-by-case basis. Provision of public sewers where appropriate and the discontinued use of private septic system would help alleviate the problem.

#### 5.3.1.2 *Multi-use Seaway Trail*

A walking and biking trail has always been envisioned along the entire length of the Seaway Trail national scenic byway in Northern Chautauqua County. Development of such a trail could be the transformational piece that ties the entire waterfront together. A multi-use trail along Route 5 will connect waterfront resources for biking and hiking enthusiasts, connect to other trails and link to Pennsylvania Bicycle Route Z which follows the Seaway Trail in Pennsylvania on Route 5 through Erie to the Ohio line. The county is working on creating an extensive county trail system. Any trail that connects the Seaway Trail to the inland trail system should be considered part of the Seaway trail system.

#### 5.3.1.3 *Perform Regular Beach Maintenance*

Beaches are a main attraction of the Northern Chautauqua County waterfront and maintaining clean beaches is vital to improving the image of the waterfront. Innovative ways to keep the beaches clean should be explored, including ways to engage the communities in helping to maintain tidy beaches and cooperative approaches to purchasing machinery that clears rocks. Beach cleaning may also include weed harvesting, seaweed removal and abatement of invasive species.

#### 5.3.1.4 *Zoning Ordinances*

Communities should update their zoning ordinances to reinforce the policies of the LWRP. These policies include:

- Best management practices for storm water management
- Complete streets
- Green infrastructure
- Lakefront setbacks
- Planting of native species

A cost effective way to update zoning is for the Northern Chautauqua Communities to establish a universal zoning ordinance and consolidate review authorities.

#### 5.3.1.5 *Existing Facilities*

General maintenance and improvements to existing water-dependent or -related uses should be carried out as necessary.

#### 5.3.1.6 *Establish a Consistent Signage Plan on Route 5*

An attractive and consistent signage plan should be established and implemented along the Route 5 corridor and incorporate Seaway Trail and Grape Heritage themes. The county could coordinate the program to ensure consistency with other local resource signage programs.

#### 5.3.1.7 *Address Failing Septic Systems*

Programs to address the problem of failing septic systems could be established by the LWRP communities. A funding source to pay for inspections, repairs and removal would have to be identified or developed.

#### 5.3.1.8 *Adjust and Enforce Speed Limits and Reduce Truck Traffic on Route 5*

Speed limits should be reduced to increase traveler safety and discourage truck traffic on Route 5. Higher-speed traffic should be routed onto the NYS Thruway.

#### 5.3.1.9 *Pullovers on Route 5*

Along Route 5 there are many areas with significant scenic value. Pullovers should be established throughout the entire study area to highlight these views, including ravine, distance views of vineyards and the escarpment on the south side of Route 5. Pullovers can be established without considerable cost when completed in conjunction with scheduled road maintenance projects.

#### 5.3.1.10 *Wildlife Viewing Platforms*

The NCC waterfront provides abundant and unique opportunities for viewing wildlife. Locations for wildlife viewing platforms with interpretive panels and benches could be identified. Wildlife viewing areas can be packaged as tourism amenities.

### **5.3.2 Miscellaneous, Non Site-Specific Projects**

#### 5.3.2.1 *Museums and Interpretative Centers*

Museums and centers interpreting the natural environment, human settlement and history of the Northern Chautauqua communities should be developed where appropriate.

#### 5.3.2.2 *Public Awareness Programs*

Public awareness programs aimed at preserving the environment of the LWRP area could be coordinated by the communities and Chautauqua

County. Topics could include the negative impacts of litter and dumping of waste into the local streams, threats from invasive species and proper treatment of public facilities.

#### 5.3.2.3 *Connection of Snowmobile Trails to the Lakefront*

Snowmobiling is a popular recreation and tourism activity in Chautauqua County that brings in many visitors and provides significant economic activity in the winter. The county's network of snowmobile trails should be extended to the waterfront.

#### 5.3.2.4 *Festivals and Activities*

Community festivals and heritage activities to attract visitors and celebrate the communities' unique cultures should be encouraged to showcase waterfront resources and build the tourist base.

#### 5.3.2.5 *Marketing Campaign*

The attractions available on the Lake Erie Waterfront need to be actively marketed within the County's tourism campaign as well as other platforms that specifically target lake maritime activities.

### 5.3.3 **Site-Specific Projects – Town of Hanover**

#### 5.3.3.1 *Harbor Dredging & Modifications*

The Town of Hanover includes the residential hamlets of Hanford Beach, Sunset Beach and Irving. The hamlets are subject to flooding caused by ice jams in Cattaraugus Creek and the mouth of the creek is subject to siltation creating shallow conditions. The shallow conditions contribute to ice jam flooding and pose a danger to boaters using the creek, town-operated boat launch and marina owned by the Department of Environment Conservation.

A routine dredging schedule in the bay and mouth of the creek should be established by the US Army Corps of Engineers. The local Congressional delegation should be engaged to ensure appropriations fund the dredging. The NYSDEC could also be enlisted as a partner.

The Army Corps should also determine if there are other measures to mitigate the flooding. These measures could include realignment of the breakwater, construction of dikes or retention basins.

#### 5.3.3.2 *Breakwall Fishing Platforms*

Improvements should be made to the breakwall to improve safety and access for anglers. Platforms that extend over the rocks could be established at various intervals so the anglers don't have to climb over them. Lighting and benches could be incorporated into the design of this destination.

### 5.3.3.3 *Gateway*

As part of the Route 5 signage plan, a gateway should be established on Route 5 south of the Thruway interchange welcoming guests to the Northern Chautauqua County Waterfront.

### 5.3.3.4 *Sunset Bay Complete Streets and Bike Facilities*

Sunset Bay is a vibrant summer destination. A complete streets project, addressing streetscapes, vehicle, pedestrian and bicycle circulation conflicts will ease overcrowding and ensure safety for all.

### 5.3.3.5 *Route 5 Design Standards*

Design standards should be developed for the Route 5 corridor to protect its appearance and character.

## 5.3.4 **Site-Specific Projects – Village of Silver Creek**

### 5.3.4.1 *Wastewater Treatment Plant Upgrade*

The Silver Creek wastewater treatment plant is located upstream from George Borrello Park and beach. In the past, effluent from the plant threatened water quality and forced the beach to close periodically. Upgrades are in progress that should put an end to effluent discharges and bring it into compliance with state mandates. Water quality at the beach should continue to be closely monitored to ensure the plant operates effectively and beach closures limited to the greatest extent possible.

### 5.3.4.2 *George Borrello Park Expansion*

The town may want to consider acquiring the former Hideaway Beach property on the east side of Silver Creek. The existing structure there could be refurbished into a bathhouse and concession center, the beach cleared of overgrown weeds and rocks and a new parking area added. General improvements to the existing park could include signage and better seating. Acquisition of the parcel at the corner of Jackson and Arch streets would make room for a new picnic area. The concept for George Borrello Park, below, also shows a pedestrian bridge over the mouth of the creek. The fire department facility adjacent to the park should be viewed as part of the public waterfront and its facilities shared with those of the park.



**Figure 5-1 – George Borrello Park Potential**



*Source: peter j. smith & company, inc.*

#### 5.3.4.3 *Ballpark Enhancements/Fishing Access*

General improvements are needed at the ballpark including better access from the park to the creek for anglers. Interpretation elements here can also be enhanced.

#### 5.3.4.4 *Historic Dining Car*

A former railroad car diner is an historic icon and museum in the center of the village. Funding is needed to renovate the dining car, develop its site as a landmark destination and make it universally accessible.

#### 5.3.4.5 *Development Incentives*

Redevelopment and revitalization will enhance the Village of Silver Creek as a gateway community on the Northern Chautauqua County waterfront. Incentives should be created or applied to help redevelop properties in the business district. Incentives could include tax exemptions, funding assistance, density increases and accelerated approval. Among properties that should be prioritized for redevelopment is the old school property.

#### 5.3.4.6 *Establish Façade Program*

A funding source should be identified for a façade improvement program along Howard Street, Main Street and Central Avenue.

#### 5.3.4.7 *Design Standards*

The village should establish design standards for the downtown business district aimed at retaining the historic character of the area and promoting redevelopment efforts.



### 5.3.5 Site-Specific Projects – Town of Sheridan

#### 5.3.5.1 *Eagle Bay Beach & Campground (Park)*

A large underutilized sand beach on Route 5 at Eagle Bay east of St. Columban's On The Lake retirement home and a vacant open space across the road could be developed as a swimming beach and campgrounds with a Seaway Trail visitor and interpretive center. General beach and access improvements down the embankment to the water and an overlook could be developed. The entire project could be developed as a partnership that would also include a strategy to complete the Eagle Bay Golf Course. The concept illustrated in the following graphic also includes a pullover on the north side of the road and beach access via a set of stairs that could be removed in the winter.

**Figure 5-2 – Eagle Bay Beach and Campground Potential**



*Source: peter j. smith & company, inc.*

#### 5.3.5.2 *Rest Area Enhancements*

There is a rest area owned by the Department of Transportation just two miles west of the Village of Silver Creek in the Town of Sheridan. The area is perfectly situated to provide a picnic area and comfort station with ample parking, a trail loop and overlook platform, as shown in the following graphic.



**Figure 5-3 – Rest Area Enhancements**

*Source: peter j. smith & company, inc.*

#### 5.3.5.3 *Sheridan Bay Park*

Sheridan Bay Park is an overnight campground operated by the Town of Sheridan bounded by residential properties. Enhancements and upgrades that should be considered include updates to infrastructure, facilities and amenities. A master plan for this property could include the future potential of acquisition of additional property to expand the park.

### 5.3.6 Site-Specific Projects – Town of Dunkirk

#### 5.3.6.1 *Mouth of Canadaway Creek*

There are a number of potential uses for a privately owned vacant property north of the Fredonia waste water treatment plant park. This 62-acre site is next to NYSDEC conservation land and could accommodate a number of uses including a residential subdivision. If it becomes available, the property could be acquired for camping, fishing and a bathing beach at the mouth of Canadaway Creek. If it is developed for residential uses, a portion of the property should be acquired to provide better access and parking for the DEC site. Parking and access to the creek could also be improved on the north side of the creek. A small park could also be established commemorating the first naval skirmish of the War of 1812 at the mouth of Canadaway Creek

#### 5.3.6.2 *Lake Access Parking*

A portion of a parcel on Wilbur Road could be developed as a parking area for access to the lake and the boat launch at the end of the road.



### 5.3.6.3 Town Hall Improvements

Upgrades to the Town Hall facility could include the establishment of a visitor information center.

### 5.3.6.4 Flooding on Willow Road

The flooding issue on Willow Road needs to be addressed as it blocks access to the waterfront from inland destinations

## 5.3.7 Site-Specific Projects – City of Dunkirk

### 5.3.7.1 Wright Park Beach & Expansion

Wright Park is a tremendous resource for the City of Dunkirk and could be improved with a better connection between the park and the beach, additional parking at the end of Serval Street and enhanced maintenance. The City also owns the parcel located east of the waste water treatment plant which can be incorporated into the park with trails and shelters in a wooded setting. A lookout area could be developed at the edge of the bluff. The following graphic concept shows an expanded park with promenade, overlooks, trails, pedestrian plaza and concession center. The Seaway Trail could be realigned to Lake Front Boulevard via Serval and North Main streets to bring more visitors to the park.

**Figure 5-4 – Wright Park Potential**



Source: peter j. smith & company, inc.

### 5.3.7.2 The Promenade

Enhancements to the Lake Front Boulevard promenade could include decorative railings, a boardwalk connecting the marina to Wright Park, lighting, furniture and public art features. The following concept graphic

shows the improved public realm with vegetation to clearly mark the ends of streets running perpendicular to the boardwalk, a parking lane running parallel to the boulevard, sidewalks and future amenities such as a concession stand and restrooms.

**Figure 5-5 – Promenade Enhancements**



Source: peter j. smith & company, inc.

### 5.3.7.3 Dunkirk Marina

Facility improvements at the Dunkirk Marina would increase boater tourism dramatically. The marina could be enhanced with a series of features that will make it more attractive such as a walking deck with benches and lighting. A boardwalk around the marina would create a continuous walkway as part of the multiuse trail proposed for the entire length of the study area.

Underutilized parcels could be developed to provide additional amenities for visitors.

### 5.3.7.4 Breakwater Trail Enhancement

There is currently a trail that leads from North Main Street to the breakwater surrounding the Dunkirk Marina. Improvements can be made to make the breakwater more attractive for people who want to fish, bird watch or walk in the harbor area.

### 5.3.7.5 Dunkirk Pier and Boardwalk

A Great Lakes Science and Education Center on the Dunkirk waterfront has been proposed for funding under the SUNY 2020 program. Such a center would house aquatic laboratories for SUNY Fredonia and a museum with



hands-on exhibits about invasive species, pollutants and other issues that threaten the Great Lakes. The science and education center is a major economic development opportunity that would attract scholars and tourists to the city and Northern Chautauqua County waterfront.

The education center, marina and breakwater projects are among those depicted in the following graphic concept. The education center could be sited on the easternmost portion of vacant waterfront land next to the Clarion Hotel as pictured. Other options for the center include the current marina property and the space to the west of the pier. Commercial, residential and mixed uses on any of these prime waterfront parcels of an appropriate scale and density to this urban setting would enhance Dunkirk's waterfront as a destination. Improvements to the pier and a green waterfront add to the attraction.

**Figure 5-6 – Dunkirk Pier and Boardwalk Potential**



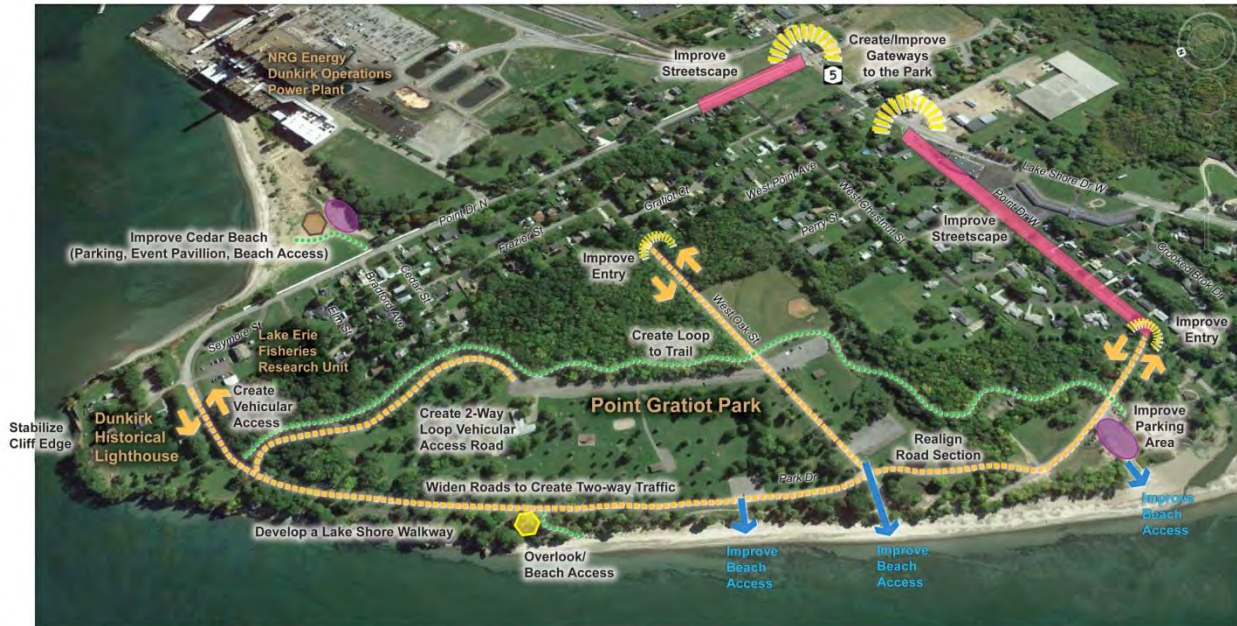
*Source: peter j. smith & company, inc.*

#### 5.3.7.6 Point Gratiot Improvements

Gratiot Park is a tremendous City of Dunkirk resource. Access improvements would better connect the park to the community. One-way circulation within and to the park could be improved by widening the road to two lanes to allow two-way traffic. Another solution would be to create a loop road completely in the park to provide access before traffic is diverted to one direction. Connections and better signage to the beach from Route 5, to the continuous waterfront trail and enhancements to Cedar Beach to open it to the public could be included in Point Gratiot enhancements.

The following graphic concept shows improved linkages, gateways, streetscape and circulation improvements. Improvements can also include a stabilized cliff wall near the historic lighthouse and parking, a walkway and trail. A new lake shore walkway links Point Gratiot with Cedar Beach.

**Figure 5-7 – Point Gratiot Potentials**



Source: peter j. smith & company, inc.

### 5.3.7.7 Lake Erie Heritage Center and Shipwreck Museum

A 2000 feasibility study recommended a heritage center and shipwreck museum be located at the southwest corner of Central Avenue and Lakeshore Drive. The center would include a scuba dive center, interpretation of Lake Erie’s treacherous quadrangle, unique Lake Erie characteristics and human settlement and would also include the eventual development of boat tours, dive training and other community facilities such as a community pool. The museum would incorporate research and tourism and, along with the Great Lakes Science and Education Center, contribute to the revitalization of the waterfront and the community.

### 5.3.7.8 Welcome & Information Center

A tourist welcome and information center should be located in the City of Dunkirk on Route 5 near the harbor area. In addition to a comfort station and parking, the center could provide information about and locations of attractions and activities along the North Chautauqua waterfront as well as throughout the county as a whole, extending to the region and Pennsylvania. The facility could also include a community sign board publicizing upcoming events.



### 5.3.7.9 *Event Parking*

Extra parking facilities are needed near the harbor areas to accommodate visitors during special events such as fishing tournaments and waterfront festivals. Perhaps NRG could make land available when railroad tracks and coal storage areas are no longer needed.

### 5.3.7.10 *NRG*

NRG is the current owner of the Dunkirk Steam Power Plant, once owned by Niagara Mohawk (now National Grid). The plant is still in operation and is currently converting from coal to natural gas. The plant is an icon of the Dunkirk waterfront and could be celebrated as such, with interpretive panels describing the plant's history and the legacy of energy generation on the waterfront. Once contaminants related to the use of coal have been remediated, perhaps tours of the facility could be available at the discretion of the owner.

### 5.3.7.11 *Harbor Maintenance*

A routine schedule for dredging and weed harvesting in Dunkirk Harbor should be established by the US Army Corps of Engineers. The local congressional delegation should be engaged to champion appropriations to fund the dredging.

### 5.3.7.12 *Government Plaza*

A small public park area with a public art or memorial feature should be established across from City Hall for public gatherings, special announcements, ceremonies and public seating.

### 5.3.7.13 *Cruises*

The City should work with regional economic developers to help attract a cruise ship operator to offer entertainment excursions along the coastline of Chautauqua County. Daily lunch, dinner and sunset cruises, floating wedding parties and other events booked on the ship could draw visitors to the area. An incentive package and marketing plan to attract a ship and operator could be developed with the support of local economic development agencies and the Western New York Regional Economic Development Council. Another boat proposed for Barcelona could be operated by the same company.

### 5.3.7.14 *Development Incentives*

Low interest financing and tax incentives should be packaged to spark redevelopment on Central Avenue and Lake Shore Drive.

### 5.3.7.15 *Establish Façade Program*

A funding source should be identified for a façade improvement program along Central Avenue and Lake Shore Drive.

#### 5.3.7.16 *Design Standards*

The City should establish design standards for the downtown business district aimed at retaining the historic waterfront character of the areas and promoting redevelopment efforts. The existing Historic Overlay district in the City’s zoning provides review procedures but does not ensure a desired character outcome.

#### 5.3.7.17 *Intermodal Connection*

In the future when rail service may serve the City of Dunkirk, A train station will be needed to welcome visitors traveling by train. A pedestrian trail should connect the train station to the waterfront and accommodations.

### 5.3.8 Site-Specific Projects – Village of Fredonia

#### 5.3.8.1 *Canadaway Creek Access*

Improved access to Canadaway Creek in the village could also include parking and signage. The descent down the bank slope would need to be improved. Parking could be providing at the existing parking lot on Water Street. As an alternative, the Village also owns a parcel parallel to the creek on Forest Place where pullover-style parking could be provided.

### 5.3.9 Site-Specific Projects – Town of Pomfret

#### 5.3.9.1 *Lake Access Parking*

A portion of the parcel on Lake Road at the boat launch could be acquired by the Town to accommodate parking and enhance lake access.

#### 5.3.9.2 *Performing Arts Facility*

The former drive-in theater at the corner of West Lake and Van Buren roads could redeveloped into a festival park for concerts, plays, community celebrations, festivals and other events.

### 5.3.10 Site-Specific Projects – Town of Portland

#### 5.3.10.1 *Bluff Pullover*

In an area of the Town of Portland, Route 5 runs very close to the shoreline where the height of the bluff is at its peak. This would be an ideal location for a pullover with a viewing platform overlooking the lake. The parcels that would have to be acquired are undevelopable because of their depth. The following graphic concept shows how this pullover can be designed to provide ample parking for the pullover and viewing on the bluff.

**Figure 5-8 – Portland Bluff Pullover**

*Source: peter j. smith & company, inc.*

#### 5.3.10.2 *Lake Erie Beach Improvements*

Lake Erie State Park is a well-maintained element of the state’s portfolio of public parks. Due to budget cuts, lifeguards are no longer hired and swimming is prohibited. Public swimming should be restored and a swimming pool developed for swimming on days when lake conditions restrict use of the beach. Additional amenities that could be developed at Lake Erie Beach include cartop boat launch facilities and a connection from the park’s trail system to the Seaway Trail multi-use trail.

### 5.3.11 Site-Specific Projects – Town of Westfield

#### 5.3.11.1 *Barcelona Harbor & Beach Improvements*

Barcelona Harbor is an excellent resource for historic value and water access. The Barcelona Lighthouse was the first gas-powered lighthouse in the world. The harbor offers a concentration of businesses, public pier, marina and natural beach in a compact and walkable area. Improvements to Barcelona Harbor will strengthen the existing elements. Many of the improvements are outlined in the Town’s “Pier Improvement Plan” and “Barcelona Hamlet Improvements.” Potential improvements include:

- Pier enhancements
- Lighthouse museum
- Park space connecting the pier to the Hamlet area
- Additional harbor facilities
- Revitalization of First Street

These and other potential enhancements, including an amphitheater, boardwalk and tourist information center are depicted in the following graphic.

**Figure 5-9 – Barcelona Harbor Enhancements**



Source: peter j. smith & company, inc.

### 5.3.11.2 Chautauqua Creek Beach

At the foot of Main Street, there is an access point to one of the longest continuous beaches along the Northern Chautauqua County coastline. The beach stretches from the point at Barcelona west for nearly a mile. Much of the beach is owned by the Town of Westfield. The Moose Club owns a part in the middle of the beach and the western end is privately owned. The beach also provides access to the mouth of Chautauqua Creek. The beach can be enhanced into a major attraction. More parking, public facilities and signage would enhance the beach. Easements across private properties will be necessary to provide an additional access point that would also serve as access to the creek.

### 5.3.11.3 Ottoway Park Improvements

Ottoway Park is currently underutilized and can be upgraded to improve access to the waterfront and provide opportunities for public events. Adding public amenities would make it more of a draw; additions could include cabins, ice skating rink in the winter, volleyball courts and an outdoor performance space. Additionally, the walkway in the creek is washed out and needs to be repaired/replaced. Programming and entertainment could also enhance this park.

#### 5.3.11.4 *Harbor Maintenance*

Barcelona Harbor was recently dredged in the fall of 2014 with funds from the Sandy Relief Fund. Before that the harbor had critical issues with boats shoaling on the shallow depths. Dredging is vital to maintaining the proper functioning of the harbor for recreational boat use and as a harbor of refuge. The Town of Westfield should continue to work with the Army Corps of Engineers on harbor maintenance issues, including a routine schedule for dredging and weed harvesting. The local Congressional delegation should be approached about appropriations to fund the routine dredging.

#### 5.3.11.5 *Lighthouse & Cottage Restoration*

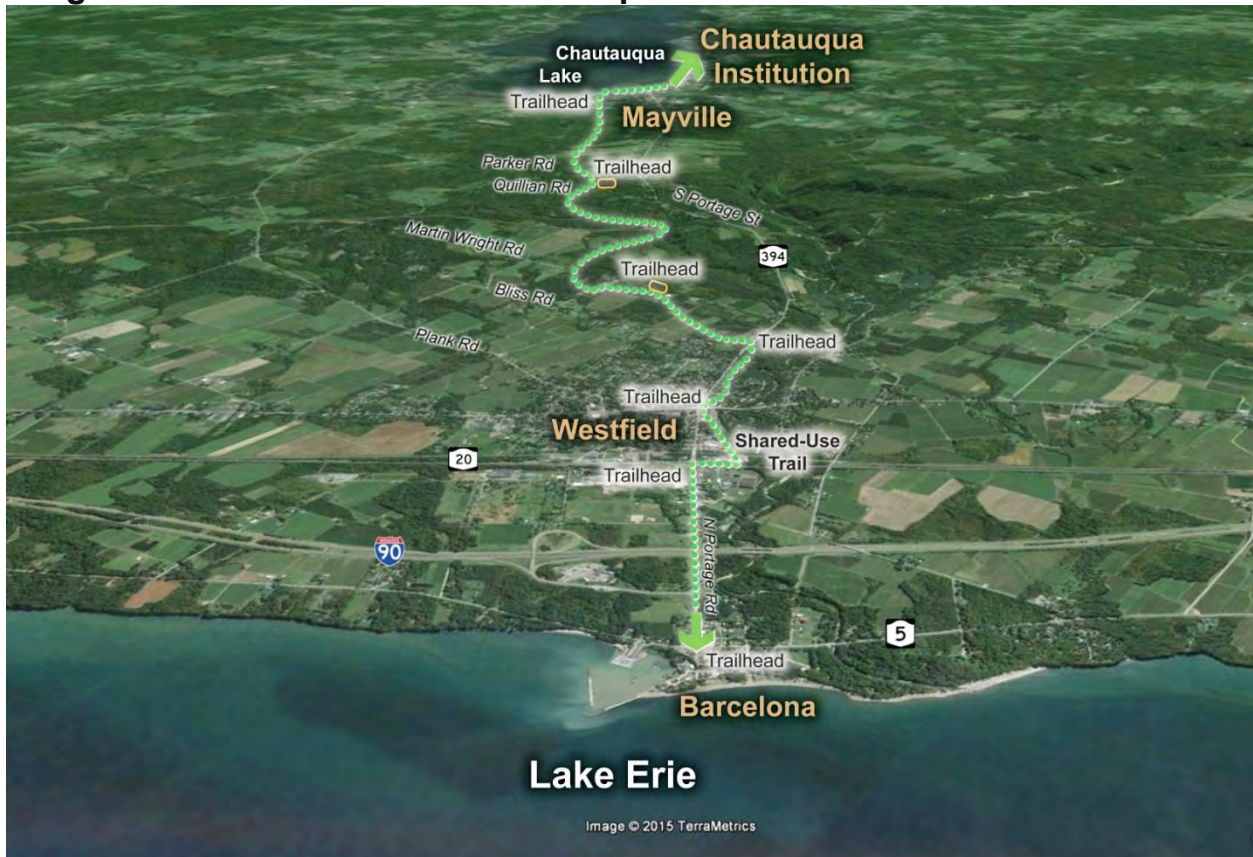
The Barcelona Lighthouse is an historic structure and Barcelona waterfront icon. The New York State Department of Parks, Recreation and Historic Preservation recently acquired the property but its plans for the lighthouse are unclear. Public access to this historic structure should be provided and the necessary renovations made so that it is safe for visitors. The original lighting system and cottage could be restored to interpret the history of the lighthouse and showcase the living conditions of the caretakers.

#### 5.3.11.6 *Barcelona to Chautauqua Institution Trail*

The Barcelona to Chautauqua Institution Trail is an element of the Chautauqua County Greenway, identified in the county's greenways plan. The County, in conjunction with the Town & Village of Westfield and the Village of Mayville has further advanced the project by completing a design and feasibility study for the trail. The trail, envisioned in five phases, would roughly follow Chautauqua Creek and an abandoned rail corridor from Lake Erie to Chautauqua Lake and Chautauqua Institution. It will integrate the Seaway Trail into the county's trail network and provides a vital link to the Northern Chautauqua County waterfront. The following graphic shows the trail and associated trailheads located at intervals along its length.



**Figure 5-10– Barcelona to Chautauqua Institution Trail**



*Source: peter j. smith & company, inc.*

#### 5.3.11.7 Barcelona Hamlet Improvements

The Town has completed a plan for redesigning the layout and improving the streetscape in the Hamlet of Barcelona. The plan is consistent with the objectives of this LWRP and should be implemented.

#### 5.3.11.8 Cruises

A cruise line that offers dining, sightseeing and sunset cruises along the shore and out into Lake Erie would be a wonderful addition to the recreation and tourism amenities at Barcelona Harbor. Daily cruises could be an attraction to draw tourists to the area. Private parties, such as weddings, graduation and other events could also book the ship. An incentive package and marketing plan to attract a ship and operator could be developed with the support of local economic development agencies and the Western New York Regional Economic Development Council. Another boat proposed for Dunkirk could be operated by the same company.



### 5.3.12 Site-Specific Projects – Village of Westfield

#### 5.3.12.1 *Creek Trail & Access*

Chautauqua Creek was once traveled by Indians and explorers to traverse what was known as the Portage Trail from the Great Lakes Watershed to the Allegheny Watershed and beyond. The creek enters into a gorge with steep sides and tremendous views. Interpretation and access via hiking trails would open this unique area for recreation in the creek bed as well as on the top of the gorge. These would be part of the Barcelona to Chautauqua Institution trail system discussed in 4.3.11.6. The village owns parcels near the downtown that should be used to develop trail to provide access for anglers and the general public.

#### 5.3.12.2 *Westfield Connections*

The Town and Village have completed plans for streetscape improvements along Portage Road and Main Street. These improvements would enhance the character of the village and improve connection between the village and the waterfront. The plan could be implemented with funding through this LWRP.

#### 5.3.12.3 *Development Incentives*

Development incentives could attract investors and entrepreneurs to underutilized, abandoned and vacant commercial and industrial properties, particularly in the central business district. Incentives could include tax exemptions, funding assistance, density increases and accelerated approval. The north end of the village should be targeted to replace abandoned industrial properties and take advantage of the Thruway access. Incentives and marketing plans could be developed with the support of local economic development agencies and the Western New York Regional Economic Development Council.

### 5.3.13 Site-Specific Projects – Town of Ripley

#### 5.3.13.1 *Odd Fellows Hall Farmers Market*

There are plans to transform the Odd Fellows building into an open air farmers market. This plan will help bring people to the town center and foster economic development for the hamlet. The facility will highlight the agricultural products of the grape belt region. Arts and crafts could also be sold at the market.

#### 5.3.13.2 *Ripley Beach Improvements*

Ripley Beach provides Town residents access to Lake Erie at the base of the bluffs. A series of improvements could make this facility a destination for visitors and residents. A removable staircase would provide easier access to the beach area. Trails could be developed into the eastern side of the property with a viewing overlook. The following graphic shows how the

beach could be transformed into a nature center with a trail system and overlooks and an interpretive center on ecology and the environment. A boardwalk connects the nature center with a scenic overlook. A firepit with boulders for seating is located beside the water.

**Figure 5-11 – Ripley Beach Nature Center**



*Source: peter j. smith & company, inc.*

### 5.3.13.3 *Visitor & Information Center*

A visitor & information center should be established at the corner of State Street and Route 5. The location would serve to direct visitors into the downtown and serve as a gateway into Northern Chautauqua County waterfront areas as well as to the Concord Grape Belt Heritage Area. The facility would provide information about tourism, recreation and attractions along the Lake Erie shore. A museum could also be established in conjunction with the facility.

### 5.3.13.4 *Gage Gulf Park*

Twenty Mile Creek and Belson Creek are both carved into the escarpment creating tremendous gorges which meet at Gage Gulf. The area provides great scenery, fishing opportunities and surrounding woodlands. This area should be acquired and developed into a town, county or state park and recreation area that could also include cabins, gorge trails and overlooks.





## Section 6 Techniques to Implement the Program

### 6.1 Local Consistency Review Law

Each community shall adopt a Consistency Review Law which provides a legal framework for determining if any development project proposed within the LWRP study area is consistent with the intent and policies of this LWRP. A model Consistency Review Law is presented in the Appendix.

### 6.2 Existing Local Laws and Regulations

The following is a list of existing laws that support the policies and recommendations of the LWRP.

#### 6.2.1 City of Dunkirk

##### 6.2.1.1 *Chapter 4 Air Pollution*

The Air Pollution Law prohibits the discharge of large quantities of pollutants into the air in a manner that would have a natural tendency to cause injury, detriment or annoyance to any person or persons or the public or to endanger the comfort, repose, health or safety of any person or persons or the public, or in such manner as to cause, or to have a natural tendency to cause injury or damage business or property. The Law applies to all business and individuals including the operation of boats.

##### 6.2.1.2 *Chapter 24 Dock & Harbor Use*

The Dock and Harbor Use Law is effectively a harbor management plan for the waters surrounding the City of Dunkirk and establishes permitted uses in areas of the harbor and establishes a “Harbormaster responsible for enforcing the regulations of the law.

### 6.2.1.3 *Chapter 34A Flood Damage Prevention*

The Flood Damage Prevention Law provides a means to implement policies pertaining to the minimization of flood damage. The purpose of the law is to minimize loss of life and property and to ensure that new construction does not create the possibility of flooding on other properties. A permit is required for new construction to allow for inspection. All new construction must be anchored to resist floatation. The lowest floor of residential structures must be elevated above the mean flood level where flood waters are allowed to flow through under the structure. Non residential structures must be elevated or be flood proofed. New construction in a floodway is prohibited. Base flood levels are established by FIRM maps produced by FEMA.

### 6.2.1.4 *Chapter 46 Landmark Preservation*

The landmark Preservation Law establishes a board with the responsibility of designating structure(s) as a landmark. Designated properties are required to maintain the architectural character of the structure or obtain a certificate of appropriateness to alter or demolish the structure. If demolition of a structure is granted, there is a waiting period that allows for the property to be acquired by sale for preservation.

### 6.2.1.5 *Chapter 49 Parks*

The Parks Law establishes guidelines for preserving the character of parks while providing the public usage rights. The law prohibits littering and bans glass containers in certain areas. Park hours are established. Exceptions are made for sponsored events.

### 6.2.1.6 *Chapter 56 Property Maintenance*

This law recognizes the fact that rubbish, refuse, litter, noxious growths, inoperable or abandoned vehicles, or other debris that is abandoned or stored on private property, can constitute both a public and private nuisance and depreciates property values and community character. Therefore, Chapter 56 establishes basic and uniform property maintenance standards and a legal procedure for the storage of materials and removal of litter, weeds, debris and other refuse, as required.

### 6.2.1.7 *Chapter 63 Sewer Use*

Chapter 63 is designed to prevent pollutants into the sewer system and to manage the safe operation of the sanitary sewer system within the City of Dunkirk. The sewer law requires connection to the system where possible. Storm water is prohibited from being discharged into the system.

### 6.2.1.8 *Chapter 66 Solid Waste Management and Recycling*

Chapter 66 provides for the systematic removal of solid waste in order to minimize pollution of the environment. The dumping of solid waste in to any watercourse is specifically prohibited.



### 6.2.1.9 *Chapter 67 Subdivision Regulations*

The regulations established by this Chapter are designed to assist in the systematic implementation of the Comprehensive Plan, Zoning Law and other regulations and to provide for public needs, health and safety, convenience and general welfare. The regulations establish a procedure for the subdivision of land and design standards to be followed regarding the layout of lots and streets.

### 6.2.1.10 *Chapter 79 Zoning*

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements, procedures for site plan review and SEQR compliance. Zoning districts are located within the study area are summarized below:

## 6.2.2 **Town of Dunkirk**

### 6.2.2.1 *Subdivision Regulations*

Same as Dunkirk Chapter 67

### 6.2.2.2 *Coastal Erosion Hazard Area Management*

The Coastal Erosion Hazard Area Management Law provides regulations that limit development in erosion hazard areas and provide protection of features that provide natural absorption of coastal forces.

## 6.2.3 **Town of Hanover**

### 6.2.3.1 *Zoning*

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements, procedures for site plan review and SEQR compliance. The following zoning districts are located within the Study Area:

- R-1 Residential/Rec. – Hanford Bay
- R-2 Residential/Rec. – Sunset Bay
- R-3 Residential/Rec. – Irving
- B-1 Business

Provisions pertaining to the LWRP in the Zoning Ordinance include:

### 6.2.3.2 *Flood Damage prevention Law*

Same as Dunkirk Chapter 34A

## 6.2.4 **Town of Pomfret**

### 6.2.4.1 *Zoning Ordinance*

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements,



procedures for site plan review and SEQR compliance. The following zoning districts are located within the Study Area:

- R-3 Lakeside Residential District

Provisions pertaining to the LWRP in the Zoning Ordinance include:

- Lakeside regulations
  - 50 foot setback
  - Sign regulations for visibility
- Sign regulations – permit required, size regulations
- Provisions for Cluster development
- Roadside stand regulations

## 6.2.5 Town of Portland

### 6.2.5.1 Zoning Ordinance

No other Code Access

## 6.2.6 Town of Ripley

### 6.2.6.1 Chapter 250 Subdivision Regulations

Same as Dunkirk Chapter 67

### 6.2.6.2 Chapter 300 Zoning Ordinance

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements, procedures for site plan review and SEQR compliance. The following zoning districts are located within the Study Area:

Provisions pertaining to the LWRP in the Zoning Ordinance include:

- Permitting of Gas & Oil Drilling in Rural District
- Sign regulations – permit required, size regulations
- Provisions for Cluster development

## 6.2.7 Town of Sheridan

### 6.2.7.1 Zoning Ordinance

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements, procedures for site plan review and SEQR compliance. The following zoning districts are located within the Study Area:

- AR-I Agriculture Residential District I
- AR-I-A Agriculture Residential District I-A (Cluster Development)
- AR-II Agriculture Residential District II
- Recreational District

Provisions pertaining to the LWRP in the Zoning Ordinance include:

- 75 foot setback from shoreline

- Flood District requirements – minimal regulations
- Permitting of Gas & Oil Drilling in AR-II with 75 foot setbacks
- Sign regulations – permit required only
- Provisions for Cluster development – Large area along lake shore is zoned for cluster development, but not developed as such.

#### 6.2.7.2 *Coastal Erosion Hazard Law*

The Coastal Erosion Hazard Law provides regulations that limit development in erosion hazard areas and provide protection of features that provide natural absorption of coastal forces.

### 6.2.8 **Town of Westfield**

#### 6.2.8.1 *Chapter 65 Boats, Mooring of*

Chapter 65 establishes a Harbormaster in charge of issuing and allotting mooring spaces for boats in the harbor. The size of boats moored is also regulated.

#### 6.2.8.2 *Chapter 96 Flood Damage Prevention*

Same as Dunkirk Chapter 34A

#### 6.2.8.3 *Chapter 121 Park & Recreation Areas*

The Park & Recreation Areas law regulates the use of the Barcelona Harbor & Pier. A Harbormaster is in charge of enforcement of the regulations. The regulations are designed to ensure safe and enjoyable use of the harbor area and to establish a means to collect fees for the use of the harbor.

#### 6.2.8.4 *Chapter 139 Snowmobiles*

The Snowmobile law permits the use of snowmobiles on all posted town roads.

#### 6.2.8.5 *Chapter 151 Subdivision of Land*

Same as Dunkirk Chapter 67

#### 6.2.8.6 *Chapter 185 Zoning*

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements, procedures for site plan review and SEQR compliance. The following zoning districts are located within the Study Area:

The zoning ordinance also provides supplemental regulations. Lakeshore regulations protect sightlines to the water and establishes setback to protect from damage due to coastal erosion.

## 6.2.9 Village of Silver Creek

### 6.2.9.1 *Chapter 82 Coastal Erosion*

References existing state law regarding coastal erosion policy.

### 6.2.9.2 *Chapter 111 Flood Damage Prevention*

Same as Dunkirk Chapter 35A

### 6.2.9.3 *Chapter 143 Parks Law*

The Parks law establishes rules to keep parks clean and safe for patrons. Summer Park Hours end at 9:00

### 6.2.9.4 *Chapter 149 Property Maintenance*

Same as Dunkirk Chapter 56

## 6.2.10 Village of Westfield

### 6.2.10.1 *Chapter 88 Flood Damage Prevention*

Same as Dunkirk Chapter 35A

### 6.2.10.2 *Chapter 126 Snowmobiles*

The Snowmobile Law regulates which streets within the village where a snowmobile may or may not be operated. The law does provide access to the snowmobile trail system permitted by the New York State Parks and Historic Preservation.

### 6.2.10.3 *Chapter 136 Subdivision of Land*

Same as Dunkirk Chapter 67

### 6.2.10.4 *Chapter 155 Zoning*

Zoning Ordinance regulates and restricts, by district, the use of land and the use of buildings. This ordinance also provides dimensional requirements, procedures for site plan review and SEQR compliance. The following zoning districts are located within the Study Area:

Provisions pertaining to the LWRP in the Zoning Ordinance include:

- Agriculture Preservation
- Flood Damage District
- Design Guidelines
- Sign regulations
- Provisions for Cluster development
- Roadside stands – permit required

## 6.2.11 Possible Amendments to the Existing Ordinances

This section presents suggested legislative changes the communities may adopt to reinforce LWRP recommendations and policies. These amendments are not mandatory and need not be addressed prior to, or in conjunction with the adoption of the LWRP.

### 6.2.11.1 *Town of Hanover*

Zoning - Design Standards are needed for development along Route 5 to protect its character as the gateway to the Northern Chautauqua Waterfront.

Zoning - Rezone Sunset Bay Beach Club or make a special provision for the use. Currently, bars and restaurants are not permitted in the R-2 District. Should the facility close, a rezoning would be necessary to reopen the clubs under a new owner.

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

### 6.2.11.2 *Village of Silver Creek*

Zoning - A Design Overlay District should be established for the central Business area on Central and Main.

Zoning – Require a 50 foot setback from the mean lake shoreline.

### 6.2.11.3 *Town of Sheridan*

Zoning - Amend the AR-II District to prohibit oil & gas drilling within the LWRP Area.

Zoning – Improve Flood Damage Prevention Regulations. The other communities provide good models.

Zoning – Rezone the area that would include Eagle Bay Beach to the Recreation District so that it is part of the Recreation District present on the south side of Route 5.

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

Subdivision Regulations – Mandate the provision of public access to the waterfront for residential developments along the waterfront that require subdivision.

#### 6.2.11.4 *Town of Dunkirk*

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

Subdivision Regulations – Mandate the provision of public access to the waterfront for residential developments along the waterfront that require subdivision.

#### 6.2.11.5 *City of Dunkirk*

Zoning – Develop design standards for the CBD and along Rt. 5

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

#### 6.2.11.6 *Town of Pomfret*

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

#### 6.2.11.7 *Town of Portland*

Zoning – Require a 50 foot setback from the mean lake shoreline.

Subdivision Regulations – Mandate the provision of public access to the waterfront for residential developments along the waterfront that require subdivision.

#### 6.2.11.8 *Town of Westfield*

Zoning – Expand Commercial District from Barcelona up N Portage Road

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

Subdivision Regulations – Mandate the provision of public access to the waterfront for residential developments along the waterfront that require subdivision.

#### 6.2.11.9 *Village of Westfield*

Zoning – Establish regulations for historic preservation.

Zoning – Extend the Mixed Use District to all areas fronting North Portage Road

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

#### 6.2.11.10 *Town of Ripley*

Zoning – Establish a minimum setback from the edge of the bluff

Zoning – Require a 25 foot vegetated setback from the high bank of any stream with the exception of recreational uses and transportation infrastructure.

Zoning – Require a 50 foot setback from the mean lake shoreline.

Subdivision Regulations – Mandate the provision of public access to the waterfront for residential developments along the waterfront that require subdivision.

### 6.3 Management of Implementation of the LWRP

It is the spirit of the Local Waterfront Revitalization Program for communities to craft a vision for their futures and exert local control over implementation of that future. Therefore, as a practical matter, the 10 collaborating communities of the Northern Chautauqua County Local Waterfront Revitalization Program will have the ultimate authority over the actions implementing the LWRP within their respective municipalities. The boards that hold the discretionary power to approve actions implementing the LWRP should direct LWRP implementation in their respective communities. They hold authority over land uses, administration of decision making and the responsibility to ensure that the proposed actions related are consistent with the LWRP, as well as with local laws and regulations.

There are also actions implementing projects in the LWRP that extend throughout Northern Chautauqua County. These include projects such as trails that cross municipal boundaries, infrastructure and corridor projects. There are other implementation measures that need to be addressed



regionally such as water quality, the downstream effects of creek degradation, shoreline erosion control, harbor dredging and aquatic vegetation harvesting. For these, the LWRP provides a framework for partnerships between the municipalities and state and federal agencies. To manage these projects and lend general support to LWRP implementation, an organization may need to be formed or these responsibilities may need to be delegated to an existing organization. This section of the LWRP addresses four options for management structures for the LWRP. They are:

- Formation of a quasi-public non-profit management organization;
- Retention of responsibility by collaborating communities;
- Delegation of responsibility to an existing strong, regional organization; and
- Delegation of responsibility to an existing local organization.

It is anticipated that during Phase II of the LWRP process that the four options will be considered by the collaborating communities and that a final model will be identified. The final model may be one of the four explored below or a hybrid of any of them. Therefore, the following is intended for discussion purposes and is not meant to suggest a rigid implementation of any option.

### **6.3.1 Alternative Management Structures**

#### *6.3.1.1 Quasi public non-profit management organization*

A non-profit organization with limited authority, no police powers or other powers could be formed by the county but at arm's length from the county, similar to an industrial development authority but with less authority. The organization would be supervised by an advisory board comprised of representatives of the county and the municipalities with consideration also given to including certain major stakeholding organizations (e.g. SUNY Fredonia). The waterfront advisory committee for this LWRP could be a model.

The organization would hire a staff person to review or coordinate review of proposals for their consistency with the LWRP, coordinate regional approaches to shared issues and opportunities such as dredging, shoreline degradation, water quality, invasive aquatic vegetation, trail systems and wayfinding signage. The review process would be advisory. Staff could also appear before local and regional regulating agencies and boards to advocate for actions related to the LWRP.

Among the disadvantages of this model are the costs and time involved in organizing the agency and the costs associated with professional and quasi-professional staff.

### 6.3.1.2 *Agency founded through intermunicipal agreement*

This alternative is very similar to the one above but with an important distinction. Rather than acting as an agency of the county, the agency would be an entity of the 10 collaborating communities and formed under an intermunicipal agreement. With a formal board with representatives of each of the communities, it would have authority over enforcement of existing and proposed regulations related to the LWRP.

As with the alternative above, a primary advantage of this alternative is that the agency would have the implementation of the LWRP as its focus. Among its disadvantages are, as above, the time and cost involved in organizing the agency and the costs of staffing. Unlike the alternative above, this alternative would be more costly as it would include enforcement.

### 6.3.1.3 *Engage an Existing Local Agency*

The Chautauqua County Legislature formed the Lake Erie Management Commission (LEMC) in 2012 to address concerns in the Lake Erie watershed in the county. Its initial focus has been on, among other issues, water levels, dredging, sedimentation, flooding and stream debris. The LEMC is an informal advisory group with a small budget derived from the county occupancy tax program. It has also initiated an education program. The board of the commission is comprised of current and former county legislators, town officials, representatives of the county Health Department, Soil and Water Conservation District and representatives of farming, economic development, water quality, sport-fishing and conservation groups.

With its diverse membership, the LEMC represents the myriad issue areas addressed by the LWRP. Taking on the LWRP would involve narrowing its focus from watershed-wide issues in some areas; however, it has the expertise to understand and address LWRP issues. To assist in taking on this role, the Dunkirk Local Economic Development Committee (LED) could lend its organizational capabilities to the effort, increasing overall capacity of the organization and expertise in implementing economic development projects.

The chief disadvantage of this approach is that it involves an almost wholly volunteer base and depends on the offices of the LED to contribute its staff time. Also, the LEMC's focus is on watershed issues only and not the diversity of projects that will come out of the LWRP.

### 6.3.1.4 *Engage an Lake Erie Watershed Protection Alliance*

The Lake Erie Watershed Protection Alliance (LEWPA) covers the watersheds that drain into the Lake Erie watershed in Chautauqua, Erie, Cattaraugus, Wyoming, Genesee and Niagara counties. This organization is a cooperative effort of the Erie County Department of Environment and Planning, in collaboration with the Lake Erie Watershed Protection Alliance and Buffalo Niagara Riverkeeper.

In the context of the regional watershed management plan that the Buffalo Niagara Riverkeeper is working on with LEWPA, the LWRP could be a good fit. A local partner (or partners) such as a LEMC, LED or others would have to be identified.

The advantages of this approach include the expertise of LEWPA and the Riverkeeper in watershed issues and their capacity to address these issues, seek funding and advocate for enforcement. Like the LEMC alternative, it lacks the wider vision required to implement a diversity of LWRP projects. As a practical matter, LEWPA is an Erie County-focused organization and the likelihood of successfully reshaping the organization to include and fund the priorities of Northern Chautauqua County are questionable.

The discussion above related to the four alternatives does not presume that any of them will be implemented or that any of them will be implemented to the exclusion of any of the others. In other words, during Phase II of the LWRP process, the options for implementing the LWRP will be discussed and the alternative, or a hybrid of these other structures, with the highest potential for success will be identified and implemented.

## 6.4 Implementation Matrix

The LWRP is a guiding document for the future for the Northern Chautauqua waterfront. Even before the plan is completed, the collaborating communities have adopted it and sent to the NYS Department of State for approval the most important phase begins: Implementation. It is essential to develop strategies to ensure that implementation occurs and the vision developed in the LWRP for Northern Chautauqua County is realized. The implementation matrix below is a series of action-oriented tactics to bring the plan to fruition. The strategy is straightforward, useful and comprehensive. There are more than 80 individual implementation steps arranged in a matrix which are intended to guide the preservation, restoration and revitalization of Lake Erie, the streams waterfronts and communities of Northern Chautauqua County. Each recommended action provides a timeframe and estimated cost. Responsibility is assigned for each recommendation, designating the parties that should carry out the action.

The timeframes are:

- Immediate – within 1 year
- Short Term – 1 to five years
- Medium term – six to 10 years
- Long Term – more than 10 years

These timeframes are complemented by cost estimates meant to be applied as guidelines and with the understanding that at the time of implementation, detailed costs will be developed for each project. These costs are:

- Administrative: Little or no cost
- Minimal: Less than \$50,000
- Low: \$50,000-\$100,000
- Moderate: \$100,000-\$500,000
- High: \$500,000-\$1 million
- Transformational: More than \$1 million

Acronyms in the implementation matrix are:

ARC – Appalachian Regional Commission

CDBG –Community Development Block Grant, a program of the US Department of Housing and Urban Development

NYS DOT – NYS Department of Transportation

LED – Local Economic Development committee of the Northern Chautauqua Community Foundation

LEMC – Lake Erie Management Commission

LEWPA – Lake Erie Watershed Protection Alliance

NYS DEC –NYS Department of Environmental Conservation

NYS DOS –NYS Department of State

NYS EFC – NYS Environmental Facilities Corp.

NYSERDA –NYS Energy Research and Development Authority

NYSOPRHP –NYS Office of Parks, Recreation & Historic Preservation

STW – Southern Tier Western Regional Planning & Development Board

SUNY – State University of New York

USACE – US Army Corps of Engineers

USDA – US Department of Agriculture

USDoC – US Department of Commerce

| Location           | Project                    | Implementation Steps  | Primary Responsibility   | Potential Funding Source                                       | Relative Cost    | Priority/Time Frame                                     |
|--------------------|----------------------------|---|--|--|------------------|---|
| Area-Wide Projects | Regional Water             | Planning completed. Fund and construct improvements in recommended phases   | Chautauqua County, STW, Chadwick Bay RDC, LED, NCC communities | NYSDEC, EFC, ARC, USDA, HUD, US DoC, NCC communities           | Transformational | High Priority, Short Term                               |
|                    | Sewer Upgrade              | Provide sanitary sewer connections extensions and upgrades in appropriate areas   | Chautauqua County, STW, Chadwick Bay RDC, LED, NCC communities | NYSDEC, EFC, ARC, USDA, HUD, US DoC, NCC communities           | Transformational | High Priority, Short Term                               |
|                    | Signage Plan               | Prepare a county wide wayfinding plan with NCC waterfront as a district. The plan will present the signage design as well as Placement location. New signs can be added when new attraction are developed.  | County Planning, NYSDOT  | NYSDOT, National Scenic Byways Program, Chamber of Commerce    | Moderate         | High Priority - Immediately, on-going                   |
|                    | Adjust Speed Limits        | Requires a legislative resolution of each community to change speed limits. DOT to complete signage change  | Each community, NYSDOT   | NYSDOT   | Minimal          | Low Priority - Short Term                               |
|                    | Pullovers                  | NYSDOT establishes scenic pullovers during regular road maintenance projects. County and communities can add interpretive displays and be responsible for maintenance.  | NYSDOT, County Public Facilities, Communities                  | NYSDOT, New York and National Scenic Byways programs, NYSOPRHP | Low              | Medium Priority - During scheduled projects - long term |
|                    | Wildlife Viewing Platforms | Construct Platforms, develop interpretation, market resource  | Chautauqua County Planning and Visitors Bureau                 | NYSOPRHP, NYSDEC, Private foundations                          | Low-Moderate     | Low Priority - Medium Term                              |
|                    | Multi-Use Seaway Trail     | County Planning works with each community to acquire easements and construct a multi-use trail which will ultimately run the entire length of the waterfront. Trail should be located on the waterfront side of Route 5 where possible. NYSDOT can create trail section within the right-of-way when necessary. | NYSDOT, County Planning, Communities                           | NYSDOT, National Scenic Byways Program, NYSOPRHP               | High             | High Priority - Medium Term                             |

## Intermunicipal Local Waterfront Revitalization Program

| Location                          | Project                             | Implementation Steps   | Primary Responsibility   | Potential Funding Source                      | Relative Cost  | Priority/Time Frame                         |
|-----------------------------------|-------------------------------------|--|--|---|----------------|---|
|                                   | Zoning & Comprehensive Plan Updates | Amend zoning ordinances and update comprehensive plans to include best management practices. Could be accomplished as a collaborative effort.  | NCC Communities, County Planning, STW                                    | DOS, NYSERDA                                  | Low            | Medium Priority - Short Term                |
|                                   | Improvements to Existing Facilities | Each community should inventory facility needs and carry out improvements as economically feasible   | NCC Communities  | NYSOPRHP                                      | Moderate       | High Priority - Immediately, Continuously   |
|                                   | Address Failing Septic System       | Perform testing of aging septic systems and correct issues   | NYSDEC, LEWPA, Communities   | NYSDEC, Foundations                           | High           | Medium Priority - Immediately, Continuously |
|                                   | Regular Beach Maintenance           | Establish Intermunicipal agreement for the purchase and shared use of a beach cleaning machine. Each community should organize beach cleaning events and perform regular maintenance | NCC Communities  | NYSOPRHP                                      | Moderate       | High Priority - Immediately, Continuously   |
| <b>Non-Site Specific Projects</b> | Museum & Interpretation             | Encourage the establishment of Museum if the opportunity arises. Communities can establish interpretive features at various venues.  | County Planning, NCC communities, public-private partnerships            | NYSOPRHP                                      | Low-Moderate   | Medium Priority - Medium Term               |
|                                   | Snowmobile Trail Connections        | Planning and acquisition of easements. Possible allowance of right-a-way use would need to be legislated and posted. Mapping of trails and marketing.                                | County Planning, NYSOPRHP, local clubs                                   | NYSOPRHP                                      | Administrative | Medium Priority - Medium Term               |
|                                   | Festivals & Events                  | Work with organizations to organize and carry out various events. Space and maintenance to be provided by individual communities.  | Chautauqua County Visitor's Bureau, NCC Communities, Local organizations | Private foundations, could be self sufficient | Administrative | High Priority - Ongoing                     |



| Location                | Project                            | Implementation Steps  | Primary Responsibility                          | Potential Funding Source                                  | Relative Cost                  | Priority/Time Frame                  |
|-------------------------|------------------------------------|---|---|---|--------------------------------|--------------------------------------|
|                         | Marketing Campaign                 | Advertise Resources through Visit Chautauqua and other platforms  | Chautauqua County Visitors Bureau               | Empire State Development, Appalachian Regional Commission | Administrative                 | High Priority - Ongoing              |
|                         | Public Awareness Programs          | Develop program platforms and content. Carry out program  | NYSDEC, LEWPA, Communities                      | NYSDEC, Foundations                                       | Administrative                 | Medium Priority - Short Term         |
| Town of Hanover         | Harbor Dredging & Modifications    | USACE to perform routine dredging and maintenance of harbor. USACE to design and construct channel improvements to reduce flood potential | NYSDEC, USACE, Town of Hanover, County Planning | Federal appropriation, NYSOPRHP, NYSDEC                   | High                           | High Priority - Medium Term, Ongoing |
|                         | Breakwall Fishing Platforms        | Construct platforms on the breakwall to provide fishing access  | USACE, NYSDEC                                   | NYSDEC  | Moderate                       | Medium Priority - Medium Term        |
|                         | Sunset Bay Complete Streets        | Construct streetscape improvements to provide pedestrian and bicycle amenities  | Town of Hanover                                 | NYSOPRHP, NYSDOT, Private contribution                    | Moderate                       | Medium Priority - Medium Term        |
|                         | Gateway                            | Establish a Decorative gateway to the NCC/Grape Heritage Area at Irving interchange   | County Planning, NYSDOT                         | NYSDOT  | Low                            | High Priority - Medium Term          |
|                         | Route 5 Design Guidelines          | Retain consultant to develop design guidelines to be incorporated into zoning ordinances through amendment                                | Town of Hanover                                 | NYSERDA, NYSDOS   | Low                            | Medium Priority - Short Term         |
| Location                | Project                            | Implementation Steps  | Responsibility                                  | Potential Funding Source                                  | Relative Cost                  | Priority/Time Frame                  |
| Village of Silver Creek | Wastewater Treatment Plant Upgrade | Perform necessary upgrades to sewage treatment plant  | Village of Silver Creek                         | NYSDEC  | Negligible -- Nearly Completed | High Priority - Immediately          |
|                         | George Borrello Park Expansion     | Acquire old Hide-a-way Beach property and build improvements to expand Borrello Park across Silver Creek                                  | Village of Silver Creek                         | NYSOPRHP  | High                           | Medium Priority - Medium Term        |

## Intermunicipal Local Waterfront Revitalization Program

| Location                | Project                      | Implementation Steps   | Primary Responsibility                      | Potential Funding Source     | Relative Cost             | Priority/Time Frame          |
|-------------------------|------------------------------|--|---|------------------------------|---------------------------|------------------------------|
|                         | Ball Park Enhancements       | Upgrade existing facilities and provide new amenities including an accessible fishing platform along the creek   | Village of Silver Creek                     | NYSOPRHP                     | Moderate                  | Medium Priority - Short Term |
|                         | Development Incentives       | Develop a program to provide funding opportunities for developers to restore deteriorating buildings   | Village of Silver Creek                     | CDBG                         | Low                       | Medium Priority - Short Term |
|                         | Façade Improvement Program   | Establishment of program for low interest funding for façade improvements  | Village of Silver Creek                     | CDBG                         | Low                       | Medium Priority - Short Term |
|                         | Downtown Design Standards    | Retain consultant to develop design guidelines to be incorporated into Zoning Ordinance through amendment  | Village of Silver Creek                     | NYSERDA, NYSDOS              | Low                       | Medium Priority - Short Term |
|                         | Historic Dining Car          | Construct Improvements   | Village of Silver Creek, Private enterprise | NYSOPRHP                     | Low                       | Low Priority - Medium Term   |
| <b>Town of Sheridan</b> | Eagle Bay Beach & Campground | Acquire parcels. Make improvements to access beach and provide parking area. Establish a park or campground on south side of Route 5. Venture could be private in conjunction with efforts to complete golf course or another town park. | Town of Sheridan, private enterprise        | NYSOPRHP, private enterprise | Moderate-High             | High Priority - Medium Term  |
|                         | Rest Area Enhancements       | Upgrade rest area facilities to include path and bluff lookout. Town could perform regular maintenance of property   | NYSDOT, Town of Sheridan                    | NYSDOT                       | Moderate                  | High Priority - Medium Term  |
|                         | Sheridan Bay Park            | Continue regular maintenance and upgrades to park. Acquire property to expand if available.  | Town of Sheridan                            | NYSOPRHP                     | Moderate                  | High Priority - Ongoing      |
| <b>Town of Dunkirk</b>  | Canadaway Park               | Acquire property and develop park improvements. Multiple options for parcel need to be worked out. Could be a NYSDEC or State Park Facility or a County Park w/NYSDEC access site. Provision of stream access and park                   | NYSDEC and others                           | NYSDEC, NYSOPRHP             | Moderate-Transformational | High Priority - Long Term    |

| Location        | Project                                  | Implementation Steps  | Primary Responsibility                             | Potential Funding Source         | Relative Cost    | Priority/Time Frame           |
|-----------------|--|---|--|----------------------------------|------------------|-------------------------------|
|                 |  | improvements could be a concession for infrastructure improvements for residential development. Private camping facility also possible. |  |                                  |                  |                               |
|                 | Lake Access Parking                      | Acquire property and construct parking lot  | Town of Dunkirk                                    | NYSDEC                           | Low              | Medium Priority - Medium Term |
|                 | Town Hall Improvements                   | Construct Improvements  | Town of Dunkirk                                    | NYSDOS, CDBG                     | Low              | Medium Priority - Short Term  |
|                 | Flooding on Willow Road                  | Investigate problem. Develop and Implement fix  | Town of Dunkirk, USACE                             | NYS DOT                          | Moderate         | High Priority - Medium Term   |
| City of Dunkirk | Wright Park Beach & Expansion            | Continue maintenance of park. Create trails, pavilions and lookout on vacant city owned parcel.   | City of Dunkirk                                    | NYSOPRHP                         | High             | High Priority - Medium Term   |
|                 | Development Incentives                   | Provide funding opportunities for developers to restore deteriorating buildings   | City of Dunkirk                                    | CDBG                             | Low              | Medium Priority - Short Term  |
|                 | Façade Improvement Program               | Establishment of program for low interest funding for façade improvements   | City of Dunkirk                                    | CDBG                             | Low              | Medium Priority - Short Term  |
|                 | CBD/Rt 5 Design Standards                | Retain consultant to develop design guidelines to be incorporated into Zoning Ordinance through amendment                               | City of Dunkirk                                    | NYSERDA, NYSDOS                  | Low              | Medium Priority - Short Term  |
|                 | Breakwater Trail Enhancements            | Clean, enhance and maintain trail to and on the inner breakwall. Provide amenities for seating  | City of Dunkirk                                    | NYSOPRHP, NYSDEC                 | Low              | High Priority - Short Term    |
|                 | Welcome & Information Center             | Dedicate land for and build facility  | City of Dunkirk, Chautauqua County Visitors Bureau | NYSOPRHP                         | High             | Medium Priority - Medium Term |
|                 | Great Lakes Science and Education Center | Dedication of land for facility. Design & construct facility  | City of Dunkirk, SUNY Fredonia                     | SUNY 20/20, SUNY Fredonia        | Transformational | High Priority - Short Term    |
|                 | Lake Erie Shipwreck Museum and mixed-use | Identify organization, collect data & artifacts, Identify & possibly acquire  | City of Dunkirk, non-profit organization,          | NYSOPRHP, SUNY Fredonia, private | High             | Medium Priority - Long Term   |

## Intermunicipal Local Waterfront Revitalization Program

| Location                   | Project                           | Implementation Steps   | Primary Responsibility                     | Potential Funding Source                | Relative Cost    | Priority/Time Frame           |
|----------------------------|-----------------------------------|--|--|---|------------------|-------------------------------|
|                            | development adjacent to hotel     | property, build museum, identify financial assistance, identify appropriate tenants, partners                                | County Planning                            | sector, STW                             |                  |                               |
|                            | Lake Front Promenade              | Construct improvements along Lake Front Street and on the seawall.   | City of Dunkirk                            | NYSOPRHP, CDBG                          | Transformational | Medium Priority - Long Term   |
|                            | Sight Seeing & Event Cruises      | Market, incentivize private venture  | City of Dunkirk                            | Private venture                         | Administrative   | Low Priority - Medium Term    |
|                            | NRG                               | Construct safety measures to facilitate tours, assign personnel to conduct tours   | NRG, City of Dunkirk                       | Private venture                         | Administrative   | Low Priority - Long Term      |
|                            | Harbor Maintenance                | USACE to perform routine dredging and maintenance of harbor.   | NYSDEC, USACE                              | Federal appropriation, NYSOPRHP, NYSDEC | Transformational | High Priority - on-going      |
|                            | Government Plaza                  | Acquire parcel. Design and construct improvements  | City of Dunkirk                            | NYSOPRHP, CDBG                          | Moderate         | Low Priority - Medium Term    |
|                            | Event Parking                     | Acquire land and construct parking lot   | City of Dunkirk                            | NYSDEC, Private contribution            | Moderate         | Medium Priority - Medium Term |
|                            | Intermodal Parking                | Restore train station, lobby for stop  | City of Dunkirk                            | NYSOPRHP, CDBG                          | High             | Low Priority - Long Term      |
| <b>Village of Fredonia</b> | Canadaway Creek Access            | Provide parking and improvements necessary to access the creek down a steep embankment.                                      | Village of Fredonia                        | NYSOPRHP, NYSDEC                        | Minimal          | Medium Priority - Medium Term |
| <b>Town of Pomfret</b>     | Lake Access Parking               | Acquire property and construct parking lot   | Town of Pomfret                            | NYSDEC                                  | Moderate         | Medium Priority - Medium Term |
|                            | Park and Performing Arts Center   | County acquisition of property and park improvements including a performing arts stage. Arts council could program facility. | Chautauqua County, NYS Council on the Arts | NYS Council on the Arts, NYSOPRHP       | Transformational | Low Priority - Long Term      |
| <b>Town of Portland</b>    | Bluff Pullover                    | Establish pullover at specific location where right-of-way is adjacent to Bluff. Provide safety railing.                     | NYSDOT                                     | NYSDOT                                  | Moderate         | Medium Priority - Medium Term |
|                            | Lake Erie State Park Improvements | Create a boat launch, permit swimming, trail improvements, possibly construct swimming pool                                  | NYSOPRHP                                   | NYSOPRHP                                | Moderate         | Medium Priority - Medium Term |

| Location             | Project                               | Implementation Steps  | Primary Responsibility                                  | Potential Funding Source                | Relative Cost    | Priority/Time Frame           |
|----------------------|---------------------------------------|---|---|---|------------------|-------------------------------|
| Town of Westfield    | Barcelona Harbor & Beach Improvements | Construct improvements and perform regular maintenance                                  | Town of Westfield                                       | NYSOPRHP, NYSDEC                        | Moderate         | High Priority - Immediately   |
|                      | Chautauqua Creek Beach                | Acquire easements. Construct beach improvements   | Town of Westfield                                       | NYSOPRHP, NYSDEC                        | Moderate         | High Priority - Medium Term   |
|                      | Ottoway Park Improvements             | Construct improvements and perform regular maintenance                                  | Village of Westfield                                    | NYSOPRHP                                | Moderate         | Medium Priority - Medium Term |
|                      | Harbor Dredging                       | USACE to perform routine dredging and maintenance of harbor.                            | NYSDEC, USACE, County Planning                          | Federal appropriation, NYSOPRHP, NYSDEC | Transformational | High Priority - on-going      |
|                      | Lighthouse & Cottage Restoration      | Determine needs and construct improvements, identify use & operator                     | NYSOPRHP  | NYSOPRHP                                | Transformational | High Priority - Medium Term   |
|                      | Barcelona Hamlet Improvements         | Construct streetscape improvements  | Town of Westfield                                       | NYSOPRHP, NYSDOT, Private contribution  | Transformational | Medium Priority - Long Term   |
|                      | Barcelona to Mayville Trail           | Acquire easements, Construct multi-use trail  | Town of Westfield, County Planning                      | NYSOPRHP                                | Transformational | High Priority - Medium Term   |
|                      | Sight Seeing & Event Cruises          | Market, incentivize private venture   | Town of Westfield                                       | Private enterprise                      | Minimal          | Low Priority - Medium Term    |
| Village of Westfield | Creek Trail and Access                | Provide parking and improvements necessary to access the creek down a steep embankment. | Village of Westfield, County Planning                   | NYSOPRHP, NYSDEC                        | Moderate         | High Priority - Medium Term   |
|                      | Westfield Connections                 | Construct streetscape improvements  | Village of Westfield                                    | NYSDOT, NYSDOS, CDBG                    | Moderate         | High Priority - Medium Term   |
|                      | Development Incentives                | Provide funding opportunities for developers to restore deteriorating buildings         | Village of Westfield, Westfield Development Corporation | CDBG                                    | Low              | Medium Priority - Short Term  |
|                      | Façade Improvement Program            | Establishment of program for low interest funding for façade improvements               | Village of Westfield, Westfield Development Corporation | CDBG                                    | Low              | Medium Priority - Short Term  |
| Town of Ripley       | Ripley Beach Improvements             | Construct improvements and perform regular maintenance                                  | Town of Ripley  | NYSOPRHP                                | Moderate         | High Priority - Medium Term   |

## Intermunicipal Local Waterfront Revitalization Program

| Location | Project                         | Implementation Steps  | Primary Responsibility                            | Potential Funding Source     | Relative Cost             | Priority/Time Frame           |
|----------|---------------------------------|---|---|------------------------------|---------------------------|-------------------------------|
|          | Odd Fellows Hall Farmers Market | Restore and stabilize building, attract venue operator                                | Town of Ripley                                    | NYSOPRHP, Ag & Markets       | High                      | High Priority - Medium Term   |
|          | Visitor & Information Center    | Construct visitor's center  | Chautauqua County Visitors Bureau, Town of Ripley | NYSDOT, NYSDOS               | High                      | Medium Priority - Medium Term |
|          | Gage Gulf Park                  | Acquire land, design park, construct improvements - could potentially be a state park | Town of Ripley, NYSOPRHP                          | NYSOPRHP, Nature Conservancy | Moderate-Transformational | Medium Priority - Long Term   |

### 6.5 Expedited Permits

All State and municipal agencies shall expedite the granting of any permit necessary for a development project which has been identified by this LWRP or is found to be consistent with its intent and policies.







## Section 7 Programs Likely to Affect Implementation

### 7.1 Federal Programs Likely to Affect Implementation

The following activities, requiring permits, or other forms of authorization or approval from federal agencies, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart D, and the New York Coastal Management Program.

#### **DEPARTMENT OF DEFENSE**

##### **Army Corps of Engineers**

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under Corps supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

#### **DEPARTMENT OF ENERGY**

##### **Federal Energy Regulatory Commission**

- 1.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 2.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 3.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

## **ENVIRONMENTAL PROTECTION AGENCY**

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

## **DEPARTMENT OF INTERIOR**

### **Fish and Wildlife Services**

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

### **Bureau of Ocean Energy Management Regulation and Enforcement**

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

## **DEPARTMENT OF TRANSPORTATION**

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 USC 1455
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33USC 1501)

### **Federal Aviation Administration**

3.00 Permits and licenses for construction, operation or alteration of airports.

## **7.2 Federal Financial Assistance to State and Local Governments**

The following activities, involving financial assistance from federal agencies to state and local governments, are subject to the consistency provisions of the Coastal Zone Management Act, its implementing regulations in 15 CFR Part 930, Subpart F and the New York State Coastal Management Program. When these activities involve financial assistance for entities other than State and local government, the activities are subject to the consistency provisions of 15 CFR Part 930, Subpart C.

### **DEPARTMENT OF AGRICULTURE**

- 1.00 Rural Clean Water Program
- 2.00 Irrigation, Drainage and Other Soil and Water Conservation Loans
- 3.00 Low to Moderate Income Housing Loans
- 4.00 Rural Housing Site Loans
- 5.00 Recreation Facility Loans
- 6.00 Resource Conservation and Development Loans
- 7.00 Rural Renting Housing Loans
- 8.00 Soil and Water Loans
- 9.00 Water and Waste Disposal Systems for Rural Communities
- 10.00 Business and Industrial Loans
- 11.00 Industrial Development Grants
- 12.00 Area Development Assistance Planning Grants
- 13.00 Above Moderate Income Housing Loans
- 14.00 Energy Impacted Area Development Assistance Program
- 15.00 Resource Conservation and Development
- 16.00 Soil and Water Conservation
- 17.00 Watershed Protection and Flood Prevention
- 18.00 River Basin Surveys and Investigations

### **DEPARTMENT OF COMMERCE**

- 1.00 Economic Development - Grants and Loans for Public Works and Development Facilities
- 2.00 Economic Development - Business Development Assistance
- 3.00 Economic Development - Support for Planning Organizations
- 4.00 Economic Development - State and Local Economic Development Planning
- 5.00 Economic Development - State and Local Economic Development Planning
- 6.00 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 7.00 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV and V Activities

- 8.00 Anadromous and Great Lakes Fisheries Conservation
- 9.00 Commercial Fisheries Research and Development
- 10.00 Sea Grant Support 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.00 Development and Promotion of Ports and Inter-modal Transportation
- 12.00 Development and Promotion of Domestic Waterborne Transport Systems

## **COMMUNITY SERVICES ADMINISTRATION**

- 1.00 Community Action
- 2.00 Community Economic Development
- 3.00 State Economic Opportunity Offices
- 4.00 Rural Development Loan Fund
- 5.00 Housing and Community Development (Rural Housing)

## **ENVIRONMENTAL PROTECTION AGENCY**

- 1.00 Air Pollution Control Program Grants
- 2.00 Construction Grants for Wastewater Treatment Works
- 3.00 Water Pollution Control - State and Areawide Water Quality Management Planning Agency
- 4.00 Solid and Hazardous Waste Management Program Support Grants
- 5.00 Solid Waste Management Demonstration Grants
- 6.00 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

## **GENERAL SERVICES ADMINISTRATION**

- 1.00 Disposal of Federal Surplus Real Property

## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

- 1.00 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 2.00 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 3.00 Mortgage Insurance - Homes
- 4.00 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 5.00 Mortgage Insurance - Land Development and New Communities
- 6.00 Mortgage Insurance - Management Type Cooperative Projects
- 7.00 Mortgage Insurance - Mobile Home Parks
- 8.00 Community Development Block Grants/Entitlement Grants
- 9.00 Community Development Block Grants/Small Cities Program
- 10.00 Urban Development Action Grants
- 11.00 Indian Community Development Block Grant Program

## **DEPARTMENT OF INTERIOR**

- 1. 00 Outdoor Recreation - Acquisition, Development and Planning

- 2.00 Outdoor Recreation - Technical Assistance
- 3.00 Disposal of Federal Surplus Real Property for Parks, Recreation and Historic Monuments
- 4.00 Historic Preservation Grants-in-Aid
- 5.00 Urban Park and Recreation Recovery Program
- 6.00 Anadromous Fish Conservation
- 7.00 Fish Restoration
- 8.00 Wildlife Restoration
- 9.00 Marine Mammal Grant Program
- 10.00 Minerals Discovery Loan Program
- 11.00 National Water Research and Development Program
- 12.00 Water Resources Research and Technology - Assistance to State Institutes
- 13.00 Water Research and Technology - Matching Funds to State Institutes

#### **SMALL BUSINESS ADMINISTRATION**

- 1.00 Small Business Loans
- 2.00 State and Local Development Company Loans
- 3.00 Water Pollution Control Loans
- 4.00 Air Pollution Control Loans
- 5.00 Small Business Pollution Control Financing Guarantee

#### **DEPARTMENT OF TRANSPORTATION**

- 1.00 Airport Development Aid Program
- 2.00 Airport Planning Grant Program
- 3.00 Highway Research, Planning and Construction
- 4.00 Railroad Rehabilitation and Improvement - Guarantee of Obligations
- 5.00 Railroad Rehabilitation and Improvement - Redeemable Preference Shares
- 6.00 Urban Mass Transportation Demonstration Grants
- 7.00 Public Transportation for Rural and Small Urban Areas

### **7.3 State Programs Likely to Affect Implementation**

#### **OFFICE FOR THE AGING**

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

#### **DEPARTMENT OF AGRICULTURE AND MARKETS**

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs.
- 4.00 Permit and approval programs:
  - 4.01 Custom Slaughters/Processor Permit
  - 4.02 Processing Plant License
  - 4.03 Refrigerated Warehouse and/or Locker Plant License



## **DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY**

- 1.00 Permit and Approval Programs:
- 1.01 Ball Park - Stadium License
- 1.02 Bottle Club License
- 1.03 Bottling Permits
- 1.04 Brewer's Licenses and Permits
- 1.05 Brewer's Retail Beer License
- 1.06 Catering Establishment Liquor License
- 1.07 Cider Producer's and Wholesaler's Licenses
- 1.08 Club Beer, Liquor and Wine Licenses
- 1.09 Distiller's Licenses
- 1.10 Drug Store, Eating Place and Grocery Store Beer Licenses
- 1.11 Farm Winery and Winery Licenses
- 1.12 Hotel Beer, Wine and Liquor Licenses
- 1.13 Industrial Alcohol Manufacturer's Permits
- 1.14 Liquor Store License
- 1.15 On-Premises Liquor Licenses
- 1.16 Plenary Permit (Miscellaneous-Annual)
- 1.17 Summer Beer and Liquor Licenses
- 1.18 Tavern/Restaurant and Restaurant Wine Licenses
- 1.19 Vessel Beer and Liquor Licenses
- 1.20 Warehouse Permit
- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine and Liquor Licenses

## **DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES**

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
- 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
- 3.01 Letter Approval for Certificate of Need
- 3.02 Operating Certificate (Alcoholism Facility)
- 3.03 Operating Certificate (Community Residence)
- 3.04 Operating Certificate (Outpatient Facility)
- 3.05 Operating Certificate (Sobering-Up Station)

## **COUNCIL ON THE ARTS**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

## **DEPARTMENT OF BANKING**

1.00 Permit and approval programs:

- 1.01 Authorization Certificate (Bank Branch)
- 1.02 Authorization Certificate (Bank Change of Location)
- 1.03 Authorization Certificate (Bank Charter)
- 1.04 Authorization Certificate (Credit Union Change of Location)
- 1.05 Authorization Certificate (Credit Union Charter)
- 1.06 Authorization Certificate (Credit Union Station)
- 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
- 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

**OFFICE OF CHILDREN AND FAMILY SERVICES**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

**DEPARTMENT OF CORRECTIONAL SERVICES**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

**DORMITORY AUTHORITY OF THE STATE OF NEW YORK**

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

**EDUCATION DEPARTMENT**

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certification of Incorporation (Regents Charter)
  - 2.02 Private Business School Registration
  - 2.03 Private School License
  - 2.04 Registered Manufacturer of Drugs and/or Devices
  - 2.05 Registered Pharmacy Certificate
  - 2.06 Registered Wholesale of Drugs and/or Devices
  - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233, Sub 5 of the Education Law on removal of archaeological and paleontological objects under the waters of State water bodies.
- 4.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.

**EMPIRE STATE DEVELOPMENT/EMPIRE STATE DEVELOPMENT CORPORATION**

- 1.00 Preparation/revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
  - 4.01 Capital projects for limiting air pollution
  - 4.02 Cleanup of toxic waste dumps
  - 4.03 Flood control, beach erosion and other water resource projects
  - 4.04 Operating aid to municipal wastewater treatment facilities
  - 4.05 Resource recovery and solid waste management capital projects
  - 4.06 Wastewater treatment facilities
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
  - (a) Water Quality Improvement Projects
  - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
  - Air Resources
    - 9.01 Certificate of Approval for Air Pollution Episode Action Plan

- 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License

Lands and Forest

- 9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas and Solution Salt Mining)

Marine Resources

- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel
- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit
- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permit to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit
- 9.41 Shellfish Shipper's Permits
- 9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean

Regulatory Affairs

- 9.43 Approval - Drainage Improvement District
- 9.44 Approval - Water (Diversions for) Power
- 9.45 Approval of Well System and Permit to Operate
- 9.46 Permit - Article 15, (Protection of Water) - Dam
- 9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
- 9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.50 Permit - Article 15, Title 15 (Water Supply)
- 9.51 Permit - Article 24, (Freshwater Wetlands)
- 9.52 Permit - Article 25, (Tidal Wetlands)
- 9.53 River Improvement District Approvals
- 9.54 River Regulatory District Approvals
- 9.55 Well Drilling Certificate of Registration

*Solid Wastes*

- 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit

*Water Resources*

- 9.58 Approval of Plans for Wastewater Disposal Systems
- 9.59 Certificate of Approval of Realty Subdivision Plans
- 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.64 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.65 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.66 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan
- 11.00 Preparation and revision of Continuous Executive Program Plan
- 12.00 Preparation and revision of Statewide Environmental Plan
- 13.00 Protection of Natural and Man-made Beauty Program
- 14.00 Urban Fisheries Program
- 15.00 Urban Forestry Program
- 16.00 Urban Wildlife Program

**ENVIRONMENTAL FACILITIES CORPORATION**

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

**FACILITIES DEVELOPMENT CORPORATION**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities

**OFFICE OF GENERAL SERVICES**

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, including for residential docks over 5,000 square

- feet and all commercial docks, issuance of licenses for removal of materials from lands under water and oil and gas leases for exploration and development
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance
- 3.00 Facilities construction, rehabilitation, expansion, or demolition
- 4.00 Administration of Article 5, Section 233, sub.5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters

## **DEPARTMENT OF HEALTH**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Approval of Completed Works for Public Water Supply Improvements
  - 2.02 Approval of Plans for Public Water Supply Improvements
  - 2.03 Certificate of Need (Health Related Facility - except Hospitals)
  - 2.04 Certificate of Need (Hospitals)
  - 2.05 Operating Certificate (Diagnostic and Treatment Center)
  - 2.06 Operating Certificate (Health Related Facility)
  - 2.07 Operating Certificate (Hospice)
  - 2.08 Operating Certificate (Hospital)
  - 2.09 Operating Certificate (Nursing Home)
  - 2.10 Permit to Operate a Children's Overnight or Day Camp
  - 2.11 Permit to Operate a Migrant Labor Camp
  - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
  - 2.13 Permit to Operate a Service Food Establishment
  - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
  - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
  - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
  - 2.17 Shared Health Facility Registration Certificate

## **DIVISION OF HOUSING AND COMMUNITY RENEWAL; SUBSIDIARIES AND AFFILIATES**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition.
- 2.00 Financial assistance/grant programs:
  - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
  - 2.02 Housing Development Fund Programs
  - 2.03 Neighborhood Preservation Companies Program
  - 2.04 Public Housing Programs
  - 2.05 Rural Initiatives Grant Program
  - 2.06 Rural Preservation Companies Program
  - 2.07 Rural Rental Assistance Program
  - 2.08 Special Needs Demonstration Projects
  - 2.09 Urban Initiatives Grant Program
  - 2.10 Urban Renewal Programs



3.00 Preparation and implementation of plans to address housing and community renewal needs.

### **HOUSING FINANCE AGENCY**

1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.

2.00 Affordable Housing Corporation

### **JOB DEVELOPMENT AUTHORITY**

1.00 Financing assistance programs for commercial and industrial facilities.

### **MEDICAL CARE FACILITIES FINANCING AGENCY**

1.00 Financing of medical care facilities.

### **OFFICE OF MENTAL HEALTH**

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Operating Certificate (Community Residence)

2.02 Operating Certificate (Family Care Homes)

2.03 Operating Certificate (Inpatient Facility)

2.04 Operating Certificate (Outpatient Facility)

### **OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES**

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Establishment and Construction Prior Approval

2.02 Operating Certificate Community Residence

2.03 Outpatient Facility Operating Certificate

### **DIVISION OF MILITARY AND NAVAL AFFAIRS**

1.00 Preparation and implementation of the State Disaster Preparedness Plan.

### **NATURAL HERITAGE TRUST**

1.00 Funding program for natural heritage institutions.

### **OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.

2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

3.00 Funding program for recreational boating, safety and enforcement.

4.00 Funding program for State and local historic preservation projects.

- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
  - 7.01 Floating Objects Permit
  - 7.02 Marine Regatta Permit
  - 7.03 Navigation Aide Permit
  - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.

## **POWER AUTHORITY OF THE STATE OF NEW YORK**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.0 Facilities construction, rehabilitation, expansion, or demolition.

## **NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION**

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

## **DEPARTMENT OF STATE**

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
  - 4.01 Billiard Room License
  - 4.02 Cemetery Operator
  - 4.03 Uniform Fire Prevention and Building Code

## **STATE UNIVERSITY CONSTRUCTION FUND**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

## **STATE UNIVERSITY OF NEW YORK**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

## **OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
  - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
  - 3.02 Operating Certificate (Children's Services)
  - 3.03 Operating Certificate (Enriched Housing Program)
  - 3.04 Operating Certificate (Home for Adults)
  - 3.05 Operating Certificate (Proprietary Home)
  - 3.06 Operating Certificate (Public Home)
  - 3.07 Operating Certificate (Special Care Home)
  - 3.08 Permit to Operate a Day Care Center

## **DEPARTMENT OF TRANSPORTATION**

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
  - (a) Highways and parkways
  - (b) Bridges on the State highways system
  - (c) Highway and parkway maintenance facilities
  - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
  - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
  - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
  - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
  - 3.04 Subsidies program for marginal branchlines abandoned by Conrail
  - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
  - 4.01 Approval of applications for airport improvements (construction projects)
  - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
  - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
  - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
  - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
  - 4.06 Highway Work Permits
  - 4.07 License to Operate Major Petroleum Facilities
  - 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
  - 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and subarea or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

## **URBAN DEVELOPMENT CORPORATION AND ITS SUBSIDIARIES AND**

## AFFILIATES

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
  - (a) Tax-Exempt Financing Program
  - (b) Lease Collateral Program
  - (c) Lease Financial Program
  - (d) Targeted Investment Program
  - (e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs

## 7.4 State, Federal and Local Actions Likely to Affect Implementation

### State Agencies

#### **NYS DEPARTMENT OF STATE**

- Provide LWRP grants
  - Facility improvements
  - Planning efforts
- LWRP implementation assistance

#### **NYS DEPARTMENT OF TRANSPORTATION**

- Permission to adjust speed limits on Route 5
- Construct improvements to rest area
- Construct multi-use trail segments where necessary within the Route 5 ROW
- Assist in preparing and implementing signage plan
- Construct pullover areas along Route 5
- Provide funding for Barcelona to Chautauqua Institute trail development

#### **NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

- Permits for sewer and water expansion
- Acquire Public Fishing Rights
- Acquire and improve access sites to major streams
- Establish bird viewing platforms
- Continue to maintain and operate Sunset Bay Marina & Boat Launch
- Provide funding to improve failed septic systems

**NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

- Provide financial assistance for historic preservation
- Provide financial assistance for trail development
- Provide financial assistance for property acquisition and park development
- Restoration & reuse of Barcelona Lighthouse and Cottage
- Provide funding for beach cleaning efforts
- Possible acquisition and development of Gage Gulf as a state park
- Maintain & Improve Lake Erie State Park

**NYS COUNCIL ON THE ARTS**

- Provide funding opportunities for public art displays
- Provide funding and development assistance for museums

**EMPIRE STATE DEVELOPMENT CORP.**

- Provide financial assistance for economic development projects

**NYS ENERGY & RESEARCH DEVELOPMENT AUTHORITY**

- Provide funding opportunities for Comprehensive Plan and Zoning Updates

**Federal Agencies****U.S. ARMY CORPS OF ENGINEERS**

- Establish harbor maintenance schedule
- Investigate and undertake reconfiguration of Cattaraugus Creek Harbor to reduce flood hazard

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

- Distribution of CDBG funding

**APPALACHIAN REGIONAL COMMISSION**

- Funding opportunities for economic development projects and infrastructure development

**GREAT LAKES FISHERY COMMISSION**

- Continue control of the Sea Lamprey



## Section 8 Local Commitment and Consultation

### 8.1 Commitment of Local Government Agencies

An advisory committee comprised of a representative group of the participating municipal governments, county government, foundations, the private sector and other stakeholders was established to guide the planning process; a smaller steering committee was established to guide the process from a technical standpoint and to provide project support. Members of these committees are:

#### Partnering Communities

Chautauqua County

City of Dunkirk  
 Town of Dunkirk  
 Town of Hanover  
 Town of Pomfret  
 Town of Portland

Town of Sheridan  
 Town of Westfield  
 Town of Ripley  
 Village of Silver Creek  
 Village of Westfield

#### Waterfront Advisory Committee

Chautauqua County Department of Planning  
 & Economic Development  
*Mark Geise, Deputy Director\**  
*Don McCord, Senior Planner\**  
*Pat Gooch, Junior Planner\**  
 Chautauqua County Land Bank Corporation  
*Gina Paradis\**  
 Chautauqua County Legislature  
*Kathy Tampio\**  
 Northern Chautauqua County Local  
 Economic Development Committee  
*Jay Warren\**

*Kelly Borrello\**  
 Westfield Development Corporation  
*Aaron Resnick\**  
 NCC LWRP Project Manager for Chautauqua  
 County  
*Caitlin Moriarty\**  
 NYS Department of State  
*Amy DeGaetano\**  
 Town of Ripley  
*Mike Rowe*



Village of Westfield  
*Michael VandeVelde*  
 Town of Westfield  
*Martha Bills*  
 Town of Portland  
*Tom DeJoe*  
 Town of Pomfret  
*Brett Christy*  
 Town of Dunkirk  
*Dr. Mark Kutner*  
 City of Dunkirk  
*Steve Neratko*

*Lacy Lawrence*  
 Town of Sheridan  
*Glenn Reed*  
 Village of Silver Creek  
*Vince Tampio*  
 Town of Hanover  
*Edward Schintzius*  
 SUNY Fredonia  
*Chuck Cornell*  
 Lake Erie Management Commission  
*David Spann*  
*Cassie Pinkoski*

\* Members of the Steering Committee, a subcommittee of the Waterfront Advisory Committee

## 8.2 Consultation with Federal, State and Local Agencies

The following agencies were identified as potential participants in the focus groups. Not all efforts to contact these agencies were successful and not all agencies that were contacted participated in allprogram.

### **Tourism and Economic Development**

Johnson Estate Winery  
 Destinations Plus  
 Hanover Community Chamber  
 Dunkirk Community Chamber  
 Westfield-Barcelona Community Chamber  
 Chautauqua County Chamber of Commerce  
 D & F Travel, Inc.  
 Pinewoods Cottage Bed & Breakfast  
 North Shore Art Alliance & Chautauqua-Lake Erie Art Trail  
 Barcelona Market & Café  
 Jack's Barcelona Drive-In  
 Westfield Fisheries  
 Chautauqua County Visitor's Bureau  
 Dunkirk Local Development Corporation  
 Westfield Development Corp  
 Lake Erie Wine Country  
 Grape Discovery Center  
 SUNY Fredonia

### **Recreation and Water Access**

Barcelona Harbor Commission  
 Dunkirk Harbor Commission  
 Barcelona to Chautauqua Institution Multi-Use Trail Committee  
 Chautauqua County Sports Fishery Advisory Board

Chadwick Bay Marina  
Barcelona Charters  
Cast Away Charters  
Erie Eyes Sport Fishing Charters  
Chadwick Bay Marina  
Monroe's Marina  
Sunset Drifters  
Chautauqua County Federation of Sportsmen Clubs  
Ducks Unlimited - Northern Chautauqua Chapter  
Hanover Fish and Game Club  
Chautauqua Lake Snowmobile Club  
NYSOPRHP Allegany Region  
Ripley Rod & Gun Club, Inc  
Westfield Fish and Game Club  
Chautauqua County Hiking Club

### **Environment and Water Quality**

NYSDEC Region 9  
Lake Erie Fisheries Research Unit  
Roger Tory Peterson Institute of Natural History  
Sierra Club Niagara Group  
US Army Corps of Engineers Buffalo District  
NYS Fish and Wildlife Management Board  
Northern Chautauqua Conservation Club  
Chautauqua County Soil and Water Conservation District  
Cornell Lake Erie Regional Grape Program  
National Grape Cooperative  
County Watershed Coordinator  
The Great Lakes Experience  
Grower's Co-Op

## **8.3 Consultation with Local Interests**

### **8.3.1 Advisory Committee Meetings**

#### *8.3.1.1 Start-Up Meeting and Visioning Session*

Northern Chautauqua County  
Intermunicipal LWRP  
Steering Committee Minutes  
September 25, 2014 Kickoff Meeting  
Attending:

- Jay Warren, Northern Chautauqua Community Foundation
- Mark Geise, Chautauqua County Planning & Economic Development
- Don McCord, Chautauqua County Planning & Economic Development
- Kathy Tampio, Northern Chautauqua Community Foundation

- Gina Paradise, Northern Chautauqua Community Foundation
- Aaron Resnick, Westfield Development Corp.
- Peter Smith, peter j. smith & company
- Eve Holberg, peter j. smith & company
- Jim Wagner, peter j. smith & company
- Michelle Bodewes, Kheops

Jay Warren opened up the meeting with a history of Waterfront Planning in Northern Chautauqua and the role of The Northern Chautauqua Community Foundation Local Economic Development Committee. He expressed that Lake Erie is tremendous economic resource and a distinct cluster of economic activity along with tourism, agribusiness and technology. Mark Geise added that he worked on the original LWRP for the Chadwick Bay communities. That plan was never adopted. There needs to be buy-in from all of the communities for the current effort to succeed. Eve Holberg discussed the scope of the project by going through the standard sections of an LWRP. While not part of a standard LWRP, she discussed the addition of and the need for a vision statement followed by goals and objectives to demonstrate a strong purpose. Other sections of an LWRP include:

- Study Area Boundary
- Inventory & Analysis
- Waterfront Policies
- Proposed Land & Water Projects
- Techniques for Implementation
- State & Federal Actions likely to affect implementation
- Consultation with Affected Agencies
- Local Commitment
- Harbor Managements Plans are needed as there are 3 harbors located along the Northern Chautauqua coast.

A schedule was distributed showing a nine month timeline for project completion. Committee members expressed that the timing was good to be able to proceed to Phase II of the project. Possible venues for future meetings were discussed.

Jim Wagner presented the proposed study area boundary and how it related to the Coastal Management Area currently in place along Lake Erie. Where there are no approved LWRP study areas in place, NYS Department of State general guidelines are used to define a boundary. The proposed study area is similar to that of the Coastal Management Area: It follows a line 500 feet inland parallel to Route 5. The study area also includes the flood plains of Chautauqua, Canadaway, Silver and Walnut creeks in addition to Cattaraugus Creek at the northern boundary. The proposed study area also extends inland farther to include the central business areas of Westfield, Dunkirk and Silver Creek.

There was a discussion about SEQR to clarify that SEQR requirements were not part of this phase of the planning process.

The Public Participation plan was discussed. The plan includes two sets of public meetings at two locations each, an online community survey, three focus groups and three more committee meetings.

When the business of the meeting was concluded, a vision session was conducted. The session focused on a few questions for discussion and was facilitated by the consultants. Following are common themes, ideas and responses to the four questions discussed by the group.

**How do you see the Northern Chautauqua Waterfront in the next 20 years?**

- Vibrant, utilized
- Active
- Fully used
- Connected from Hanover to Ripley
- Multiple recreational uses
- Natural resources protected
- Flooding mitigated
- Hub of activity based on outdoor recreation and water recreation
- Managed and balanced
- Visitor friendly, branded
- Stimulus for inland development
- Mix of residential and retail
- Unified and redeveloped
- Multiple attractions within walking distance to water
- Attract people here all year round and to live here, do it in a sustainable way
- Develop the Route 5 corridor for biking
- Dredged for better boater access: Cattaraugus Creek, Barcelona Harbor, Dunkirk Harbor
- Residential development, senior citizens complexes

**What are issues or problems of the Northern Chautauqua waterfront?**

- Pollution, algae bloom in the western basin
- Erosion and flooding –Silver Creek alone has had 8 or 9 floods this year
- Unemployment
- Ghost properties, tax base erosion
- Public access is sometimes denied by private owners
- Political will
- Aging population
- No plan of action on how to utilize the waterfront
- Parochialism
- Lack of vision
- Lack of human and cash resources
- Impatience
- High turnover of leadership
- Inferiority complex
- Aging Infrastructure

- Limited leadership
- Accessibility and connectivity
- Parking
- Trails
- Lack of good harbor management and harbor plans
- Lack of sewer service from one end to the other and
- Trucks use Route 5 conflict with bikes
- NIMBY

### **What are opportunities for the Northern Chautauqua waterfront?**

- SUNY 20/20 Shared vision Field Center in Dunkirk
- Waterlines
- Growth of the wine trail and now a distillery and brewery that can draw visitors to the waterfront
- Concord Grape Belt Heritage Area and related grants
- There are a lot of opportunities for more coordinated events related to water uses, not just here but all along PA and Ohio
- Seaway Trail
- Barcelona Harbor to Chautauqua institution trail following the old portage trail and the old rail lines
- 1 of five pieces funded through DOT's TEP Mayville west to 430 submitted a grant for Mayville park to Chautauqua, lighthouse in Barcelona all the way to the bell tower in Chautauqua Institution, multi use trail all kinds of different users
- Lakefront boulevard project could revitalize the area on the lakefront
- \$4 million teardown and replacement of the seawall, including increased access to the lake and the beaches and over by Wright Park going to be a nicely paved promenade with foot showers, new playground, gazebo

### **How do you plan to use the LWRP to improve the Northern Chautauqua waterfront area?**

- Funding
- Upgrade of our Sheridan Bay park on Route 5
- Attract private investment show developers we do have a vision
- A way to address our problems, provide common vision and take it out to the public
- A plan is a tremendous asset, an approved LWRP
- Get some hope; people have to believe that we can do this
- Buffalo, look what they're doing it's infectious, is contagious
- Regional project like this is safer than water line development where people are still protecting their turf, we have nothing to lose

During the September 25, 2014 kickoff meeting with the Steering Committee and Waterfront Advisory Committee, a vision session was conducted. The session focused on a few questions for discussion and was facilitated by the consultants. Following are common themes, ideas and responses to the four questions discussed by the group.

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#### *8.3.1.2 December 4, 2014 Meeting*

#### **Northern Chautauqua County LWRP**

#### **Committee Meeting #2 Minutes**

SUNY-Fredonia Technology Incubator, Dunkirk, NY

Thursday December 4<sup>th</sup>, 3:00-4:45pm

#### Present:

- Aaron Resnick, Westfield Development Corporation
- Gina Paradis, Chautauqua County Land Bank and the Northern Chautauqua Community Foundation
- Kathy Tampio, Chadwick Bay Regional Development Corporation and Chautauqua County Bed Tax Committee
- Caitlin Moriarty, Chautauqua Region Industrial Development Corporation (NCC LWRP Project Manager)
- Chuck Cornell, SUNY Fredonia Technology Incubator
- Mike Rowe, representing Ripley
- Glenn Reed, representing the Town of Sheridan

- Cassandra Pinkoski, Lake Erie Management Commission
- Thomas DeJoe, representing the Town of Portland
- Lacy Lawrence, City of Dunkirk
- Edward Schintzius, representing the Town of Hanover
- Brett Christy, representing the Town of Pomfret
- Mark Kutner, representing Town of Dunkirk
- Tony Pearl, representing the Village of Silver Creek
- Jay Warren, Northern Chautauqua County Local Economic Development Committee
- Mark Geise, **Chautauqua County** Department Planning & Economic Development and the Chautauqua County IDA
- Don McCord, **Chautauqua County** Department Planning & Economic Development
- Eve Holberg, peter j. smith & company
- Jim Wagner, peter j. smith & company
- Peter Smith, peter j. smith & company
- Michelle Bodewes, KHEOPS
- Angela Keppel, KHEOPS

Eve Holberg introduced herself and stated the purpose of the meeting to offer an overview of progress to date. She asked all present to introduce themselves and their affiliations to the LWRP municipalities.

Jim Wagner presented an overview of benefits to creating an LWRP generally and presented the NCC LWRP boundaries. The study area extends 500ft southeast of Route 5 and 150ft into Lake Erie and includes 3 creeks branching out from this area. Jim went over the list of communities within the study area and presented an overview of existing plans for projects in several communities. These projects included Hanover's desire to encourage commercial development on Route 5 and Route 20 and the need for design standards for such development and the county greenway plan—particularly the stretch between Westfield and Mayville. Jim also noted projects from the Chadwick Bay LWRP draft that will likely carry over into this NCC LWRP, namely, the need for a consistent signage plan, identifiable gateways and design standards for Route 5. He mentioned that one challenge facing future development will be how to coordinate recently installed Chadwick Bay signage with this LWRP, which is larger in scope. After reviewing several specific potential projects, such as the need for better connection to the water and the potential for trails on the bluff at Sheridan Bay, Jim expressed that the LWRP municipalities will need to offer input on how they want to see places in their jurisdiction change; for instance, he asked if Ripley would want to keep Ripley Beach primarily a town beach or promote it as a tourist destination.

Jim then moved on to an overview of the character areas that peter j. smith & company has developed to guide planning for the LWRP study area. These included steam valleys, grape county, waterfront communities, heritage downtowns, working waterfronts, destination beaches and gateway commercial. Finally, Jim spoke about scenic resources; since the study area does not include any state designated scenic resources, his team used its own criteria of places that have a nice view for determining scenic resources. He noted potential issues or limitations for planning around these areas that could arise based on the ownership (i.e., private or public) of these resources.

Michelle Bodewes presented preliminary findings from an inventory and analysis of existing characteristics. She noted at the beginning of her discussion that KHEOPS could use insight from the WAC about certain trends that appear in the data (e.g. significant rates of population loss or increase). She began with an historic overview of the NCC area and noted in particular the 2013 Lake Erie LAMP and more recent 2014 Great Lakes LAMP II as significant documents pertaining to future planning and regulation of the study area. Next, Michelle presented demographic information from U.S. censuses. Areas covered included: population, race/ethnicity, age, housing occupancy, housing units, age of housing units, status of housing units (own/rent), value of owner occupied housing, income of population and employment by industry sector. WAC members offered several points of insight to and questions about the demographic information:

- Town of Portland population reporting no longer includes inmates
- Ripley's location makes it vulnerable to business competition from PA and people used to live in Ripley and work in Erie, so when Erie's industry declined, it affected Ripley's population
- Ripley's last high school class had ~10% African American component, so the 0% reporting seems odd
- There was a suggestion to show change in race/ethnicity like the population chart showed
- The county home in Dunkirk and SUNY-Fredonia in Pomfret/Fredonia likely impact age demographics
- Seasonal homes likely impact the housing demographics
- There could be a broader discussion about the challenges and opportunities pertaining to such an old housing stock (vast majority pre-1939)
- There was a suggestion to clarify that the demographics of some towns/villages include others (e.g. Promfret and Fredonia)
- There was a question about where government fits into the employment by industry break down and a suggestion to break it out into its own category; there was also a suggestion to compare these categories to Chautauqua County as a whole.

Next, Michelle presented an overview of the economic characteristics of the study area. She noted a few existing programs including StartUp New York and the New York State New Farmers Grant that may pertain to the LWRP area. Finally, she spoke about several other areas of study that have not yet been fully developed, including land use, public/private ownership, parks and recreation, historic and cultural resources, environmental considerations and sewer and water infrastructure. WAC members offered feedback on several areas:

- The way that Fredonia is presently included in the study is confusing; this needs to be clarified.
- Historical and cultural resources should include the War of 1812 marker
- The Barcelona Harbor may have insight to shipwreck sights and tourism
- The determination of "significant" wetlands can be confusing (Michelle and Jim noted the difference between state and federal designations)
- The study for the Greenway Trails, from about 1.5 years ago, includes a lot of resource mapping that may be useful to this study

Eve finished the meeting by reviewing the upcoming meetings and the process of public outreach scheduled for the next few months. Public outreach will include 3 focus groups on Jan 29<sup>th</sup> (economic development and tourism, recreation and water access and environment and water

quality) and 2 public meetings on Jan 28<sup>th</sup>. Eve also presented the questions included in the survey that will be launched in January. There were a few suggestions on the survey, including additional answer options:

- Q1: add hiking, diving, motorcycling, antique cars, bird watching and ATVs
- Q2: spelling of Borrello
- Q3: ATV trails
- Q4: flooding, erosion, weeds, maintenance

Anthony Pearl offered a project list that he developed with the Silver Creek Planning Board. Jay Warren suggested that it may be useful to have WAC members collect similar lists from their respective townships/villages/planning boards and, similarly, Mark Geise suggested that peter j. smith provide a short questionnaire for the boards to have direct input similar to the public outreach strategies.

### 8.3.1.3 *March 24, 2015 Meeting*

Northern Chautauqua County LWRP  
Committee Meeting #3 Minutes  
SUNY-Fredonia Technology Incubator, Dunkirk, NY  
Tuesday, March 24, 3:00-5:10 pm  
Present:

- Aaron Resnick
- Gina Paradis
- Kelly Borrello
- Steve Neratko
- Chuck Cornell
- Mark Geise
- Vince Tampo
- Warren Kelly
- Edward Schintzius
- Dave Spann
- Cassie Pinkowski
- Jay Warren
- Martha Bills
- Eve Holberg, peter j. smith & company
- Jim Wagner, peter j. smith & company

Eve Holberg introduced herself and stated the agenda of the meeting:

- Review Public Input
  - Focus Groups
  - Open Houses
  - On-line Survey
- Review & Prioritize projects
  - LWRP Master Plan
  - LWRP Projects
  - Community Projects

- Prioritization of Community Projects
- Preview New Open Houses
  - Format
  - Displays
  - Publicity
- Schedule

There were three focus group sessions held January 29 in these subject areas: Economic Development and Tourism, Recreation and Water Access and Environment and Water Quality. Eve explained that the weather was terrible and the first two groups were somewhat better attended than the last. Later in February, a meeting was held with the Lake Erie Management Commission to gather input on environment and water quality issues. She briefly ran through the input received from the groups.

Eve went on to describe the input received from the open houses. Two open houses were held on January 28, an early afternoon session in Westfield and an early evening session in Dunkirk. During these open houses, participants were asked to name projects that they would like to see implemented on the waterfront and also participated in an exercise designed to prioritize the policy areas and indicate what types of uses should be encouraged and discouraged on the waterfront.

Finally, Eve reviewed the public survey. The participation was very gratifying with more than 200 people taking the survey. There was good consensus on the activities, facilities needed and waterfront issues. The most visited open spaces on the waterfront are Dunkirk Pier, Point Gratiot and Lake Erie State Park. Maintenance of existing parks, cleanliness, maintenance and water quality were the top four issues.

Eve introduced the Master Plan for the Northern Chautauqua County Waterfront. The Master Plan for the Northern Chautauqua County waterfront sets the context for future development and preservation of the Lake Erie shoreline and shows the potential for a linked waterfront building a cohesive lake identity. The master plan shows a series of graphic concepts that include numerous projects that are included in the LWRP. These are the signature developments. The many projects that have been developed during the process will all be included in the plan. The graphics are designed to show how the vision of the future that has developed during the plan process can be realized.

Jim Wagner went through all of the projects that have been developed through the process to date. These include ideas that came from through the public input process, projects that are incorporated in communities' existing planning projects including existing waterfront and visioning plans and other sources.

Members of the WAC visited each of the 10 cooperating communities and worked with board members to develop their lists of plans to be included in the LWRP. Jim Wagner went through each of these lists with the committee, commenting on their relevance and in cases where they can't be included, why not (outside of boundary, for example). The committee was given the opportunity to prioritize these projects if they felt comfortable that they were familiar enough with the community to do so. The members of the committee had a number of specific corrections and comments to be addressed in the Draft LWRP. These were noted and included:

- Need for weed harvesting in the harbors
- Need to address breakwall or determine other means to relieve flooding in Hanover
- Great lakes Science and Education Center is a SUNY 2020 proposal (not START-UP NY)
- Hanover Town Park and Hanover Beach Park are the same thing
- Sidewalks and circulation improvements are urgently needed at Sunset Bay
- Access to the Hanover Pier is unsafe
- Add *upgrade* to sewer expansion recommendations
- Add a pocket park across from Dunkirk City Hall
- Need to revisit invasive species, green infrastructure and storm water thresholds in policy

Finally, at the conclusion of the meeting, Eve described the upcoming open houses. They will be held as follows:

- Wednesday April 8
  - 1-3 p.m., JCC North County Bldg., Dunkirk
  - 5:30-7:30 p.m., Westfield Gym

The format will be the same as the last time: open house or drop in style. There will be posters, a PowerPoint presentation running on a loop and feedback forms for people to prioritize the projects and provide more ideas and other input. Committee members stated that they felt there should be a presentation at the outset of each meeting to provide a context help people be better informed about the LWRP. That will be no problem at all, Eve said.

The next committee meeting was scheduled for 3 p.m. Thursday, April 23, pending availability of a venue.

The meeting adjourned at approximately 5:10 p.m.

### 8.3.2 Community Workshops

Public Workshops – Open House  
January 28, 2015

Two public open houses were held on January 28, 2015 to gather input from residents and stakeholders, generate ideas and identify threats and opportunities that may exist within the study area. The open houses were held in the Village of Westfield and the City of Dunkirk. These two locations were chosen in hopes of attracting interest and attendance from throughout the study area. During each open house, an informational PowerPoint presentation was played on a loop. The presentation discussed the benefits of participation in the LWRP and contained examples of successful LWRP implementation from elsewhere in New York State. Attendees at the open houses were invited to participate in three activities:

- In the first, they were asked to identify existing under-developed or underutilized areas, existing uses or conditions that threaten the environmental and economic health of the study area and to express a vision for the future of the waterfront;
- In the second, they were invited to locate specific project ideas on a map; and



- In the third they were asked to rate and evaluate the LWRP policies, sharing issues related to the groups of policies: developed, public, natural and working waterfronts.

The results of the sessions are below.

### **Identifying Waterfront Planning Issues Opportunities**

*What are some existing under-developed or underutilized areas you see within the waterfront planning area? Are there resources that can be better used or redeveloped for a new and better use?*

|  |
|--|
| Dunkirk lake front trail - broken access between end of trail at Memorial park & beginning of trail at Pont Gratiot Park   |
| Please develop the Barcelona Lakefront   |
| Town of Portland - underdeveloped, limited access. Lake/creek fishing. Point Gratiot underutilized, could be better promoted. Connections to Chautauqua Lake. Small commercial development - recreational  |
| Chautauqua Creekside trail from Rt. 5 to Lake Erie maintained to handicapped access  |
| Parks and access to overlooks and gorges. Lighthouse & Innkeepers Cabin - maintain   |
| Boat launches for canoes & kayaks are needed e.g. at Point Gratiot and at some access road between there and Barcelona - possibly at Lake Erie State Park. A bicycle path between the State Park and Barcelona.  |
| From Silver Creek to Dunkirk - No recreational areas - There has been a seaway trail - there may be biking along this - I doubt hiking from Dunkirk to Lake Erie State Park - residential property - not much you can do   |
| Rest/recreation area at Point Gratiot. Lighthouse property. Unused/antiquated moorings in main Dunkirk Harbor. Alter handrail on marina harbor breakwall to provide benches/walking/rest areas to enjoy the sunset.  |
| Specifically within the City of Dunkirk, the area south of Route 5 and north of elevated rail lines with main street on the east and Central on the west - try to make this available for development. It could be used as a site for an intermodal transportation facility linking the waterfront with the one in Buffalo - especially if a new Bills stadium is located in downtown Buffalo - could we get the Pegulas as it could feed their businesses in Buffalo. |
| Town of Portland Lake Erie State Park. Pull off areas or rest stops for visitors or residents to look over Lake Erie and enjoy the sunsets. More bike trails and walking trails  |
| The area between Tim Horton's & the hotel - keep as open as possible to views of the lake, but use for education-museum-an attraction.   |
| Cedar Beach needs a great deal of attention. Get rid of the WWII machines at the lighthouse; return it to pristine presence, no fences, rose hedges. More flowering gardens at the point. Improve the beach at crooked brook and develop something with the brook's entrance to Lake Erie that is more pleasing.   |

The mouth of Catt Creek - Dredging needs to be completed for the main channel. The SC reservoir should be developed - in trails - boat launch 7 water access.

Sailing does not harm the environment - offer classes to kids, regattas, boat fleet for public use on model 9 the Charles River Basin in Cambridge; Kayaks & paddle boats where feasible, better lighting at scenic places.

The entire shoreline within the City of Dunkirk is a potential target for every aspect of redevelopment. Existing seaway trail needs better signage and needs bike oriented businesses. Trails are segmented now - interrupted by broken seawall and the NRG Plant. Trail needs continuity end to end. There should be better water sports access (paddleboard, kayak, canoe, et al) at multiple points along shore - Pt Gratiot, Cedar Beach.

Further development in the city of Dunkirk - owned prop (harbor front area between clarion and Tim hortons) Development might include lofts above storefronts, as envisioned by Jeff Gambino among other proposed development should serve to attract boaters from OH, ON, PA, Barcelona and Sunset. Easy access to waterfront in the Town of Portland. Enhanced signage is needed to inform travelers of attractions along the waterfront.

More development needed on fishways. Hiking trails along creeks & waterfronts

**Threats/Weaknesses**

*What are some of the existing uses or conditions that threaten the environmental and economic health of the waterfront?*

Continued use of poor septic systems. NRG coal/natural gas pollution. Leachates from Don Frame Coal Ash Landfill (closed) and current use of NRG Landfill. Need for open reporting to Town officials and private citizens about required testing.

Erosion at various places. Sunset bay area flooding

Cormorants - not a good bird. NYS red tape, fees, etc. associated with every project idea presented.

Barcelona lighthouse where the ridge falls into the harbor - stabilization. The breakwalls - when were they last serviced. Bell tower at St Peters Episcopal church in Westfield - needs repair.

The power plant including the new gas line - must be carefully monitored. The use of coal ash on roads should be stopped as the runoff is a serious pollutant. Towns along the waterfront should take preventative measures to zone against high volume horizontal hydrofracking, which might threaten if Cuomo's successor lifts the current ban.

I am not aware of any environmental issues that impede development, although that is a major concern

Power Plant limits continuity of trail ways

As area north of Route 5 bordered by central and Main was obtained by eminent domain, it limits development to those entities that only lease. I believe every effort should be made to have the wildlife/fisheries facility located there as it will fulfill the plan made years ago.

Fishing/tourism is our hope.

|  |
|--|
| Poor water quality for development   |
| Debris thrown in the area behind the high-rise, debris from drug use. Public beaches. Dredging of the area behind the high rise  |
| The Town of Pomfret has all but ruined any chance for the development of office development (Landing) formally Holy Cross Seminary- New housing is impossible yet water & gas. Clean out the land bridge at the foot of north main retain and dredge the land.   |
| Constant flooding to the village of SC, sunset bay and Hanford bay. Vacant properties. Vacation homes not up to code.  |
| NRG is a threat - phase out at end of 10 years. It is an albatross on the waterfront, pollutes the water. Corrupt local governments - lack of prerequisites for government positions. Private clubs that keep competition down, make for "unfriendliness" to keep visitors and keeps ethnic divisions in place.  |
| Continued pollution of Crooked brook from Route 20 in Fredonia all the way to Lake Erie. Parking lot runoff and the like as well as excessive fertilizer intrusion is a major problem. City of Dunkirk is not a destination now; it needs all the elements that create a viable infrastructure to draw locals and tourists at least for 3 seasons. Dunkirk City administration is a threat to any progress due to their reticence and lack of any vision whatsoever. |
| We need for continuing growth in county government's focus on the waterfront. Increase staffing in county and City of Dunkirk Depts. of Development. Increased communication among leaders of waterfront communities, potentially already in place through the Chadwick Bay Regional Dev. Com. Financial problems of all SUNY campuses threaten delivery on the vision of total engagement with the community.   |
| Farm run-off, though this is probably improving. Lack of septic  |

### Vision

*What's your vision for the Northern Chautauqua County waterfront? Please give us some key words or phrases you think should guide the future of waterfront planning and development.*

|  |
|--|
| Clean north region water system that tests regularly for existing pollution threats  |
| A unified appearance, frequent opportunities for public access for walking, fishing and cycling along road and trails, naturally scenic.   |
| Open spaces, vineyards and public access to water, creeks and lake vistas.   |
| Recreation, including areas kept as nature preserves for bird & wildflower watching.   |
| Commercial business incentives, recreational opportunities other than fishing & boating. We need to do this - people are going to Buffalo now to take advantage of Canalside. \$s leaving the area. We are much different; however, we can provide more opportunities.   |
| Clean up of marina, offering area for water sports, watercraft, rentals, water park, relaxation  |
| Improve the Dunkirk harbor waterfront to the extent it is a gathering place for tourists and residents and let that growth extend out in both directions. Improving transportation facilities (intermodal center) along with parking could go a long way in helping the entire Northern Chautauqua region and not only the waterfront. |
| New Waterlines along Rt. 5. New development with bike & walking trails. More areas to enjoy Lake Erie from fishing and recreation and to attract visitors to our area.   |

Open access promoted by state & local entities.

Make it easy to come here and take care of the tourists that do.

Dunkirk could be like Niagara on the Lake. There could be so many tourists that the ships & walkways would be full if we made it pretty, maintained and eliminated the local friends and family policies

An accessible, vibrant, active area where economic development of small businesses and diverse retail, commercial activities meld with recreation access to shore. The massive infusion of economic development both public and private is mandatory to affect the turnaround necessary to improve the situation.

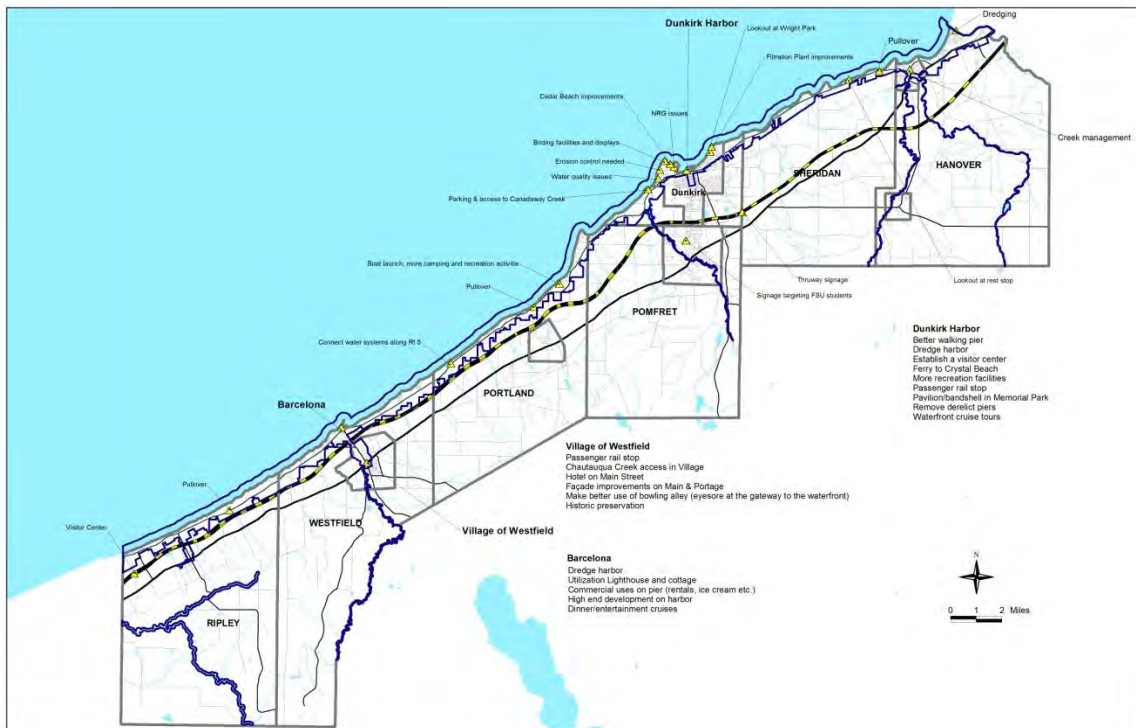
Access - Take leadership in protecting environment of the lake, build on infrastructure in place in Westfield/Dunkirk/Sunset Bay.

Connect communities on central drinking water plant. Benches enhanced for public access. Barcelona enhancements.

### Project Location Exercise

Citizens that attended the open house sessions were ask to identify specific projects and locate them on a map. Many of the ideas written on the map were associated with a specific location. These projects are presented in the following map. Extra space on the maps allowed the public to articulate general issues that do not apply to a specific place. These ideas were summarized into the following:

**Figure 8-1 – Open House Mapping Project**



Source: peter j. smith & company, inc.

- Picnic facilities with restrooms and showers are needed for tourists & hikers
- Cleaning and maintenance of all beaches

- Bench seating along trails
- Create mixed use trails for hikers, bikers and running
- Coordination and support is needed for visual and performing arts (ex. North Shore Arts Alliance)
- Bicycle/skate rental facilities are needed
- Kayak/Canoe rental facilities are needed
- Bicycle supply and repair shops are needed
- Locate a fresh fish/farm market
- Extend snowmobile trails into waterfront centers
- Expand bird sanctuary and public education program
- Information centers are needed to market attractions
- Improve signage & public awareness
- Promote Underground Railroad history
- Promote War of 1812 history
- More events and attractions are needed
- Develop trails that connect into the NEPA trail alliance
- Establish a shipwreck museum
- Establish a visual & performing arts center
- Create greater access to water
- Establish senior housing developments
- Create a branding for the lakeshore

### **Local Waterfront Policies**

Please rank the group of policies where 1 is the most important to you and four is the least important. Therefore, the lower the score, the more important.

| <u>Average</u> | <u>Policy Group</u>  |
|----------------|----------------------|
| 1.75           | Developed Waterfront |
| 2.38           | Public Waterfront    |
| 2.44           | Natural Waterfront   |
| 3.29           | Working Waterfront   |

*What issues are the most important for **developed waterfronts**? Are there development patterns that should be enhanced or protected? Do significant historic or cultural areas need to be safeguarded?*

NYS funded project-Creating health places provides funding & efforts to improve the built environment to increase access to the physical activity. We are currently working in Dunkirk, but have plans to expand our efforts to Ripley & Silver Creek. Your efforts are in perfect alignment with the efforts of creating healthy places.

Maintenance of existing. Existing development patterns should be enhanced and protected. Yes, historic or cultural areas must be safeguarded.

Maintenance - easy to care for -beauty - convenience to users - attractions-preservation of existing homes & historic areas

|   |
|---|
| Maintaining rural charm of waterfront, Municipalities and ensuring historical structures are maintained   |
| Consider environment in development, long term infrastructure/maintenance costs   |
| Environment - each concern needs to be evaluated separately   |
| Providing infrastructure. Linking area to the outside and enticing people to visit  |
| Smart growth  |
| Railroad development history. Underground railroad History, Ethnic groups, Lake Erie Battles history, festivals   |
| Year round activities. Historic lighthouse  |
| Protect the good existing facilities. Historic areas should be protected and promoted   |
| Attracting people to stop and spend time. Fit in with natural beauty  |
| Water/sewer - build residential   |
| Policy 1 - maintain & advance natural areas. Prevent expensive housing that blocks lake access to others. Dunkirk needs to improve the quality and cleanliness of the Clarion - a prime spot that is not seen as positive to tourists who have stayed there |
| Historic cultural areas need to be safeguarded. Public recreation   |
| High end housing to increase tax base and appearance of waterfront. Attract people who can afford to shop & eat out and whose values will protect the environment   |

*What issues are most important for **natural waterfronts**? Are there public safety, navigational or habitat issues that need to be addressed for the waterfront? How should water levels and erosion control be addressed?*

|   |
|---|
| Preserve the beauty of natural waterfronts for future generations. Signage and attendants at public facilities would help with safety. Water level & erosion control should be done by Army Corp of Engineers |
| Consider all issues - however, because of the lay of the land - to adhere to these policies may not be too difficult  |
| We need to mitigate human waste in watershed by enforcing maintenance of septic/sewage infrastructure   |
| Enforce Policy 8.1-8.6 and Policy 5.1-5.4   |
| Maintain wildlife habitats, natural beauty, protect water quality (Regional issue)  |
| Leave to the experts  |
| Do nothing, leave natural. Water levels and erosion control is too large for the LWRP to concern themselves with  |
| Bird & Wildlife habitats  |
| Dredging of harbor. Protect the water filtration plant  |
| Safe access for natural areas should be provided  |
| Need to keep natural resources intact   |
| Aesthetically pleasing - access to water  |
| Public safety and access need to be continued. Protect aesthetic values associated with high scenic quality   |



NRG and other polluting entities endanger the well being of fish/wildlife & humans. Let's move away from fossil fuels

*What issues are most important for **public waterfronts**? What are some ways that access to the water, both physical and visual, can be protected? Are land use policies needed to ensure public access?*

Publically owned waterfront facilities need to be protected by government policies and programs where needed.

Once again consider all aspects equally - all are important. We have a State route that runs along our waterfront. Land use policies are key.

Maintenance of beaches needs to be addressed earlier in the year - should not wait until end of June/July. Improve beach/waterfront spaces - appearance, cleanliness, access to existing structures.

We need physical access to Lake Erie in the Town of Portland

People won't support protection of waterfronts that they can't enjoy to the extent they would when there is free, frequent, adequate access

Do not limit public access beyond what is available now. Encourage public use of the waterfront - Not sure it is a problem

Zoning

Public binoculars

More planned activities for families

Cleanliness, parking, public restrooms

Need to have access because what good is it if you can't get to it.

Place to recreate but safe - supervised

Land use policies are. Need signage in Fredonia noting Dunkirk attractions. Students are unaware they are 3 miles from the lake. Need signage, street markings for crossing. Prevent charity and churches from having prime property. Increase buildings that promote public access. There is a need to maintain cleanliness and getting control over debris thrown into the lake, beach areas and parks.

Provide better water access to Sheridan & Town of Dunkirk - A senior housing (scenic plot development for seniors

Yes, accessibility and parking are required. Boat access and docking is also required

Better signage for sure, but make attractive and tasteful

*What issues are most important for **working waterfronts**? How should adverse effects of commercial development on the waterfront be managed? Are some areas more suitable than others for waterfront commercial development?*

We have many laws and government agencies in place now that should be able to take care of working waterfronts.

All important to provide a successful venture. Commercial development in our area should be limited due to the layout of the land and limited room.

Commitment/assistance from commercial facilities (ex Tim Horton's) cups/bags litter beachfronts - They should be a part of the cleanup.

|  |
|--|
| Absolutely enforce and monitor Policy 13.2-13.6  |
| Considering impacts on viewsheds, i.e. offshore wind? Protection of safe environment friendly waterfront uses is important. Ag land protection - need to consider impacts of agriculture on water quality and promote responsible practices. |
| Yes - Consideration must be given to public parks and not allow commercial development   |
| Master plan - and don't limit ideas to only the thruway and routes 5, 20 and 60 to get people here. Intermodal facility and promote Dunkirk Harbor to "cruise into"  |
| Smart growth   |
| Enclosed commercial stores, shopping, food court, skating,   |
| Public and private management  |
| Our waterfront is extensive enough for both public and commercial development. They could fund each other.   |
| Hotels OK but need for view from road preserved - scenic byway   |
| Upgrade the cleanliness of the Clarion - perhaps a different hotel for CSX workers who may take a toll on the hotel.   |
| Enforce zoning & code enforcement already in place. Severe neglect which leads to blight and who would ever want to establish a business here.   |

**Waterfront Uses and Activities**

*What kinds of uses and activities should be specifically encouraged and discouraged on the waterfronts?*

**Developed Waterfronts**

Encouraged

- “Green” residential development
- Annual maintenance
- Bathhouse/restrooms
- Beaches
- Boating
- Boating/kayak/bike rental
- Camping
- Community events
- Cultural presentations brought to the waterfront
- Develop a good relationship with existing residents - this has been a problem with development in the past
- Docks/fishing access
- Educational resources
- Entertainment
- Feasibility Studies
- Fishing
- Flowers/trees
- Good funding resources
- High end housing
- Historic restoration

Improve transportation facilities including parking - use of trams during festivals and fishing tournaments

Many older couples & singles are looking for small retirement ranches to downsize - not necessarily on waterfront, but nearby

More state input

Museums & bandshell

Parking

Recreation

Residential

Site developed by private

Sporting (Golf)

Successful grants

Swimming

Swimming/lessons

Tourism

Tourists

Trails- blue & green fish

Trails& Walkways

Trash containers

Wayfinding Signage

Windmills

### Discouraged

Chemical intensive agriculture

Fishing and boating in areas designated for swimming

Industrial activities (3)

Move non-profits and low income services off the waterfront - lots of space elsewhere

Noisy enterprises

Second hand stores, churches along prime waterfront property

We cannot discourage any sensible investment by anyone

Yacht clubs/private docks

### **Natural Waterfronts**

#### Encouraged

Bike trails

Clean beaches

Clean water

Do nothing. Leave natural

Dredging

Environment & wildlife

Erosion control efforts

Flood control

Flowers/trees  
Hiking  
Hiking trails  
Historic buildings  
Improving septic/sewage infrastructure  
Keeping development away from sensitive areas  
Maintain the quality of water  
Posted for public use only - walking trails and upkeep  
Preserve some areas of natural vegetation & look of the lake - but beautify whole area.  
Quiet activities like bocce ball, badminton, croquet  
Safe trails  
Site-seeing  
Trash containers  
Walkways

#### Discouraged

Industrial activities (2)  
Stop avoiding testing for leaching from Don Framme & NRG coal ash landfills  
Disruption of habitats  
Any development  
Vandalism  
The dismantling of Pomfret wastewater treatment in conjunction with Dunkirk city to develop more housing on that area of the lake. Graff property is the choicest property on Lake Erie - 72 acres with filtration plant next to it  
Motorized recreational vehicles  
People movers

#### **Public Waterfronts**

##### Encouraged

Fishing (2)  
Fishing access  
Get people there and let them use the facilities  
Historic signage  
Kayak, paddleboats etc. rental  
Keep environment Clean  
Look for a unique way too brand the city  
Maintenance of beaches  
More restaurants  
Natural trails  
Parking lots  
Parks  
Parks, Recreation, Access

Personal watercraft use  
 Picnic/non-overnight  
 Provide more parking  
 Public beaches, picnic areas  
 Restaurants/food stands  
 Restrooms  
 Sailing for youth  
 Shops  
 Supervised play areas  
 Swimming  
 Swimming/boat rental  
 Trails & walkways  
 Universal access  
 Walking/biking/running/hiking

#### Discouraged

Buildings that block the view of the lake & prevent lake access  
 Camping/Campgrounds  
 Dumping of waste in harbors  
 Fees  
 Industrial Activities  
 Limiting access or development  
 Private clubs that kill the competition  
 Too Commercial

#### **Working Waterfronts**

##### Encouraged

Adhere to all policies  
 Agricultural development  
 Clean high tech industries  
 Commercial development  
 Encourage more business for year round operation  
 Fishing facilities, watersport, kayaking  
 Keep cost of development in check  
 Light industry  
 Limited wind/wave energy  
 Make sure dredging takes place before it is needed  
 Marina  
 Research Center for Great Lakes  
 Sailing/boating/diving businesses  
 Shipping

##### Discourage

Chemical waste producing industries  
Coal burning plants  
Industry  
More studies - Do something!!  
View obstruction

### 8.3.3 Focus Groups

Three focus group meetings were held during January 29, 2015, to gather input from people with direct experience and insight in the topic areas of economic development and tourism, recreation and water access and environment and water quality. The focus group sessions are comprised of invited participants who have insight or expertise in the focus group topic area either by vocation or avocation. The sessions are facilitated conversations around a limited number of questions. The account of the three sessions is below.

#### **Economic Development & Tourism**

*What is the Character of the Lake Erie waterfront in Northern Chautauqua County? What makes it unique to the Great Lakes?*

- Best kept secret
- Underutilized for tourism & sports
- Panoramic views
- Bucolic setting; 4 seasons
- Unique for grapes
- Large vistas
- Ideal for holding water based events, hiking & biking
- Ideal location for restaurants, hotels and high tech businesses to attract millennials
- Narrow plain between lake & escarpment
- Lot of undeveloped coast line
- Great fishing & boating resource
- Between two population centers
- Environmentally interesting
- Opportunity for wildlife viewing
- 2 historic lighthouses
- Part of the Grape Heritage Trail
- Need to work on perception of the city and lake front
- Rocky cliffs
- Beaches (often closed for various reasons)
- Eagles are prominent in the winter near power plant
- Concern with over development – Control growth into county
- Focus on natural wonders



- Underutilized natural resources
- In need of sufficient development to encourage investment
- Has available land, geographic access and available workforce
- Beaches need improvement – Cleaning driftwood, rocks
- Odor at Wright Park from STP
- No retirement home facilities – need to offer more
- Millennials are looking for quality of life, not employment centers
- Few places where birds do not fly south

*What are the top three opportunities for economic development and tourism for the Northern Chautauqua County waterfront?*

- Scuba diving – more shipwrecks than any other place
- Potential for wind energy
- Educational resources
- Need a unique museum attraction
- Ecotourism
- Need year-round attraction
- Diving museum
- Retirement communities – multi unit facilities
- Minimize McMansions
- Need better public access
- Need more/better amenities – bring existing facilities up to quality
- Access to stream fishing
- Water parks 7 family activities for a day or two
- Dress up storefront attractiveness across the board
- Need better signage to navigate to attractions
- Hikable/walkable waterfronts
- Challenge is no real destination
- Wind & Solar – Use NRG assets – 40% of NRG energy is from alternative sources
- Cross country trails, snowmobile trails
- Festivals
- Need year-round activities
- Dunkirk – second most affordable place
- Numerous transportation options
- Promote winter activities
- Outdoor skating
- Vacation rentals

- Boat rental
- Scenic charters
- World class maritime research facility (Like Tom Ridge Center) – needs strong community support for StartUp funding
- Farm to table opportunities
- Need better internet access
- Reduce truck traffic on Rt. 5
- Arts & small businesses
- Lake Erie cruise ships
- Marketing of resources

*What are the top three challenges facing economic development and tourism for the Northern Chautauqua Waterfront?*

- Planning Boards
- Lack of long-term and unified planning
- Lack of money & investors
- Attracting young people to supply jobs
- Where to find things (signage)
- Out migrations of 20-40 age group
- Taxes
- NYS does not make it easy to do business
- Lack of State investment
- Competition for resources at the state level
- Lack of cooperation & community support
- Maintaining uniqueness
- Lack of capital resources
- Parochial politics
- Water district politics
- Amount and availability of drinking water
- Population loss, job loss
- Taxes – cost of doing business
- Inability to leverage water resources
- Need public/private partnerships
- Apathetic attitude towards government and planning in general
- Lack of entrepreneurial spirit
- Bureaucracy

*What projects would you like to see come out of the LWRP?*

- Lake Erie Maritime Research Center
- Expansion of Grape Center

- Regional water project (to leverage new food processing)
- Fish & Wildlife center
- Museum with arts, science, history, & wildlife all together
- Ag & Ecotourism opportunities
- Retaining businesses
- Improving existing facilities
- Barcelona Lighthouse
- Change in land use policy

### **Recreation & Water Access**

*What is the Character of the Lake Erie waterfront in Northern Chautauqua County? What makes it unique to the Great Lakes?*

- Great for fishing & boating – not everybody has this resource
- 3 harbors of Refuge used periodically
- Vast amounts of fresh water – need to take advantage
- Access to a variety of resources
- Fresh water access
- Wind resources are amazing
- High bluffs are unique
- Viewing sunset from high bluffs
- Beautiful swimming beaches
- Shipwrecks
- Vineyards

*What are the top three opportunities for recreation and water access in Northern Chautauqua County?*

- Working together to establish a vision (not against each other)
- Establish fishing rights
- Harbor dredging necessary
- Make access better
- Take care of existing properties/facilities
- Need better access to trails
- Take care of the lake
- Federation of snowmobile clubs
- Ottoway Park is underutilized
- More fishing charters – increase incentives for captains
- Invest in parks & public lands
- Improve access to Lake Erie Beach State Park (only one access point)

- Keep beaches aesthetically pleasing
- Improve/expand wind based water uses (ex kite boarding)
- Wreck diving
- Fishing license much easier to get
- Bike trail that parallels Rt. 5
- Stream fishing
- Tie everything together for marketing
- Cross country skiers have full access to snowmobile trails
- State Parks controls Barcelona light

*What are the top three challenges for recreation and water access in Northern Chautauqua County?*

- Streams used for dumping grounds
- NYSDEC – too much authority (ex. cannot clean dead wood from stream areas)
- State regulations
- Lake Erie can be nasty – water levels, sieches
- Limited parking for stream fishing
- Obtaining easements for access
- Pollution – Ag runoff, STPs Septic systems
- Buffers needed to stop garbage upstream
- Limited direct access to lake
- Barrier created by rail/thruway/power corridor (difficult for trails to cross)
- Legal hurdles
- Need family oriented activities
- Not enough people getting involved to make a noise
- Politicians not doing what they are supposed to
- Keeping Lake Erie clean
- Promotion outside of the area

*What projects would you like to see come out of the LWRP?*

- History of recreation Museum
- Snowmobile trail access to economic development (bridging barriers)
- Dedicated bike path to Erie PA
- Support for watershed improvement
- Increased parking using impervious pavement
- Habitat improvements
- Protection of historical resources
- One stop shop for development approval

## Environment & Water Quality

With only two representatives attending the focus group, the conversation was more informal. The following presents the issues and concerns about the environment and water quality in Northern Chautauqua County expressed in the conversation.

- Small Decline in agricultural acreage
- General push away from measuring agricultural runoff – quality unknown
- Grape growers not a major source of detrimental agricultural runoff
- Less use of nitrogen based fertilizers
- Potassium more widely used
- WTPs are a bigger issue than agriculture
- Field crops and dairy farms not present in the area
- Beach closings caused by failing septic systems (particularly Hyde Creek & Crooked Brook)
- Preserve views of grape crops
- Make sure LWRP does not infringe on agricultural rights in Ag Districts
- Grape growers would not be impacted by waterfront development
- Area starting to produce hops to diversify – demand will increase due to buying of local ingredients (Micro breweries)

### 8.3.3.1 *April 8, 2015*

Two open houses were held April 8, 2015 as follows: Wednesday April 8

- 1-3 p.m., JCC North County Bldg., Dunkirk
- 5:30-7:30 p.m., Westfield Gym

The format was like that of the previous sessions: an open house or drop-in style with posters and discussion items and a PowerPoint presentation running on a loop. The posters were: master plan, Vision, goals and objectives and a poster summarizing public input into the plan. Based upon committee feedback there was a 20-minute presentation at the outset of each open house to provide a context and help people be better informed about the LWRP.

Following summarizes comments submitted at the sessions.

|   |
|---|
| Very nice concepts  |
| Getting large trucks off Route 5 would improve walkability and bicycle use. There are a lot of walkers & bikers already, but many are afraid of the trucks. Keeping the rural areas rural is important for the "atmosphere" of the region. I would think private investments are critical to most project (restaurants, shops etc.) |
| Major focus on Chautauqua Creek for public access in gorge - Portage Trail (not just following a road). No motorized vehicles along the trail (snowmobiles, 4 wheels)   |
| Ripley has potential for hiking & bike trails. The Thruway welcome center is by far the most important need for this entire process.  |

|   |
|---|
| <p>Use attendance sheet e-mails to announce these meetings. I happened to read an article in the Buffalo News or I wouldn't know about tonight's meeting. And I attended the Jan 28th meeting in Dunkirk. I look forward to seeing some of these plans move forward. The lakefront is beautiful.</p>  |
| <p>Thanks for your efforts. We need community support and investment for these projects to be successful. I'm personally excited about projects that serve both the local members of the community directly as well as draw considerable tourism. The hiking, biking, sightseeing and waterfront experience along the areas of Dunkirk, Silver Creek and Barcelona excite me the most. These are resources to be shared and ultimately serve inland communities as well.</p>  |
| <p>I believe we need to concentrate on ways to make Chautauqua Creek Gorge accessible to hikers. DEC has limited rights-of-ways. Multiseason use should also be included; ie winter sports, shoulder season activities.</p>   |
| <p>1) Need to have Willow Rd - Flooding problems in the Town of Dunkirk. 2) Consider Town Hall for upgrades and visitor/ Information Center. 3) Westend water 16" line, Eastend water 12" line. Need for regional water</p>   |
| <p>Information for a novice</p>   |
| <p>I believe this is a good idea and the Master Plan looks well established &amp; I think you hit the major projects needed.</p>  |
| <p>I believe Dunkirk should be the catalyst and connect all the remaining communities too it. Dunkirk should be the lead community</p>  |
| <p>Boat launches at Eagle Bay and Lake Erie State Park</p>  |
| <p>Sheridan Bay Park - Upgrade water system, upgrade septic, repairs to bathhouse, replace playground, upgrade electric. Eagle Bay Beach &amp; Park</p>   |
| <p>Since I own property that borders a small section of Canadaway Creek, I am very interested in the Canadaway Park project.</p>  |
| <p>One of the most difficult enhancements of our lakefront area is dredging &amp; maintenance of our harbors &amp; creeks. It is very expensive, little funding available and usually left up to the ACoE who is overworked and under funded.</p>   |
| <p>This plan was beautifully presented by all speakers, knowing from past experiences, those goals can be reached to our benefit. I suggest that our discussion today be put into print at the local newspapers so the public could be more involved. The one goal I would like to see is that water quality is improved so that the public could go swimming &amp; not get sick from E-Coli. All items presented today are noble &amp; would enrich the area we live in.. Again, public must be involved &amp; their creativity and skills. Please work on getting our train Station open to accommodate business and tourism.</p> |
| <p>We have lost our manufacturing base and need more economic development. To get young people here we need jobs. We might ask JCC and Fredonia State to add programs that would help in developing the tourism industry that this plan is aimed at.</p>  |
| <p>Great meeting. Thank you for the chance to speak. Yes Dunkirk and surrounding towns &amp; villages need to grow together. And they are, but we all need help with grant money, especially Dunkirk which is 50% poverty. We have 3 facilities that need help. NRG Plant, Water filtration plant and our train depot reopened. After all we are blessed with Lake Erie for our water.</p>  |




















What formal plans exist to link with LWRP plans to Town plans esp. in towns like mine where we have no written town plan. How will County Plan be similarly linked to LWRP & Town plans so that plans convert to actions & results.

The local youth soccer organization is creating a task force to explore long range planning for soccer facilities expansion enough to accommodate 1000 kids. Relationships with school districts is OK but restrictions are plenty. Could such an endeavor be included - perhaps near the Eagle Bay Project or elsewhere in the served area?

### 8.3.4 Online Survey

An on-line survey was posted on Fluid Surveys for the project. The survey was open from mid-December through mid-March. The extended time did not jeopardize the results and was felt sufficient to allow members of the municipal board members to respond to the survey after they met with the members of the WAC Steering Committee. More than 200 people responded to the survey. The results are below:

**In which of the following activities do you participate in Lake Erie and on the Northern Chautauqua County waterfront?**

| Response              | Chart   | Percentage | Count |
|-----------------------|---|------------|-------|
| Antique car drive ins |     | 17.3%      | 33    |
| ATV riding            |    | 5.8%       | 11    |
| Bicycling             |    | 50.8%      | 97    |
| Bird watching         |    | 40.3%      | 77    |
| Bonfires              |    | 26.7%      | 51    |
| Camping--Day          |    | 7.3%       | 14    |
| Camping--Overnight    |   | 15.2%      | 29    |
| Canoeing              |  | 18.8%      | 36    |
| Cross country skiing  |  | 20.9%      | 40    |
| Enjoy nature          |  | 69.6%      | 133   |
| Fishing--Ice          |  | 2.6%       | 5     |
| Fishing--Lake         |  | 27.7%      | 53    |
| Fishing--Stream       |  | 17.3%      | 33    |
| Hiking                |  | 51.3%      | 98    |
| Hunting               |  | 9.9%       | 19    |
| Ice sailing           |  | 0.0%       | 0     |
| Ice skating           |  | 6.3%       | 12    |

**Intermunicipal Local Waterfront Revitalization Program**

| Response                     | Chart | Percentage | Count      |
|------------------------------|-------|------------|------------|
| Kayaking                     |       | 36.6%      | 70         |
| Motor boating                |       | 24.1%      | 46         |
| Motorcycling                 |       | 8.9%       | 17         |
| Picnicking                   |       | 39.3%      | 75         |
| Sailing                      |       | 17.8%      | 34         |
| Scuba diving/snorkeling      |       | 9.9%       | 19         |
| Shopping/dining              |       | 56.5%      | 108        |
| Sitting quietly by the water |       | 70.2%      | 134        |
| Snowmobiling                 |       | 2.1%       | 4          |
| Swimming                     |       | 45.5%      | 87         |
| Volleyball                   |       | 5.2%       | 10         |
| Walking for leisure          |       | 72.3%      | 138        |
| Walking/running for exercise |       | 43.5%      | 83         |
| Waterskiing or tubing        |       | 11.0%      | 21         |
| Other (please specify):      |       | 11.0%      | 21         |
| <b>Total Responses</b>       |       |            | <b>191</b> |

**Which of these waterfront public spaces do you visit in Northern Chautauqua County?**

| Response                     | Chart | Percentage | Count |
|------------------------------|-------|------------|-------|
| Barcelona Pier & Beach       |       | 58.1%      | 111   |
| Borrello Park (Silver Creek) |       | 4.7%       | 9     |
| Cedar Beach                  |       | 16.2%      | 31    |
| Dunkirk Pier                 |       | 83.8%      | 160   |
| Hanover Town Beach           |       | 5.2%       | 10    |
| Lake Erie State Park         |       | 60.7%      | 116   |
| Memorial Park (Dunkirk)      |       | 48.7%      | 93    |
| Moose Beach (Westfield)      |       | 8.4%       | 16    |
| Ottoway Park (Westfield)     |       | 11.0%      | 21    |
| Point Gratiot Park (Dunkirk) |       | 77.0%      | 147   |
| Ripley Beach                 |       | 1.0%       | 2     |

| Response                 | Chart | Percentage | Count      |
|--------------------------|-------|------------|------------|
| Sheridan Bay Beach       |       | 4.2%       | 8          |
| Sunset Bay Beach         |       | 27.7%      | 53         |
| Wright Park (Dunkirk)    |       | 50.8%      | 97         |
| Other, please specify... |       | 10.5%      | 20         |
| <b>Total Responses</b>   |       |            | <b>191</b> |

### Where is additional access to the waterfront needed?

- # Response
1. Eagle Bay in Sheridan (near St.Columban's)
  2. There is open land on the south side of route 5. These areas can be developed. Having access to a body of water is extremely important for the most successful development
  3. In Dunkirk at very end of Woodrow Avenue near Bart's cove, for kayaking and canoeing (rooftop boaters)
  4. Westfield/Barcelona area
  5. Dunkirk Harbor. The power plant impedes everything pleasant. It should be torn down and replaced with trails and maybe shops and restaurants.
  6. Fredonia, Silver Creek
  7. scenic vistas
  8. near the town of Dunkirk
  9. Unknown to me.
  10. not sure
  11. no opinion
  12. at several points between Barcelona and the State Park and between Dunkirk and Silver Creek
  13. Wherever possible and especially from Lake Erie State Park to Barcelona .
  14. town of Dunkirk
  15. Lake Eire Shore line.
  16. I think there are enough. Those that exist need to be maintained at a higher level and be significantly more appealing and inviting. They need to become destinations.
  17. Dunkirk Pier
  18. On fishing streams and beaches where swimming/hiking is possible
  19. Van Buren - Boat ramp at Lake Erie State Park
  20. The walkway from the pier to Wright park should be cleaned up and used, the one that goes over the water
  21. would like a committee/community joint commission to decide
  22. N/A
  23. Town of Portland
  24. Dunkirk Harbor
  25. Between Dunkirk and Westfield.
  26. refining existing access not new
  27. Along upper Canadaway creek

28. Anywhere along the Lake.
29. I have no suggestions
30. Dunkirk lake front
31. Dunkirk
32. Dunkirk pier
33. At Lake Erie State park
34. Point Gratiot, Cedar Beach
35. not sure
36. Seems to be readily accessible. any more could potentially destroy the existing spaces
37. Barcelona
38. An access between Central Ave and Brigham Rd
39. Trails in the natural areas with access points.
40. Wherever a nice sandy beach can be found
41. General access is good
42. Barcelona area
43. I don't know that additional access is needed
44. Westfield and the Village of Silver Creek
45. The access at Point Gratiot is in bad shape. The driveway up to beach access is always full of pot holes and the walk to the beach is littered with garbage, tree limbs and trunks. I understand it is hard to maintain the driftwood/tree limbs and trunks due to the limited staffing in the City of Dunkirk but garbage such as personal hygiene products and syringes is not acceptable. I have overheard very negative comments from out of town visitors.
46. I think access is pretty good. Maybe in the Van Buren Bay or Ripley areas?
47. Wright Park - Canoes / Kayaks / Other smaller watercraft for easy in and out - Pier too many other issues/distractions
48. Off of route 5 just after you get off the Skyway
49. Barcelona
50. Current access locations seem to be adequate.
51. Lake Erie State Park
52. unsure
53. Boat launch/ pier / free public beach between Van Buren Bay and Lake Erie State Park. Van Buren Bay maintains a beach and access for Association which comes out of their dues. But residents who live outside the Bay and do not pay dues come onto Bay property and use the beach without contributing to the maintenance.
54. Barcelona, Portland, Ripley
55. We have considerable access in Westfield, but need to clarify deeds and public access
56. Area between Westfield and Portland
57. Pomfret, Sunset Bay
58. Canadaway Creek
59. typically in other states pa. ca, the beach is accessible at no charge . here at our state parks they charge just to visit. that should be changed and be open to everyone regardless if your camping
60. it would be helpful if Cedar beach was cleaned and made useable again
61. Cattaraugus creek for boaters/ fishermen
62. Wright park area
63. at Wright park in Dunkirk, roads already lead to it.
64. By Tim Horton's
65. In the stretch between Dunkirk and Westfield
66. Don't feel qualified to respond.

67. don't know
68. Free boat launch
69. Eagle Bay
70. Town of Pomfret
71. Westfield, Lake Erie state park
72. A small craft or kayak/canoe access along lakefront blvd would be nice Wright Park perhaps
73. Westfield + Barcelona Harbor
74. The access needs to be better taken care of.
75. Unsure
76. Point Gratiot - Needs to be cleaned and maintained, more activities and supervision
77. Some cliff areas should have stairs
78. east of St.columban retirement community
79. mouth of Cattaraugus creek
80. Boat ramp at Lake Erie State Park
81. There is a Descent amount of access. If the existing areas are improved and maintained they would draw people more effectively.
82. No thoughts.
83. small boat access in Wright Park area

**What additional waterfront parks and public spaces are needed within the LWRP boundary? Where should they be located? |**

1. Again developing amenities along route 5 in areas that are not within the cities or villages
2. We have an adequate amount. However what we do have are poorly maintained with high amounts of litter and un appealing to the eye.
3. Fredonia, Silver Creek
4. More walking or riding trails near water
5. Unknown to me.
6. not sure
7. no opinion
8. Not sure, but maybe one each in the areas noted above
9. Lang's landing property (formerly a monastery) adjacent to Candadaway Creek would be an excellent campground and or park. The creek is famous for fishing and must be one of the finest places on earth to find rocks for skipping.
10. None
11. See above
12. Between Westfield and Ripley and between Westfield and Dunkirk
13. same comment as above
14. N/A
15. Access similar to Point Gratiot anywhere along the lake.
16. nothing
17. bicycle paths along the creeks connecting the upstream communities with the lake front.
18. your listing of current park maintenance and cleanliness is highest priority
19. Anywhere along the lake.
20. No more public spaces.
21. Dunkirk Cedar Beach
22. Along creeks

23. Dunkirk
24. boat/kayak launch near Lake Erie State Park and Point Gratiot
25. Along Route 5 between Dunkirk and Silver Creek
26. not sure
27. None. Maintain what exists.
28. Need public access and facilities in Barcelona.
29. Another swimming area similar to Wright Park, perhaps off Main St.near Steger Apt. More picnic tables along the lake area.
30. More public docks in the Dunkirk area.
31. not so much more areas but more facilities at those areas.
32. Parks are adequate....just need to be developed
33. I think care of what is already there is more important than new spaces
34. I think we need to do more in Barcelona/Westfield and Silver Creek with connecting the community to the water,
35. Maybe in the Van Buren Bay or Ripley areas?
36. Amphitheater - Dunkirk, either adjacent to hotel or in Wright Park/Pangolin Field with adjacent low maintenance water features / splash park (water features such as splash pad, water wall, etc)
37. Public beaches Barcelona. Public facilities for various lakeside activities. Trails and public walking paths or walkways.
38. Current locations are adequate.
39. unsure
40. Clean up/improve beach area near Heating Plant, provide facilities. Additional beach/park area between Dunkirk and Pomfret area, possibly purchase old Dunkirk Ice Cream complex for a public museum/beach/park area.
41. Portland - Non-State
42. not sure
43. Same - area between Westfield and Portland
44. I think there is a sufficient number
45. areas that are more isolated for example the area between on west Dunkirk just before Shorewood , the old holy cross seminary. it has all you need trails, beach front etc.
46. Hotel in Hanover
47. Hotel/water park that can be used all year round. Dunkirk harbor.
48. There's a golf course for sale between Dunkirk and Westfield which might be a good access point.
49. At the point
50. Not qualified to respond as I don't know the boundaries.....
51. Don't know
52. More Campgrounds
53. Eagle Bay
54. Perhaps at the former Holy Cross Seminary IF it would NOT interfere with wildlife (bald eagle) habitat.
55. Going towards Westfield
56. An official park and beach in Barcelona Harbor would be ideal
57. More public access is needed in all areas.
58. Shared use paths connecting assets
59. Cedar Beach in Dunkirk
60. None - Focus on making the ones we have better
61. Don't know






62. east of St. Columban retirement community
63. an ice skating rink would be perfectly located in Dunkirk on Lake Shore Drive between the Clarion Hotel and the Tim Horton Donuts. The attempt at an ice rink in Wright Park some decades ago failed because it was too far from neighborhoods and not easy for most people to get to
64. swimming, boat ramp, lifeguards at Lake Erie State Park. no place between Dunkirk and Westfield for public access except at this location. it is already secured public and just needs to be upgraded.
65. None--better to work on improving existing parks and public spaces re: cleanliness, attractiveness.

### What facilities are needed in waterfront spaces?

| Response                    | Chart | Percentage | Count |
|-----------------------------|-------|------------|-------|
| ATV trails                  |       | 6.4%       | 11    |
| Bath house/change rooms     |       | 44.4%      | 76    |
| Beach                       |       | 61.4%      | 105   |
| Boat launch-cartop          |       | 23.4%      | 40    |
| Boat launch-ramp            |       | 32.2%      | 55    |
| Concessions                 |       | 44.4%      | 76    |
| Day camping areas           |       | 16.4%      | 28    |
| Docks                       |       | 33.9%      | 58    |
| Fishing access              |       | 29.2%      | 50    |
| Grills                      |       | 32.7%      | 56    |
| Hunting                     |       | 3.5%       | 6     |
| Lifeguards                  |       | 29.2%      | 50    |
| Marinas                     |       | 30.4%      | 52    |
| Overnight camping-cabins    |       | 23.4%      | 40    |
| Overnight camping-primitive |       | 18.1%      | 31    |
| Overnight camping-RV        |       | 15.2%      | 26    |
| Picnic benches              |       | 53.2%      | 91    |
| Picnic shelters             |       | 48.5%      | 83    |
| Playgrounds                 |       | 29.8%      | 51    |
| Playing fields              |       | 12.9%      | 22    |
| Restrooms                   |       | 74.9%      | 128   |
| Supervision                 |       | 10.5%      | 18    |
| Swimming area               |       | 39.8%      | 68    |

**Intermunicipal Local Waterfront Revitalization Program**

| Response               | Chart   | Percentage | Count      |
|------------------------|---|------------|------------|
| Trails–bicycle         |  | 55.0%      | 94         |
| Trails–hiking & skiing |  | 63.2%      | 108        |
| Other (please specify) |  | 13.5%      | 23         |
| <b>Total Responses</b> |   |            | <b>171</b> |

**Other:**

- # Response
1. Cleaning up the water, so it's not too toxic and filthy to swim in.
  2. CLEAN beach and CLEAN restrooms
  3. Garbage & litter clean-up.
  - 4.
  5. Bicycle support concession near Memorial Park-Summer only for through bikers and locals.
  6. bocce ball, shuffleboard, croquet, badminton, volleyball quieter smaller physical outlets for seniors and others
  7. garbage cans along parking areas on canadaway creek esp. by mouth
  8. Fish cleaning station Barcelona harbor
  9. restaurants and higher end shopping to attract tourists as well as events
  10. commercial nightlife-esque entertainment (bars, pubs, eateries, etc)
  11. frisbee golf course
  12. Trash bins with lids
  13. amphitheater / commercial water park or smaller municipal water features park (winter ice skating) / drive-in / Other destination attractions
  14. disc golf course
  15. Proper drainage and storm water controls; sewer controls eliminating cess pools and requiring hookup to sewer system
  16. parking
  17. only wish to see existing accesses be better developed buy any other areas remain as is.
  18. Areas would need to be identified as public.
  19. Kayak/Canoe/Bike Rental
  20. pet friendly areas
  21. Trash and recycle bins
  22. ICE SKATING RINK in Dunkirk
  23. maintained surroundings

**How important are the following waterfront issues:**

|                               | Very important | Important  | Neither important nor unimportant | Unimportant | Very unimportant | Total Responses |
|-------------------------------|----------------|------------|-----------------------------------|-------------|------------------|-----------------|
| Access to streams for fishing | 48 (27.3%)     | 69 (39.2%) | 41 (23.3%)                        | 14 (8.0%)   | 4 (2.3%)         | 176             |

|   | Very important | Important  | Neither important nor unimportant | Unimportant | Very unimportant | Total Responses |
|---|----------------|------------|-----------------------------------|-------------|------------------|-----------------|
| Cleanliness of beaches                        | 143 (79.4%)    | 34 (18.9%) | 3 (1.7%)                          | 0 (0.0%)    | 0 (0.0%)         | 180             |
| Connections to downtowns, shopping and dining | 55 (31.1%)     | 63 (35.6%) | 40 (22.6%)                        | 17 (9.6%)   | 2 (1.1%)         | 177             |
| Erosion and sedimentation control             | 105 (59.0%)    | 60 (33.7%) | 13 (7.3%)                         | 0 (0.0%)    | 0 (0.0%)         | 178             |
| Evasive species control                       | 115 (63.9%)    | 51 (28.3%) | 14 (7.8%)                         | 0 (0.0%)    | 0 (0.0%)         | 180             |
| Facilities for boaters and anglers            | 43 (24.3%)     | 93 (52.5%) | 30 (16.9%)                        | 7 (4.0%)    | 4 (2.3%)         | 177             |
| Facilities for public use                     | 87 (49.4%)     | 77 (43.8%) | 9 (5.1%)                          | 2 (1.1%)    | 1 (0.6%)         | 176             |
| Flooding and storm water control              | 81 (45.5%)     | 70 (39.3%) | 24 (13.5%)                        | 2 (1.1%)    | 1 (0.6%)         | 178             |
| Handicapped accessibility                     | 56 (31.6%)     | 88 (49.7%) | 29 (16.4%)                        | 2 (1.1%)    | 2 (1.1%)         | 177             |
| Maintenance of existing parks                 | 119 (66.5%)    | 58 (32.4%) | 2 (1.1%)                          | 0 (0.0%)    | 0 (0.0%)         | 179             |
| Maintenance of new/future parks               | 84 (47.7%)     | 66 (37.5%) | 20 (11.4%)                        | 4 (2.3%)    | 2 (1.1%)         | 176             |
| Marina water depths                           | 53 (29.8%)     | 74 (41.6%) | 44 (24.7%)                        | 4 (2.2%)    | 3 (1.7%)         | 178             |
| Natural resource and habitat protection       | 112 (62.9%)    | 58 (32.6%) | 8 (4.5%)                          | 0 (0.0%)    | 0 (0.0%)         | 178             |
| Parking and automobile access                 | 50 (28.4%)     | 94 (53.4%) | 27 (15.3%)                        | 3 (1.7%)    | 2 (1.1%)         | 176             |
| Public access to the water                    | 99 (55.9%)     | 69 (39.0%) | 8 (4.5%)                          | 0 (0.0%)    | 1 (0.6%)         | 177             |
| Scenic vista protection                       | 104 (58.8%)    | 59 (33.3%) | 13 (7.3%)                         | 1 (0.6%)    | 0 (0.0%)         | 177             |
| Trail connections                             | 70 (39.5%)     | 88 (49.7%) | 15 (8.5%)                         | 2 (1.1%)    | 2 (1.1%)         | 177             |
| Visual character and cleanliness              | 129 (72.5%)    | 47 (26.4%) | 1 (0.6%)                          | 0 (0.0%)    | 1 (0.6%)         | 178             |
| Water quality at beaches                      | 150 (83.8%)    | 27 (15.1%) | 2 (1.1%)                          | 0 (0.0%)    | 0 (0.0%)         | 179             |
| Weeds   | 74 (41.8%)     | 66 (37.3%) | 30 (16.9%)                        | 7 (4.0%)    | 0 (0.0%)         | 177             |

For classification purposes, please answer the following question.

| Response   | Chart | Percentage | Count      |
|--|-------|------------|------------|
| Reside year-round in Northern Chautauqua County                          |       | 77.9%      | 127        |
| Seasonal resident of Northern Chautauqua County                          |       | 4.9%       | 8          |
| Make short visits to Northern Chautauqua County, but do not reside there |       | 5.5%       | 9          |
| Make day trips to Northern Chautauqua County                             |       | 7.4%       | 12         |
| Own a business in Northern Chautauqua County                             |       | 10.4%      | 17         |
| Work in a Northern Chautauqua County business                            |       | 19.0%      | 31         |
| Reside in/visit/work in this Northern Chautauqua community:              |       | 41.1%      | 67         |
| Other (please specify)   |       | 6.1%       | 10         |
| <b>Total Responses</b>   |       |            | <b>163</b> |

Do you reside/visit/work north of Route 5?

| Response               | Chart | Percentage | Count      |
|------------------------|-------|------------|------------|
| Yes                    |       | 56.2%      | 86         |
| No                     |       | 43.8%      | 67         |
| <b>Total Responses</b> |       |            | <b>153</b> |

Is there anything else you would like considered in the Northern Chautauqua County waterfront plan? |

# Response

1. A strong campaign and enforcement against littering. Litter in local parks, on beaches and in the Dunkirk Harbor itself is atrocious. Dogs on public beaches with owners who don't pick up after them are also a big issue.
2. Emphasis on maintenance of the lake and the streams, developing infrastructure that will entice and encourage private investment, providing uniform signage that promotes the LWRP region
3. cedar beach in Dunkirk is a disgraceful eyesore beach. Terribly polluted, almost completely un maintained and downright ugly and embarrassing for highly valued waterfront. This beach was a jewel Decades ago. It could be again with maintenance, cleanliness and facilities

4. I can't overemphasize the importance of clean water and a pleasant environment. I grew up in SW Michigan, with beautiful beaches, in a community (St Joseph) that brought back its economy simply by improving the waterfront. I love the Great Lakes and I love swimming at home, but I never want to here because the water is so dirty and toxic. Dunkirk Harbor is depressing, there's not much to do in Barcelona. Sunset Beach is wonderful when it's clean.
5. A birdwatching area, or some bird watching organized activities
6. Skateboard parks
7. Walking and bike trails which connect with Fredonia
8. More businesses along waterfront in city/towns (Dunkirk, Silver Creek, Barcelona)
9. Not at this time.
10. Protection from debris accumulation, Canadaway Creek across from SUNY campus
11. You mean "invasive species". What is a "weed"?
12. no opinion
13. It will be important to prevent erosion and flooding by preserving native plants and trees along the shore
14. Access and trails
15. no.
16. A significant obligation, shared services and buy-in of the municipalities impacted in the area. The work has to be undertaken by more than a few unpaid, well-meaning volunteers. A significant corporate (hard in this area, I concede) presence and interest needs to be fostered.
17. No
18. They need activities down by the pier by all the shops, stuff for families and kids to do. Tennis courts, shuffle board, basketball courts, outdoor ice rink in the winter, stage for concerts with seats, mini golf, there are tons of things that could be added to give people to do while enjoying concerts on the pier.
19. no
20. N/A
21. Please do not allow building development to mitigate the natural beauty and public access to these waterfront areas.
22. More lifeguards at the existing access
23. Availability of equipment for bike repair, maintenance, rental, as well as the before listed access to equipment rental or publicly provided for use in smaller sports like badminton, bocce ball, volleyball, horseshoes, croquet, a dog park and better waste disposal and trash/recycle, better policing for litter, better signage so visitors know what is available and new handicap accesses are publicized, shut down private clubs so food and beverage services have a chance to compete and attract the public and enhance the attractiveness of the region.
24. Take care, protect and beautify what you already have
25. What has been done at Dunkirk pier has been done to the detriment of the fisherman. Tackle shop...gone. Parking for boat/trailer taken over by shops and stores.
26. I think Lake Erie State Park needs time & effort put into their water front area. Could be so much better. Also, address Barcelona water area. Three people drowned there this summer (may be in correct number) but was that preventable?
27. No
28. Changing the driving direction at Pt Gratiot in Dunkirk would improve the view by 90% and increase traffic by at least 50%. Clean all the beaches more often and maybe a small refreshment stand.
29. So much more could be done with waterfront restaurants to revitalize Dunkirk.
30. Paved bike trails (rail-trail types)

31. More could be done to promote the Dunkirk waterfront. Point Gratiot is a beautiful area but the beach could be better maintained.
32. grant money development
33. More businesses
34. Building out is an easy approach to 'managing' But many times less is more. Building out more facilities may destroy what you are trying to enhance. We have found no issues when attempting to access Lake Erie beaches or any facilities.
35. We need some good restaurants - not diners/fast food - in the Dunkirk/Silver Creek area as well as shopping that will allow the area to flourish for tourism. Cleanliness, safety, good diverse entertainment and maintenance of area parks is critical.
36. B2CI Trail
37. I would like to see a major restaurant locate their such as Olive Garden or Red Lobster or perhaps a large restaurant ship anchored at the end of the Dunkirk pier. Round trip boat rides from Buffalo to Dunkirk, to Erie to Cleveland with overnight accommodations for sightseeing.
38. A working group to cover the whole area
39. look at the success of the buffalo waterfront and try to emulate it. Focus on family access and entertainment by day and adult activity by night.
40. Dog park
41. Development of a multi-season or year-round attraction facility
42. People are part of the environment and positive habits we'd like them to develop should be fostered
43. We need to be providing economic opportunities so that proximity to water can translate to economic opportunity. This may involve "sprucing up" communities and luring people to the water from the thruway and other thoroughfares.
44. Townhouses/condos. Relocate places like the Rural Ministry, garment shop, Salvation Army Thrift Shop away from the waterfront. While these are needed resources they don't belong on the waterfront. It is not what brings in and attracts tourism. The Boardwalk needs to be maintained better, the bathrooms were disgusting and not maintained last year.
45. I think that the parks that we have are sufficient, but that the cities (Dunkirk, for example) need to do a better job maintaining cleanliness of the beaches. Even though swimming season doesn't begin until June, people are out strolling the beaches in March. The sooner they can get out there to clean up, the more attractive and safer the beaches will be. So more consistent maintenance, including trash bins with lids, would be great improvements. There are always Tim Horton's cups/containers in the Main Street/Wright Park areas. Perhaps they would be willing to help with clean-up efforts? A lot of trash ends up in the marina from the Clarion as well. Would like to see these businesses participate in the maintenance of our valuable waterfront areas.
46. Lakefront continuum of care campus (single/doubles/quad/multistory independent living lakefront, community center, assisted living multistory and skilled nursing inland with easier access to route 5)
47. Biking Paths and trails
48. Overnight and seasonal lodging for visitors. Development of accessory businesses i.e.boat, bike rentals.
49. No
50. Bike Paths
51. The Route 5 corridor along Lake Erie represents a high value resource and the visual (lake vistas) components are compromised by private lands. Plans under this effort should include provisions for acquiring these lands on an opportunity basis to further enhance and protect these unique vistas.



52. disc golf course
53. A music outdoor theater similar to the Boston Harbor Half Shell or the Mansfield MA Great Woods Concert Hall
54. something has to be done to help the taxpaying residents of the middle rd. water district so they do not get fleeced by the Dunkirk water dept. for the costly repairs that we are paying out of our pockets on top of the super high water rates we have to pay, for non city residents
55. Many cyclists use Route 5. Making this as safe as possible , preferably with a bike path separated from the roadway.
56. Better dredging of Dunkirk Harbor including approach to launch ramp
57. Kayak, canoe and bicycle rentals plus access to water of course
58. I like to ride on bike paths, but wouldn't want any path to be built right along the water where it would be an intrusion on owners of lakefront property.
59. Keep it visible for folks driving, walking and biking by.
60. Weed control needs to seriously be addressed. The Dunkirk harbor is continually getting worse each year and weeds are pushing to the surface in all areas of the harbor. We also need a secured storage facility for boats that need to be stored near the waterfront. Every year thieves break into the boats that are stored at the Dunkirk Marina.
61. Funding for breakwalls and other erosion control devices
62. I'm very interested in conservation and natural environment
63. Waterfront cameras that could be seen by public and local TV news
64. More parking and better kayak and boat access to Eagle Bay
65. Development on Dunkirk City Pier with viewpoints, concession stands/shops, foot/bike traffic only. Inviting food carts to waterfronts. Development of condos along waterfront.
66. A place for residents and visitors to bring their dogs.
67. Keep as much natural green space as possible
68. Food concessions and community gathering places would be key.
69. Publicity of the wonderful waterfront area we have.
70. Shared use paths connecting assets
71. Keeping Music on the Pier in Dunkirk going
72. A Chautauqua County Visitor's Bureau location at the Dunkirk Pier/Boardwalk. Recreation in Dunkirk (Similar to the Buffalo waterfront) kayaking, more biking activities, splash pad, activities for families and tourists. Also nature walks/talks - similar to what the Audubon does, but with a focus on the waterfront.
73. No
74. year round waterfront activities
75. more encouragement of winter sports like their revival in Buffalo's canalside; consider cross-country skiing in Erie State Park, in the land across of St Columban's on Rte 5 between Dunkirk and Silver Creek. At one point that was to be developed as a golf course.
76. shoreline erosion protection from development along the bluffs
77. Use of native plants in landscaping/landscape improvements.
78. Move the Neptune to the Dunkirk waterfront. Perhaps in the spot occupied by the dead pine tree by the boat ramp.
79. Connecting existing homes to water & possibly sewer on Rt 5 in Ripley, NY ASAP

### 8.3.5 Community Project Ideas

During the process, members of the steering committee met with municipal boards in each of the 10 communities to ensure that the LWRP process was as inclusive as possible and to brainstorm project ideas with the communities. The outreach consisted of the following meetings:

**Town of Dunkirk**

February 3, 2015

Mark Geise and Jay Warren

**Town of Pomfret**

February 11, 2015

Mark Geise, Jay Warren and Pat Gooch

**Hanover Town Board**

February 23, 2015

Mark Geise and Kelly Borrello

**Town of Portland**

February 25, 2015

Jay Warren, Pat Gooch, Tom Dejoie

**Town and Village of Westfield**

February 26, 2015

Pat Gooch, Aaron Resnick, Michael VandeVelde and Martha Bills

**Silver Creek**

March 2, 2015

Kelly Borrello

**Sheridan**

March 2, 2015

Gina Paradis and Kathy Tampio

**City of Dunkirk**

March 3, 2015

Mark Geise and Jay Warren

**Ripley**

March 12, 2015

Pat Gooch

**Hanover Planning Board**

March 16, 2015

Kelly Borrello

A meeting was also held Feb. 17 by Mark Geise and Dave McCoy with the Lake Erie Management Commission to solicit input to augment that gathered at a poorly attended (due to weather) focus group on water quality and environment.

### 8.3.5.1 *Hanover Town Board and Planning Board Project Ideas*

1. Making a fishing pier off of the breakwall on Cattaraugus Creek.
2. Lights on the Cattaraugus Creek pier for safety at night.
3. Dredge the Cattaraugus Creek to the depth of ten feet as agreed upon when the pier was built.
4. Follow up on the Hotel on Route 5 and 20 for tourists and seasonal fishermen.
5. Streambank stabilization and berms at Sunset Bay
6. Sidewalk access and bike lanes at Sunset Bay and water access at Jackson Street in the village
7. Develop upper reservoir for recreation: canoe, fishing, campground, 4 season rentals, cabins
8. Kayak launch and Hanover boat launch expansion and improvement (structural repairs and roof repairs)
9. Town park?
10. Playground improvements (e.g. modernize, update, expand at the beach)

### 8.3.5.2 *Silver Creek Village Board Project Ideas*

1. Join the North County Water Project (and get water from Dunkirk until North County Project done. We are on Erie County Water. (This could apply to the Town of Hanover as well.)
2. Put in break wall by the fireman's club
3. Extend Jackson St. with a pier like Dunkirk
4. Develop area around Hideaway Bay
5. Develop plan to help private residences clear beaches when 8 foot trees wash up

### 8.3.5.3 *Silver Creek Planning Board Project Ideas*

1. Develop George Borrello park by bringing in sand for beach improvement, more picnic tables, grills, a covered pavilion, basic playground equipment and volleyball net and/or bocce court.
2. Repair existing tennis courts - need resurfacing, new nets, fence repairs
3. Attention to the Village Square - additional benches, put in PA system, plumbing upgrades to fountain and concrete repair.
4. Repair the basketball courts - Babcock court needs nets, the "spray pool" court needs resurfacing, nets and benches.
5. Work needed at the baseball diamonds - improved bleachers and better defined parking areas
6. Put in a dog park. Space at the end of Main Street was suggested, where DPW used before 09 flood.
7. Upgrade to the Historical Dining Car - handicap accessibility, public rest rooms and heat.
8. Improvements to the Silver Creek boat launch - better lighting, secure tie off points, a ladder.

#### 8.3.5.4 *Town of Dunkirk Planning & Town Board Project Ideas*

1. Water access to lake for boats and pedestrians
2. Water line on Rt. 5 west end 16"
3. Redo 8" to 12" Water Line on Rte. 5 East
4. Renovate Town Hall
5. Drainage and flooding on Willow Road under the viaduct
6. Connection/access to sewer south side of Rt. 5 in West End
7. Capitalize on War of 1812 historic site at the mouth of Canadaway Creek → park (south side of Temple & 5)
8. Parking on Rt. 5 at Canadaway Creek for fishermen
9. Purchase easements along Canadaway Creek for access to the lake
10. Re-zone East Town Entrance
11. Update and modernize East Lake road sewer district
12. Walking path along Canadaway Creek throughout town boundaries
13. Shorewood drive boat ramp parking
14. Create overlook parks on both the east and west ends
15. Technical Assistance Project to Upgrade Zoning

#### 8.3.5.5 *Town of Pomfret Planning & Town Board Project Ideas*

1. Water/sewer along Rt. 5
2. Forest Place Park embankment and park upgrades
3. Providing access and amenities for fishermen; e.g. parking and access improvements, such as stairs down banks, pedestrian bridges over creek. Although it's a different municipality, many of the prime spots are in the Village of Fredonia. It'd be nice to work with them to develop public access that could be used by the greater public, good spots to look at include:
4. Matteson Road over Canadaway Creek, parking and access improvements.
5. W. Main Street in Fredonia over Canadaway Creek, Parking and access improvements.
6. Leona fishing
7. Access to Lake Erie – almost all land along Lake Erie is privately owned. Public access, even just to access the water to launch a small boat would be beneficial to the community.

#### 8.3.5.6 *Lake Erie Management Commission Project Ideas*

1. Road ditching/best management practices; dams- Lake Erie (ie. Chautauqua Lake)
2. Dredging (new and ongoing efforts to prevent major needs every 10 years) (recreational and commercial)
3. Beach cleaning/maintenance
4. Upland water quality leading to the degradation of water quality, algae/bacteria growth
5. Sewers and water – extension from east and west; failing septic systems; ongoing maintenance of existing and new; WWTP upgrades Westfield; Barcelona dredging

6. Invasive species – plants and animals: stream banks, site planning, movement of materials, native plantings; zoning ordinances
7. Local ordinance for riparian buffers
8. Stream stabilization and floodplain stabilization
9. Green infrastructure: permeable pavement, storm water retention, rain gardens
10. Planning/replacement of native species
11. Natural shorelines stabilization techniques, living shorelines
12. Lower parameters for enforcement of storm water ordinances—e.g. lower the existing threshold of 1 acre
13. Look at dumping of organic materials into tributaries. Enforcement.
14. Assistance with grant writing
15. Code enforcement – sharing of labor certified on retainer, unite violations; local code enforcement officers are stretched thin and often lack knowledge – it could be beneficial to share code enforcement officers in the area
16. Funding for beach cleaning equipment
17. LEMC □ not-for-profit

#### *8.3.5.7 Town of Portland Planning Board, Zoning Board of Appeals and Town Board Project Ideas*

1. . Swimming pool at Lake Erie State Park – To ensure that visitors can swim when swimming is not permitted in Lake Erie. Also, several residents commented on funding that recently went to Allegheny State Park, Niagara Falls State Park and Long Point State Park but no funding came to Lake Erie State Park.
2. Improve cycling routes and amenities along Route 5. Take a regional approach to this to create a coherent, clearly-signed, safe and comfortable route stretching from the Southern to Northern extent of the County. Cycling clubs from Erie, Pennsylvania fail to go past Shortman Road in Ripley on Route 5, because the road is not comfortable for cyclists.
3. Signage to improve visibility and perhaps have kiosks; Renovations to the Town of Portland Historical Museum, to make it a year round destination.
4. Have complete streets become part of the Town’s identity. Write and adopt a complete streets ordinance. Develop a complete streets plan or design manual to ensure proper facilities for cyclists and pedestrians.
5. Corridors that connect communities (e.g. Lundsmen Overview Park has one of the best views of Lake Erie, but it can be unclear how to get there. We need to enhance the signage of this regional asset.
6. Public access to Lake Erie – perhaps capitalize on the mouth of creeks for access to the lake since most of other lakefront is privately owned
7. Create a viewing area, something like what was described in the 1998 Chadwick Bay LWRP - "Portland Overlook.” Acquire property or an easement to make this happen.

8. Can we use our abundance of water to draw industry that uses water, but recycles it? What is the permitting process for water draw from Lake Erie for a technology company or something like that?
9. State line, Route 5, welcome center, kiosk
10. Zoning Amendments that update the current code, including: solar panels or other ordinances that would reflect current issues of concern.
11. Statue commemorating, Brad Anderson, the creator of the Marmaduke Comic Strip, who was born in Jamestown, but raised in Portland/Brocton.

OTHER: note that Sergeant Manzella did not come up in the meeting—while potentially controversial, he seems worth listing among notable local residents:  
[http://en.wikipedia.org/wiki/Darren\\_Manzella](http://en.wikipedia.org/wiki/Darren_Manzella).

### 8.3.5.8 *Town of Sheridan Project Ideas*

#### **Notes:**

Need to explain why the boundary is irregularly shaped on south side – why are certain parcels excluded?

Primary project interests:

1. Sheridan Bay Park – see email with detailed upgrades
2. Also mentioned that there is no swimming allowed there due to rocky & sharp shell lakefront...we should add either a splash pad and pool or beach upgrades if possible. Apparently there has been a zebra mussel problem there in their cove.
3. Overlooks – detailed in first LWRP
4. There is a concern, however, regarding responsibility for the long-term maintenance of these pull-offs, parking areas since they are on a state route.
5. Reg'l Water Tie-ins – North County Water Project
6. Interested in any opportunities that the Regional Water Project might provide, but were unsure how they might take advantage – looking for assistance in identifying project opportunities.
7. Zoning Codes –rewrites/updates
8. Interested in resources, funding support and assistance in revisiting their zoning ordinances and revising and/or improving them.
9. Golf Course – facilitate development
10. The private parties who want to build the golf course have not developed the financing to make it feasible yet. Is there any way that they might be assisted?
11. Lakefront cliff & beach erosion
12. Seawalls or more environmentally sound strategies of stemming the erosion along the lake front? How does that work with private property ownership?
13. Public vs. Private lands and Development
14. Would like to facilitate private investment, especially development of upscale housing along lake frontage, but not sure how to tackle the NIMBYs and attract developers. Can we help identify potential sites, a process and then create a marketing strategy?
15. Gateway Signage/Way Finding



16. Need to encourage and direct visitors to Agri-tourism attractions – wineries, farm stands, etc. Would like to coordinate/collaborate with Concord Heritage Trail on marketing. Discussed signage/way-finding as a regionally consistent approach (design, siting) along corridor (Ripley to Hanover). Also would like boundary signage (Gateway welcome signage) on Rt. 5 and Rt. 20.
17. Water Quality
18. Algae issue at Crystal Beach area?
19. Seaway Trail & Biking Access Enhancements
20. Rt. 5 is a congested roadway with relatively short passing areas. Despite the moderate biking traffic, there exists no safe bike lanes or trails along this scenic route. The Sheridan Bay Park actually has campers who arrive by bicycle. Also, tie-in to the Seaway Trail program should be enhanced in any way possible. Town is hoping the consultants could provide recommendations on how to leverage this.

#### 8.3.5.9 *Sheridan Bay Park Upgrades Project List*

- **Survey of property** to determine specific easterly and westerly boundaries
  - The neighbor to the west and his guests, would come and use the bathhouse, using up supplies, put their garbage in the dumpster and attempt to park their cars on Park grounds, when the Park Caretaker was not there. It has been learned that the neighbor has placed some of his personal property approximately 20 feet onto Park property.
- **Upgrade electric service**
  - Over Labor Day weekend, 2014, the Park was at full capacity. The electric system failed a total of 11 times! On two occasions the main electric box overheated and shut down.
  - 30-amp and 50-amps services are required for most units
  - A "portable" power box could be manufactured so a power line can be run from the main box to the basketball court, so it could be used for bands, etc.
- **Upgrade water system**
  - Service should be added to the sites between the office and the bathhouse
- **Repair/upgrade septic system and dump station**
  - The power cables to the grinder pumps were dug up and removed during the repair of broken water lines. Contractors were contacted and the wiring was reconnected. One of the pumps was then determined to be completely inoperable. new pumps should be purchased and installed.
  - The junction box for the septic system was damaged and then repaired. The pit containing the workable grinder pump was filled with water several times and the pump allowed to empty it in an attempt to determine where the drain line attached to it went. Water never reached the septic distribution box so it is still unknown where this water goes.
  - The apron of the dump station is in need of repair.
  - The roadway beside the dump station is tilted the wrong way. The lake side shoulder should be built up so the units using the station lean toward the station instead of away from it.
- **Remove trailer** and replace with more useable "office"

- Perhaps with a small living quarters for future Caretaker(s)
- Could also contain coinoperated washers/dryer for campers use
- The built on room and Deck are still useable, although the windows are rotted and need to be replaced
- **Repair bathhouse** and make it handicapped accessible
  - Walls have shifted, creating cracks and major damage
  - Floors need to be redone, especially in the showers
  - Handicapped toilets should be installed, as well as grab bars
  - Doors need to be made handicapped accessible, as well as securable. In the past they have been kick in to gain entry during the off-season.
  - The privacy barriers need to be replaced.
- **Repair/replace wooden playground**
  - The curved slide is broken and needs to be repaired/replaced.
  - A basketball area for shooting hoops
  - Horseshoe pits
- **New pavilion**
  - Present pavilion is usually ravaged each winter, by the flooding of the creek together with high wind and waves, requiring repair and expense each spring
  - A better location would be up off the beach entirely
  - Make it more user-friendly - electrical outlets, shelves for serving, etc.
- **Concrete or black-topped pads** for each site, as well as permanent site numbers
- **Blacktop the driveway**
  - Would provide ease of ingress and egress to units as well as help to prevent damage to vehicles and units
  - Would provide safety for bicycling campers
  - **Signage** - site map, rates, emergency numbers, contact information
  - Signage at road needs to be double-sided, lighted and set perpendicular to the road.
  - Should advertise the fact that the Park is open to the public for picnicking as well as for camping and there is a pavilion for lake-side gatherings
  - Signage located east and west of the Park should be enhanced.
- **NYS DOT** should be petitioned to lower the speed and remove the passing zone, from in front of the Park.
- **Oak trees** between the Office and the Bathhouse need to be topped. Dead branches in all trees need to be removed.
  - Selective landscaping would enhance the overall appearance and appeal
- **Layout of the Park** needs to be revamped. There are, basically, unusable sites due to the placement of water and/or electric hookups. Camping units are much larger, as a rule, than they were when the Park was first configured.
- A useable **website** should be built for the Park.
- **The beach** needs to be "reclaimed" each spring
  - Piles of washed-up debris should be hauled away
- **New telephone system**
  - Cell phone service at the Park is sketchy as beSt.Calls can be lost, or worse yet, sent "roaming" to Canada!
  - Regular phone service can also go out of service without warning. There HAS to be a working phone in the event of an emergency.

- There is a major shortage of **picnic tables**.
- There are presently 28 tables for 43 sites.
- A **solar-powered light** should be installed to light the US flag
  - It could be mounted on top of the playground or to the pole itself.
- **Safety Gear** should be modernized
  - Perhaps a grant might be applied for an Automated External Defibrillator
  - Upgraded First aid kit and supplies cabinet
  - Fire extinguishers
- **Future amenities to consider**
  - WiFi
  - Cable TV

#### 8.3.5.10 *City of Dunkirk Project Ideas*

1. Restoration of barriers/breakwalls, including potentially installing Solar/LED lighting on them so they are visible from land and water
2. Dredging the recreational harbor further west from boat launch to the Marina, Yacht Club and Conservation Club
3. Construct permanent grandstand somewhere in Dunkirk, perhaps in one of the waterfront parks or on the lot across from City Hall
4. Repair the seawall behind water plant
5. Wright Park improvements
  - a. Install playgrounds
  - b. Install roof over the ice rink
  - c. Other
6. Mixed-use development next to hotel
7. Weed cutting around Marina, Yacht Club and Conservation Club
8. Erosion Control at Point Gratiot (primarily at the northeast end)
9. Projects that preserve historic structures in the downtown area/revise zoning with design standards tied to the history of the City
10. Develop pocket park on land across from City Hall, i.e., install benches, plant trees, create paths, build amphitheater, install fountain
11. Create an LED sign that notifies people of upcoming events and possibly install it at the pier or in another visible location
12. Create wayfinding signage for the NCC LWRP communities and have it be consistent with Westfield's signs
13. Improve boat launch bathrooms, showers, electrical outlets, lighting and other amenities to attract more transient boaters and install a floating dock for big boats.
14. Re-design break wall behind Steger Towers so that the water flows through and flushes out the sedimentation that is filling in the northeastern end of the dock area. This would likely involve an ACE re-design.

#### 8.3.5.11 *Town and Village of Westfield Project Ideas*

Attending: Mayor of the Village of Westfield and the Supervisor of the Town of Westfield, the Town Board, Village Trustees, Planning Boards of both communities and members of the Department of Public Works.

WAC Members present included Mayor VandeVelde and Supervisor Bills.

1. Public access to Chautauqua Creek and the development of a trail from Lake Erie to the Village via Chautauqua Creek. More than one resident said this was priority number one, with one resident being outspoken about its importance. Largest obstacle is that the property surrounding the creek is private property. Is there a way to incentivize property owners into granting access easements?
2. Westfield has done a lot of planning and visioning already, we want to see that incorporated into this work, rather than starting from scratch. These plans include: Westfield Connections – The Westfield Community Planning and Design Initiative, Westfield-Chautauqua Greenway and the Westfield-Ripley Lakefront Opportunity Plan. These plans can be found on the Town of Westfield website: <http://townofwestfield.org/plans.html>.
3. Ottoway Park – Underutilized public resource. Adding public amenities would make it more of a draw; additions could include cabins, ice skating rink in the winter, volleyball courts and an outdoor performance space. Additionally, the walkway in the creek is washed out and needs to be repaired/replaced. This could compete with the KOA next door, currently it seems like the only people who use it are people camping at KOA and walk across the property to get to the lake.
4. The Barcelona Harbor Pier is in bad repair. It needs some sort of pavilion or something that can host an activity and draw people. Creating a place to house shops near the pier.
5. The area near Zebro's Harbor House could use a public dock or launching facility, even if it's only for light water crafts. In the summer there is a group that meets on Tuesdays and tours the harbor in kayaks.
6. Sidewalks connecting the Pier to the Village would allow pedestrians to stroll from the water into the Village. In general, corridors that connect different parts of Westfield are needed. This goes for corridors to and from
7. Front Street Study Plan? Boardwalk visioning already done.
8. Waterfront cycling trail.
9. The Town of Westfield recently acquired land along Chautauqua Creek. There are plans to add parking, picnic area and better signage. But maybe something more could be done to improve the property.
10. Overpass, overlook and gateway signage for the Hamlet of Barcelona.
11. The beaches are nice, but cleaning could be improved. The east side of the harbor is hard to clean because of the rocks.
12. An Handicap accessible pier is a great idea. Something that would provide a more inclusive experience for all would be unique in this area.
13. Better signage and access to the Creek and Barcelona Trail via Portage Inn Site.
14. Is it possible to limit heavy traffic along Route 5? Pedestrians and cyclists don't feel safe sharing the road with large vehicles that often come barreling through our communities. Also a speed reduction might be an alternative that could improve the feel of the road.
15. Because Route 5 is a Scenic Byway and Seaway Trail there are very restrictive laws about signage. These designations make it difficult for the Town to improve signage in the area.

### 8.3.5.12 *Town of Ripley Town and Planning Boards Project Ideas*

1. NYS Welcome/Gateway Center on Interstate 90
  - a. Currently there is no welcome center on Interstate 90 when you enter New York (there is a very nice welcome center in Pennsylvania when entering from New York). As Interstate 90 is the gateway to Chautauqua County and more broadly Western New York, it is a missed opportunity. Instead of stopping somewhere in Chautauqua County and possibly drawing travelers' attention to local attractions, travelers have no place to stop without getting off until the Angola Rest Area in Erie County. As such, they have already passed through every community in Chautauqua County. The welcome center could highlight local products in all the communities in the LWRP.
  - b.
2. Ripley Beach
  - a. Ripley has an area designated Ripley Beach. However, there is presently no safe access to the beach area and water as there is a 30 foot cliff that provides spectacular views but no access. There is a large sandy beach that could be utilized if access was provided. The Ripley-Westfield Waterfront Opportunity Plan has a concept map of Ripley Beach on page 27.
3. Sewer and water is needed west of Route 5 and is a major priority.
  - a. Inside NYS at the western end of Ripley are Lakeside Campground, Plummer's Tavern, Lakeside Golf Course and the Hot Dog Hut and Putt. These are tourist draws, but they are unable to further develop as they cannot grow without sewer or water improvements.
4. Amenities for cyclists traveling along Route 5
  - a. It is not uncommon to see 200 cyclists a day in the peak of summer. They ride in from Pennsylvania and Ohio. Some for day trips others on a grand tour of the great lakes. There aren't enough places to send them for entertainment or food.
  - b. Additionally the speeds along Route 5 and the trucks that travel them make it unsafe to ride along Route 5 past Shortman Road (Shortman is the last exit before the NYS Thruway tolls start, so trucks will take Routes 5 and 20 to avoid paying the tolls on Interstate 90). Reducing the speed could make it more comfortable for cyclists
  - c. Find a way to possibly deter truckers from taking these routes: speed reduction, weight limit restrictions, etc.
5. Ripley is a beautiful area for hiking in local creeks that have created spectacular gorges. These creeks offer some of the best trout fishing around. Additionally bird watching is a common pursuit in the area, as it is common to see multiple eagles along the lakeshore fishing in the warmer months.
  - a. An observation tower that allowed for views of the lake and bird watching could be a tourist draw if placed in the appropriate spot and surrounded by amenities.
6. During the early 1900s, Ripley was considered the marriage capital of the world. There was no waiting period and you only had to be 18 to get married here. So, people from neighboring states would come here to marry quickly. In the past it was common to have couples come back to celebrate their anniversary. A project that included this history could be beneficial to the area, possibly drawing tourists to revisit the place of their marriage.



7. Odd Fellows Hall

- a. Ripley has already created a plan to renovate a building in its downtown. They would keep three walls, brace these with steel trusses and have the facility open to the elements. They envision it as a location for a farmers market on weekends in the summer and for outdoor movies in the summer nights. Attached are pictures of their vision. This could be a fun and creative hub of the downtown and draw cyclists and other tourists.



- 8. There is an empty community building on Route 76 that could be utilized for public space. It is surrounded by ball fields and other public amenities.



9. Veterans Cemetery –

- a. Several members of the Town Board are pushing to get a Federal/County Veterans Cemetery in the Area to commemorate the multiple winners of awards of valor that come from Ripley. These included two Medals of Honor, A Navy Cross and multiple other awards.



- 10. Areas of historical interest related to the town include a history of rum runners during prohibition, the shipwreck of the Helen Strong and the brave soldiers that have come from Ripley.



- 11. Ripley requests that its prior work in the Ripley-Westfield Waterfront Opportunity Plan acts as a foundation for the LWRP and how it relates to Ripley.



*Images of the potential for the stabilization and rehabilitation of the Odd Fellows Halls as a farmers market and community gathering space.*









## Section 9 Appendix One – Consistency, HMP

### 9.1 Model LWRP Consistency Law

LWRP Consistency Laws requires that actions directly undertaken, funded, or permitted by municipalities within an LWRP boundary are consistent with the provisions of the LWRP and implement the waterfront policies. Each participating Northern Chautauqua County LWRP community should adopt a consistency law. A Waterfront Assessment Form should also be adopted to aid the consistency review.

Following is a Model LWRP Consistency Law. Sections IV, Management and Coordination of the LWRP, and V, Waterfront Advisory Committee will be drafted when the collaborating communities have reached consensus on these aspects of implementation of the LWRP. The communities will each be required to adopt their respective consistency laws before final submission of the LWRP to the NYSDOS for final approval.

Municipality

Local Law # \_\_\_ of the Year 20\_\_

Be it enacted by the Municipal Board of the Municipality as follows:

#### General Provisions

##### I. Title.

This law may be known as the Municipality Local Waterfront Revitalization Program (LWRP) Consistency Review Law.

##### II. Authority and Purpose.

- A. This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).

- B. The purpose of this law is to provide a framework for the agencies of the **Municipality** to incorporate the policies and purposes contained in the Northern Chautauqua County Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions located within the waterfront area; and to assure that such actions and direct actions undertaken by **Municipal type** agencies are consistent with the LWRP policies and purposes.
- C. It is the intention of the **Municipality** that the preservation, enhancement and utilization of the unique waterfront area of the **Municipal type** occur in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate growth. Accordingly, this law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing: degradation or loss of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural waterfront processes; impairment of scenic or historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.
- D. The substantive provisions of this local law shall only apply while there is in existence a **Municipality** Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

### III. Definitions.

- A. "Actions" include all the following, except minor actions:
  - 1. projects or physical activities, such as construction or any other activities that may affect natural, manmade, or other resources in the coastal/waterfront area, or the environment, by changing the use, appearance, or condition of any resource or structure, that:
    - i. are directly undertaken by an agency; or
    - ii. involve funding by an agency; or
    - iii. require one or more new or modified approvals, permits, or review from an agency or agencies;
  - 2. agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;
  - 3. adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment; and
  - 4. any combination of the above.
- B. "Agency" means any board, agency, department, office, other body, or officer of the **Municipality**.
- C. "Waterfront area" means the waterfront revitalization area located within the boundaries of the **Municipality** and delineated and described in the Northern Chautauqua County's Local Waterfront Revitalization Program.
- D. "Waterfront Assessment Form (WAF)" means the form, a sample of which is appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the **Municipality** Local Waterfront Revitalization Program.
- E. "Code Enforcement Officer" means the Building Inspector and/or Code Enforcement Officer of the **Municipality**.
- F. "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.

- G. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rulemaking, procedure making and policy making.
- H. "Environment" means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the waterfront area.
- I. "Local Waterfront Revitalization Program" or "LWRP" means the Northern Chautauqua County Local Waterfront Revitalization Program approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive Law), a copy of which is on file in the Office of the Clerk of the Municipality.
- J. "Minor actions" include the following actions, which are not subject to review under this law:
- (1) maintenance or repair involving no substantial changes in an existing structure or facility;
  - (2) replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by local law where structures may not be replaced, rehabilitated or reconstructed without a permit;
  - (3) repaving of existing paved highways not involving the addition of new travel lanes;
  - (4) street openings and right of way openings for the purpose of repair or maintenance of existing utility facilities;
  - (5) maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected.
  - (6) granting of individual setback and lot line variances, except in relation to a regulated natural feature;
  - (7) minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;
  - (8) installation of traffic control devices on existing streets, roads and highways;
  - (9) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
  - (10) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
  - (11) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
  - (12) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
  - (13) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
  - (14) collective bargaining activities;
  - (15) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;

- (16) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
  - (17) purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
  - (18) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
  - (19) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
  - (20) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
  - (21) adoption of a moratorium on land development or construction;
  - (22) interpreting an existing code, rule or regulation;
  - (23) designation of local landmarks or their inclusion within historic districts;
  - (24) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
  - (25) local legislative decisions such as rezoning where the **Municipal Board** determines the action will not be approved.
- K. "Waterfront Advisory Committee" or "Committee" means the committee of residents of the **Municipality**, as created pursuant to this law.

**IV. Management and Coordination of the LWRP.  
Section to be drafted**

**V. Waterfront Advisory Committee.  
Section to be drafted**

**VI. Review of Actions.**

- A. Whenever a proposed action is located in the waterfront area, each **Municipal type** agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in section I. below. No action in the waterfront area shall be approved, funded or undertaken by an agency without such a determination.
- B. The Committee shall be responsible for coordinating review of actions in the **Municipal type**'s waterfront area for consistency with the LWRP and will advise, assist and make consistency recommendations for other **Municipal type** agencies in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program. The Committee will also coordinate with NYS Department of State regarding consistency review for actions by State or Federal agencies.

- C. The Committee will assist each agency with preliminary evaluation of actions in the waterfront area and with preparation of an WAF. Whenever an agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront area, the agency shall refer to the Committee for preparation of a WAF, a sample of which is appended to this local law. The Committee will coordinate their preliminary evaluation with permitting or other review by each agency or the agencies considering an action.
- D. The Committee shall require the applicant to submit all completed applications, EAFs and any other information deemed necessary to its consistency recommendation. The recommendation shall indicate whether, in the opinion of the Committee, the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and objectives and shall elaborate in writing the basis for its opinion. The Committee shall, along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards and objectives or to greater advance them.
- E. If an action requires approval of more than one agency, decision making will be coordinated between agencies to determine which agency will conduct the final consistency review and that agency will thereafter act as designated consistency review agency. Only one WAF per action will be prepared. If the agencies cannot agree, the **Planning Director** shall designate the consistency review agency.
- F. Upon recommendation of the Committee, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in section I. herein. Prior to making its determination of consistency, the agency shall consider the consistency recommendation of the Committee. The agency shall render a written determination of consistency based on the WAF, the Committee recommendation and such other information as is deemed necessary to its determination. No approval or decision shall be rendered for an action in the waterfront area without a determination of consistency. The designated agency will make the final determination of consistency. The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Committee in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.
- G. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies and standards and include a discussion of the effects of the proposed action on such policy standards. No agency may make a final decision on an action that has been the subject of a final EIS and is located in the waterfront area until the agency has made a written finding regarding the consistency of the action with the local policy standards referred to in Section I. herein.
- H. In the event the Committee's recommendation is that the action is inconsistent with the LWRP and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and explain the manner and extent to which the action is consistent with the LWRP policy standards.
- I. Actions to be undertaken within the waterfront area shall be evaluated for consistency in accordance with the following summary of LWRP policies, which are derived from and further explained and described in the Northern Chautauqua County LWRP, a copy of which is on file in the Clerk's office and available for inspection during normal business



hours. Agencies which undertake direct actions shall also consult with Section IV-Proposed Land and Water Uses and Projects of the LWRP, in making their consistency determination. The action shall be consistent with the policies to:

- Foster a pattern of development that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development. (Policy 1)
- Preserve historic resources. (Policy 2)
- Enhance visual quality and protect scenic resources. (Policy 3)
- Minimize loss of life, structures and natural resources from flooding and erosion. (Policy 4)
- Protect and improve water quality. (Policy 5)
- Protect and restore the quality and function of ecosystems. (Policy 6)
- Protect and improve air quality. (Policy 7)
- Minimize environmental degradation from solid waste and hazardous substances and wastes. (Policy 8)
- Provide for public access to and recreational use of, coastal waters, public lands and public resources. (Policy 9)
- Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations. (Policy 10)
- Promote sustainable use of living marine resources. (Policy 11)
- Protect agricultural lands. (Policy 12)
- Promote appropriate use and development of energy and mineral resources. (Policy 13)

J. If the agency determines that an action will be inconsistent with one or more LWRP policy standards or objectives, such action shall not be undertaken unless modified to be consistent with the LWRP policies.

K. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Committee. Such files shall be made available for public inspection upon request.

#### **VII. Enforcement.**

In the event that an activity is being performed in violation of this law or any conditions imposed hereunder, the **Code Enforcement Officer or any other authorized official of the Municipal type** shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

#### **VIII. Violations.**

- A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this law shall have committed a violation, punishable by a fine not exceeding five hundred dollars (\$250.00) for a conviction of a first offense and punishable by a fine of one thousand dollars (\$500.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
- B. The **Municipal type** Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

**IX. Severability.**

The provisions of this law are severable. If any provision of this law is found invalid, such finding shall not affect the validity of this law as a whole or any law or provision hereof other than the provision so found to be invalid.

**X. Effective Date.**

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**9.2 Model Waterfront Assessment Form**

As part of their Waterfront Consistency Laws, the communities of the Northern Chautauqua County LWRP will also adopt a Waterfront Assessment Form. This model is provided as a template from which the communities will work.

**A. INSTRUCTIONS (Please print or type all answers)**

1. Applicants, or in the case of direct actions, **Municipality** agencies, shall complete this WAF for proposed actions which are subject to the Consistency Review Law. This assessment is intended to supplement other information used by **Municipal Agency** in making a determination of consistency.
2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the **Municipality's** Clerks office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.
3. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

**B. DESCRIPTION OF SITE AND PROPOSED ACTION**

1. Type of agency action (check appropriate response):
  - (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) \_\_\_\_\_
  - (b) Financial assistance (e.g. grant, loan, subsidy) \_\_\_\_\_
  - (c) Permit, approval, license, certification \_\_\_\_\_
  - (d) Agency undertaking action: \_\_\_\_\_
2. Describe nature and extent of action: \_\_\_\_\_

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3. Location of action (Street or Site Description): \_\_\_\_\_

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4. Size of site: \_\_\_\_\_

5. Present land use: \_\_\_\_\_

6. Present zoning classification: \_\_\_\_\_

7. Describe any unique or unusual land forms on the project site (i.e. steep slopes, swales, ground depressions, other geological formations):

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8. Percentage of site which contains slopes of 15% or greater: \_\_\_\_\_

9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?

(a) Name: \_\_\_\_\_

(b) Size (in acres): \_\_\_\_\_

10. If an application for the proposed action has been filed with the agency, the following information shall be provided:

(a) Name of applicant: \_\_\_\_\_

(b) Mailing address: \_\_\_\_\_

(c) Telephone number with Area Code: \_\_\_\_\_

(d) Application number, if any: \_\_\_\_\_

11. Will the action be directly undertaken, require funding, or approval by a state or federal agency?  
Yes\_\_\_ No\_\_\_

If yes, which State or federal agencies? \_\_\_\_\_

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12. If a project is to be located adjacent to shore:
- (a) Will water-related recreation be provided? \_\_\_\_\_
  - (b) Will public access to the foreshore be provided? \_\_\_\_\_
  - (c) Does the project require a waterfront site? \_\_\_\_\_
  - (d) Will it supplant a recreational or maritime use? \_\_\_\_\_
  - (e) Do essential public services and facilities presently exist at or near the site? \_\_\_\_\_
  - (f) Is it located in a flood prone area? \_\_\_\_\_
  - (g) Is it located in an area of high erosion? \_\_\_\_\_

13. If the project site is publicly owned:
- (a) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities? \_\_\_\_\_
  - (b) If located in the foreshore, will access to those and adjacent lands be provided? \_\_\_\_\_
  - (c) Will it involve the siting and construction of major energy facilities? \_\_\_\_\_
  - (d) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into waterways? \_\_\_\_\_

### C. WATERFRONT ASSESSMENT

(Check either "Yes" or "No" for each of the following questions) **YES NO**

1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the waterfront revitalization area map:

- (a) Significant fish or wildlife habitats? \_\_\_\_\_
- (b) Scenic resources of local or statewide significance? \_\_\_\_\_
- (c) Important agricultural lands? \_\_\_\_\_
- (d) Natural protective features in an erosion hazard area \_\_\_\_\_

2. Will the proposed action have a significant negative effect upon: **YES NO**

- (a) Commercial or recreational use of fish and wildlife resources? \_\_\_\_\_
- (b) Scenic quality of the waterfront environment? \_\_\_\_\_
- (c) Development of future, or existing water dependent uses? \_\_\_\_\_
- (d) Land or water uses within the harbor area? \_\_\_\_\_
- (e) Stability of the shoreline? \_\_\_\_\_
- (f) Surface or groundwater quality? \_\_\_\_\_
- (g) Existing or potential public recreation opportunities? \_\_\_\_\_
- (h) Structures, sites or districts of historic, archeological or cultural significance to the Municipality, State or nation? \_\_\_\_\_

3. Will the proposed action involve or result in any of the following: **YES NO**

- (a) Physical alteration of land along the shoreline, land under water or the designated waterfront area? \_\_\_\_\_
- (b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? \_\_\_\_\_
- (c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area? \_\_\_\_\_

- (d) Energy facility not subject to Article VII or VIII of the Public Service Law? \_\_\_\_\_
- (e) Mining, excavation, filling or dredging in waterways? \_\_\_\_\_
- (f) Reduction of existing or potential public access or along the shore? \_\_\_\_\_
- (g) Sale or change in use of publicly-owned lands located on the shoreline or under water? \_\_\_\_\_
- (h) Development within a designated flood or erosion hazard area? \_\_\_\_\_
- (i) Development on a beach, dune, or other natural feature that provides protection against flooding or erosion? \_\_\_\_\_
- (j) Construction or reconstruction of erosion protective structures? \_\_\_\_\_
- (k) Diminished surface or groundwater quality? \_\_\_\_\_
- (l) Removal of ground cover from the site? \_\_\_\_\_

#### 4. PROJECT YES NO

- (a) Is the project site presently used by the community as an open space or recreation area? \_\_\_\_\_
- (b) Does the present site offer or include scenic views or vistas known to be important to the community? \_\_\_\_\_
- (c) Is the project site presently used for commercial fishing or fish processing? \_\_\_\_\_
- (d) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal? \_\_\_\_\_
- (e) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project? \_\_\_\_\_
- (f) Will the project involve any waste discharges into waterways? \_\_\_\_\_
- (g) Does the project involve surface or subsurface liquid waste disposal? \_\_\_\_\_
- (h) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials? \_\_\_\_\_
- (i) Does the project involve shipment or storage of petroleum products? \_\_\_\_\_
- (j) Does the project involve discharge of toxics, hazardous substances or other pollutants into waterways? \_\_\_\_\_
- (k) Does the project involve or change existing ice management practices? \_\_\_\_\_
- (l) Will the project affect any area designated as a tidal or freshwater wetland? \_\_\_\_\_
- (m) Will the project alter drainage flow, patterns or surface water runoff on or from the site? \_\_\_\_\_
- (n) Will best management practices be utilized to control storm water runoff into waterways? \_\_\_\_\_
- (o) Will the project utilize or affect the quality or quantity of sole source or surface water supplies? \_\_\_\_\_
- (p) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates? \_\_\_\_\_

*If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.*

#### **D. REMARKS OR ADDITIONAL INFORMATION:**

(Add any additional sheets to complete this form.)





**Introduction**

A brief overview of Lake Erie is presented.

**Vision, Goals & Objectives**

Establishes the type of water activities that should be promoted.

**LWRP Master Plan**

Depicts Lake Erie as a blueway connecting the Northern Chautauqua communities through water borne transportation.

**Section 1 – Waterfront Revitalization Area Boundary**1.4.3 Waterside Boundary and Harbor Management Area

Gives a detailed description of the Harbor Management Area.

**Section 2 – Inventory and Analysis**2.1 Character Areas

Describes several character areas within the study area. The following character areas are directly related to the adjacent water use – Working Waterfront, Destination Beach, Waterfront Communities.

2.7 Water Uses

Presents and describes the existing water-dependent, uses water-enhanced, uses surface water uses and underwater ownership.

2.9 Shoreline Characteristics

Presents a description of the different types of shoreline composition which directly affects the type of water uses.

2.11 Historic Resources

Identifies historic lighthouses

2.13 Environmental Considerations

Discusses flooding and coastal erosion hazards, location of State pollution discharge elimination system (SPDES) permits and identifies significant coastal fish & wildlife habitats

2.14 Navigation

Discusses conditions of existing harbors and the need for dredging & maintenance

**Section 3 Waterfront Revitalization Policies**

1.2 Ensure that development or uses make beneficial use of their waterfront location

2.1 Maximize preservation and retention of historic resources

4.1 Minimize flooding and erosion damage in Lake Erie communities through the use of appropriate management measures

4.2 Preserve and restore natural protective features wherever practical

4.3 Protect public lands and public trust lands and use of these lands when undertaking all erosion and flood control projects

- 4.4 Manage navigation infrastructure to limit adverse impacts on coastal processes.
- 4.5 Ensure that expenditure of public funds for flooding and erosion control projects result in a public benefit.
- 5.1 Prohibit direct discharges that would contribute to lowering water quality standards.
- 5.2 Minimize indirect or non-point pollution of water resources of the Lake Erie Communities and manage activities causing non-point pollution.
- 5.3 Protect and enhance water quality of waterfront area waters.
- 5.4 Limit the potential for cumulative and secondary impact of watershed development and other activities on water quality and quantity.
- 6.1 Protect Significant Fish and Wildlife Habitats that exist throughout the Lake Erie waterfront.
- 8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.
- 8.6 Site solid and hazardous waste facilities to avoid potential degradation of lakeshore resources.
- 9.1 Promote appropriate physical public access and recreation throughout the waterfront area
- 9.3 Preserve public interest in and use of lands and waters held in public trust by the state and other government entities.
- 9.4 Assure public access to public trust lands and navigable waters
- 10.1 Protect existing public and commercial water-dependent uses
- 10.2 Promote Maritime centers as the most suitable locations for water-dependent uses
- 10.3 Allow the siting of new water dependent uses at suitable locations along Lake Erie
- 10.4 Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water enhanced and maritime support services.
- 10.5 Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation and maintain regionally important uses.
- 10.6 Provide sufficient infrastructure for water-dependent uses.
- 10.7 Promote the efficient management of surface waters and underwater lands.
- 11.1 Provide for the long-term maintenance and health of living marine resources

## **Section 4 Proposed Land and Water Uses and Projects**

### 4.2 Harbor Management Plan

- 4.2.1 Destination Shallows
- 4.2.2 Marina
- 4.2.3 Middle Harbor
- 4.2.4 Near Shore
- 4.2.5 Open Water
- 4.2.6 Public Bathing
- 4.2.7 Stream Corridors

### 4.3 Proposed Projects

- 4.3.1.2 Perform Regular Beach Maintenance
- 4.3.1.3 Update Comprehensive Plans & Zoning Ordinances
- 4.3.1.4 Improvement of Existing Facilities
  - 4.3.3.1 Harbor Dredging & Modifications (Hanover)
  - 4.3.3.2 Breakwall Fishing Platforms
  - 4.3.4.1 Wastewater Treatment Plant Upgrade
  - 4.3.4.2 George Borrello Park Expansion

- 4.3.5.1 Eagle Bay Beach & Campground (Park)
- 4.3.5.3 Sheridan Bay Park
- 4.3.6.1 Canadaway Park
- 4.3.6.2 Lake Access Parking (T Dunkirk)
- 4.3.7.1 Wright Park Beach & Expansion
- 4.3.7.2 The Promenade
- 4.3.7.3 Dunkirk Marina
- 4.3.7.4 Breakwater Trail Enhancement
- 4.3.7.5 Great Lakes Science & Education Center
- 4.3.7.6 Point Gratiot Improvements
- 4.3.7.7 Lake Erie Heritage & Shipwreck Museum
- 4.3.7.9 NRG
- 4.3.7.10 Harbor Maintenance (Dunkirk)
- 4.3.7.12 Cruises
- 4.3.9.1 Lake Access Parking (Pomfret)
- 4.3.10.2 Lake Erie Park Improvements
- 4.3.11.1 Barcelona Harbor & Beach Improvements
- 4.3.11.2 Chautauqua Creek Beach
- 4.3.11.4 Harbor Maintenance (Barcelona)
- 4.3.11.5 Lighthouse & Cottage Restoration
- 4.3.11.8 Cruises
- 4.3.13.2 Ripley Beach Improvements

## Section 5 Techniques for Implementation of the Program

### 5.1 Existing Laws

#### *City of Dunkirk*

- 5.1.1.2 Chapter 24 Dock & Harbor Use
- 5.1.1.3 Chapter 34A Flood Damage Protection
- 5.1.1.4 Chapter 46 Landmark Preservation
- 5.1.1.10 Chapter 79 Zoning

#### *Town of Dunkirk*

- 5.1.2.2 Coastal Erosion Hazard Area Management

#### *Town of Hanover*

- 5.1.3.1 Zoning
- 5.1.3.2 Flood Damage Prevention

#### *Town of Pomfret*

- 5.1.4.1 Zoning Ordinance

#### *Town of Portland*

- 5.1.5.1 Zoning Ordinance

#### *Town of Ripley*

- 5.1.6.2 Chapter 300 Zoning Ordinance

#### *Town of Sheridan*

- 5.1.7.1 Zoning Ordinance
- 5.1.7.2 Coastal Erosion Hazard Law

#### *Town of Westfield*

- 5.1.8.1 Chapter 65 Boats, Mooring of
- 5.1.8.2 Chapter 96 Flood Damage Prevention

5.1.8.3 Chapter 121 Parks & Recreation Areas

5.1.8.6 Chapter 185 Zoning

*Village of Silver Creek*

5.1.9.1 Chapter 82 Coastal Erosion

5.1.9.1 Chapter 111 Flood Damage Prevention

5.2 Proposed New Local Laws, Amendments and Regulations

5.2.1 Local Consistency Review Law

5.2.2 Amendments to the Existing Ordinances



## Section 10 Appendix Two – Map Gallery

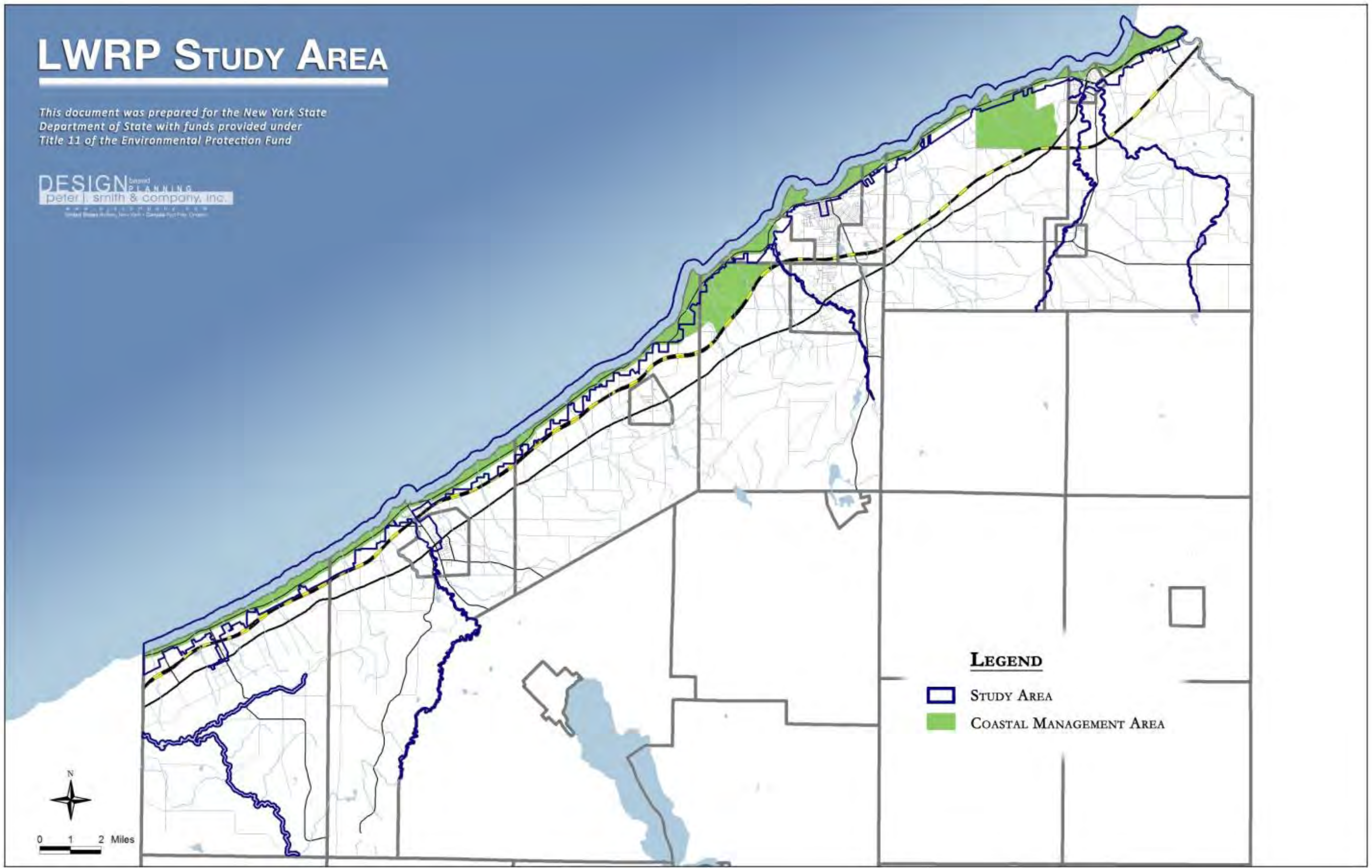






# LWRP STUDY AREA

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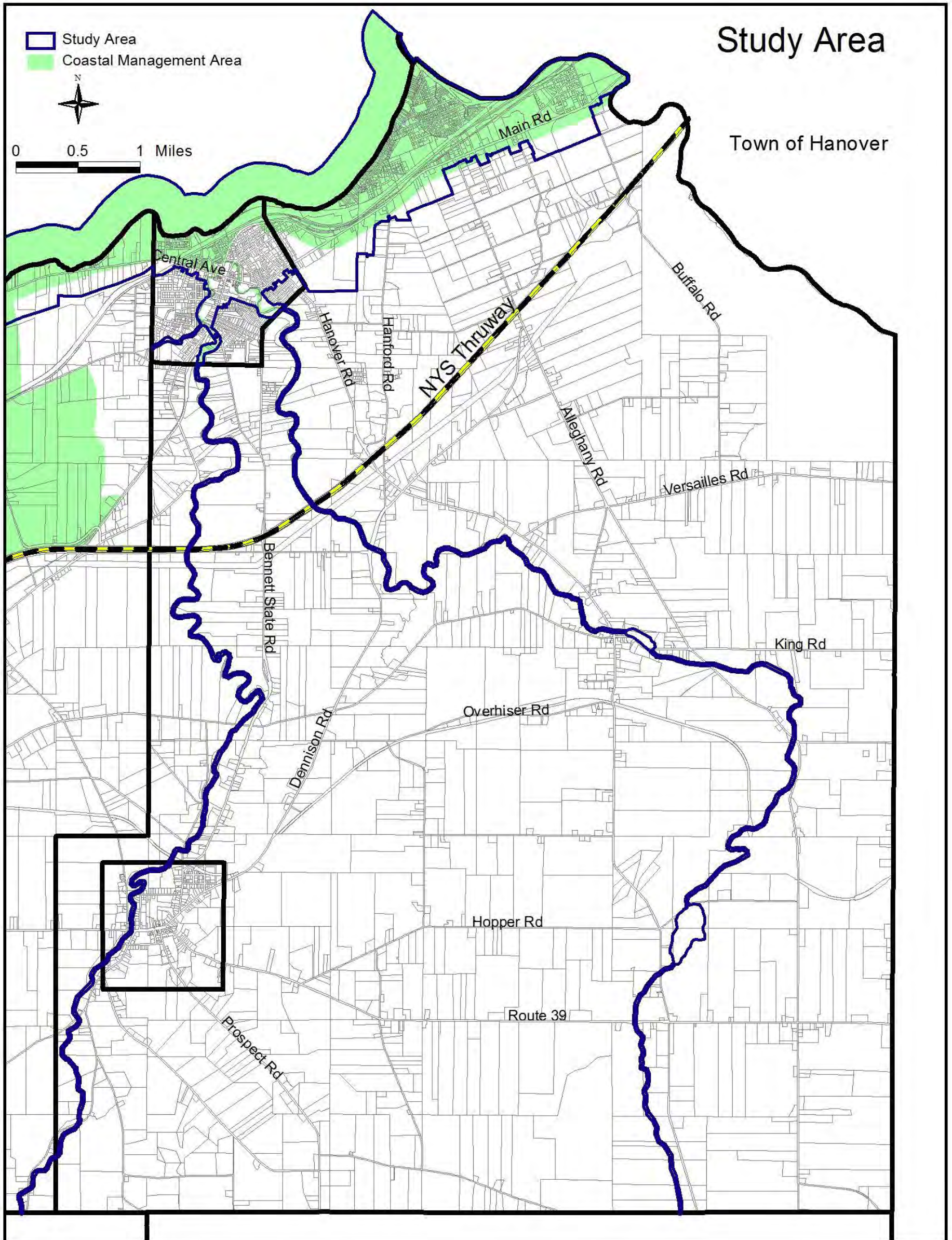
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## LEGEND

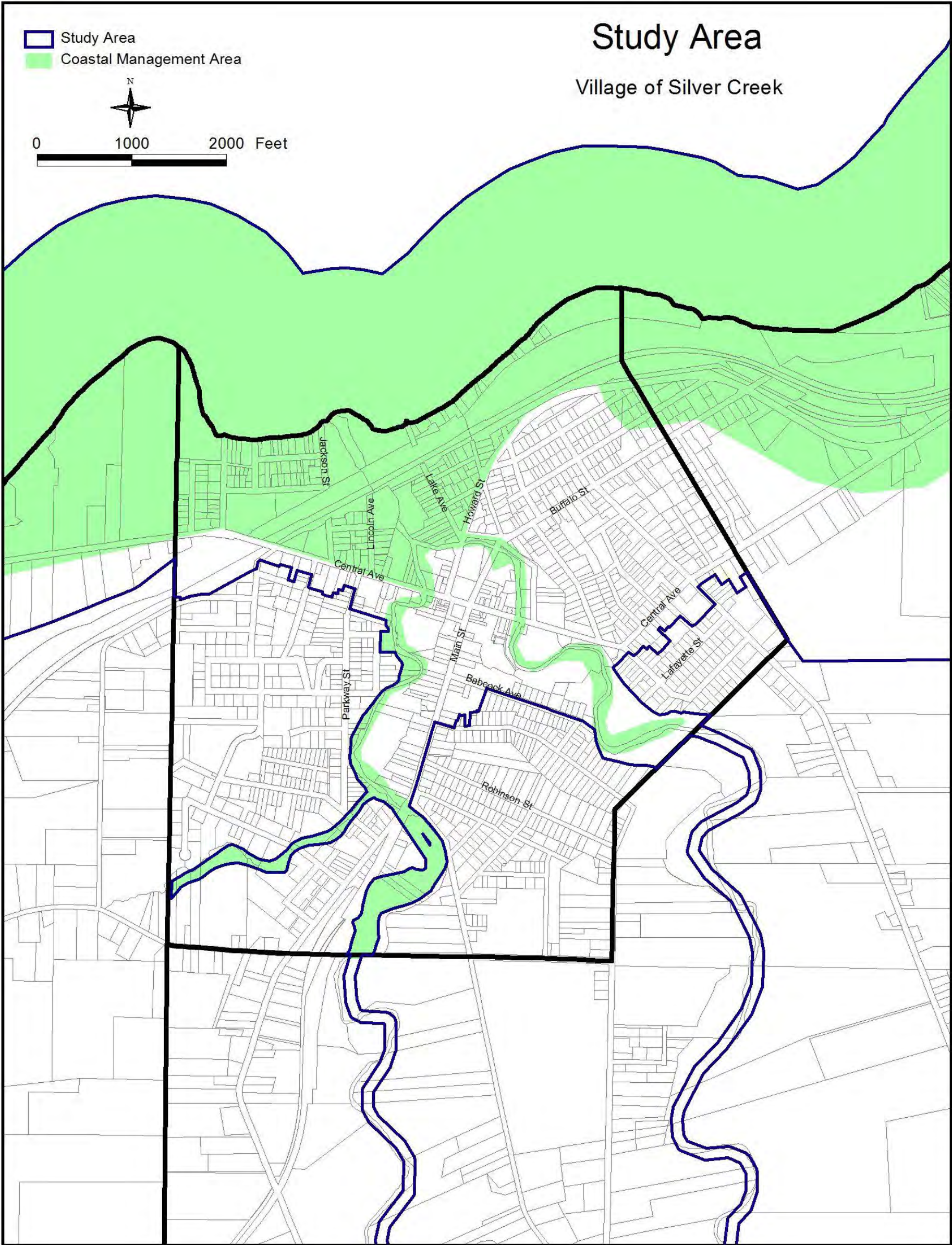
-  STUDY AREA
-  COASTAL MANAGEMENT AREA





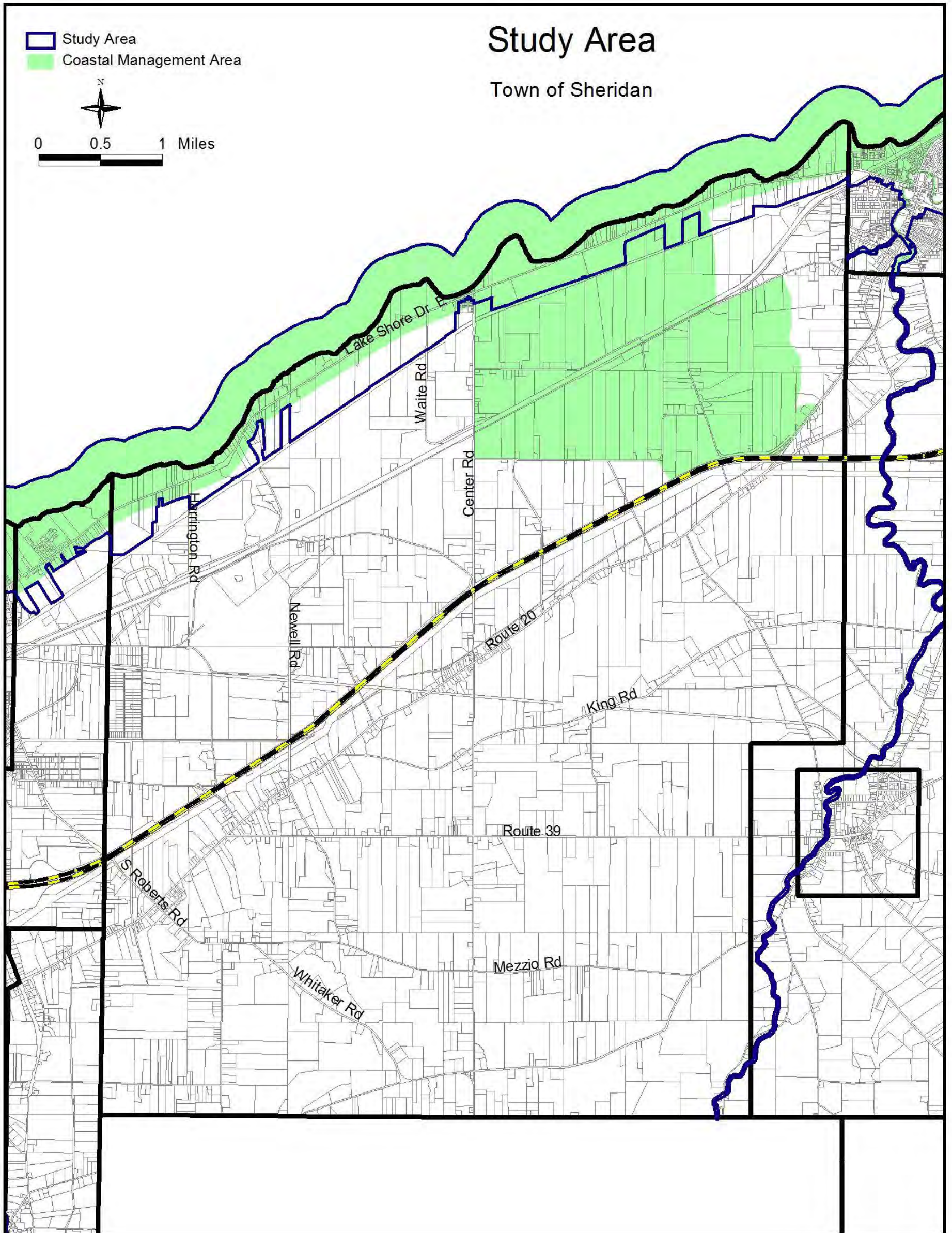
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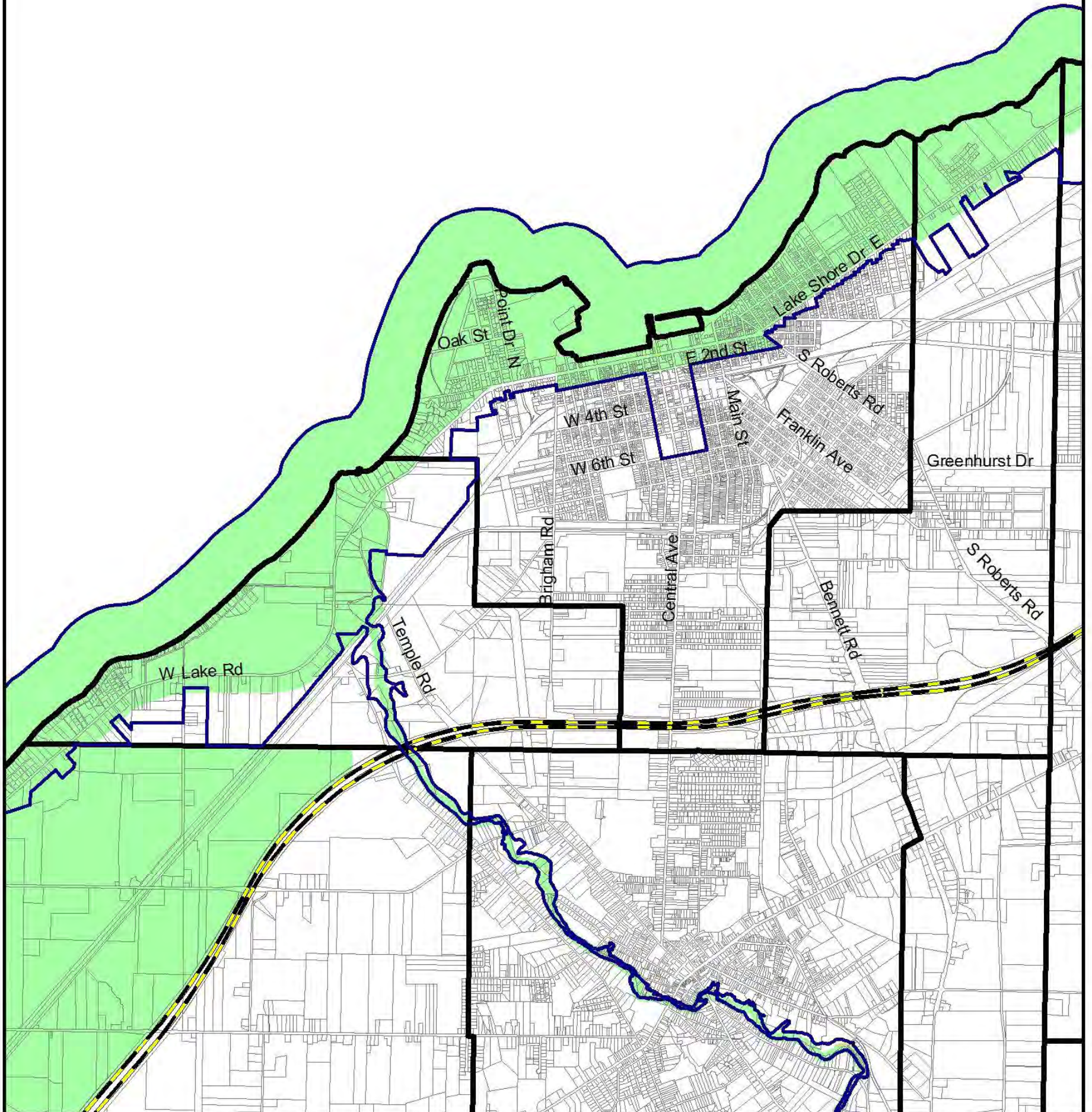
- Study Area
- Coastal Management Area



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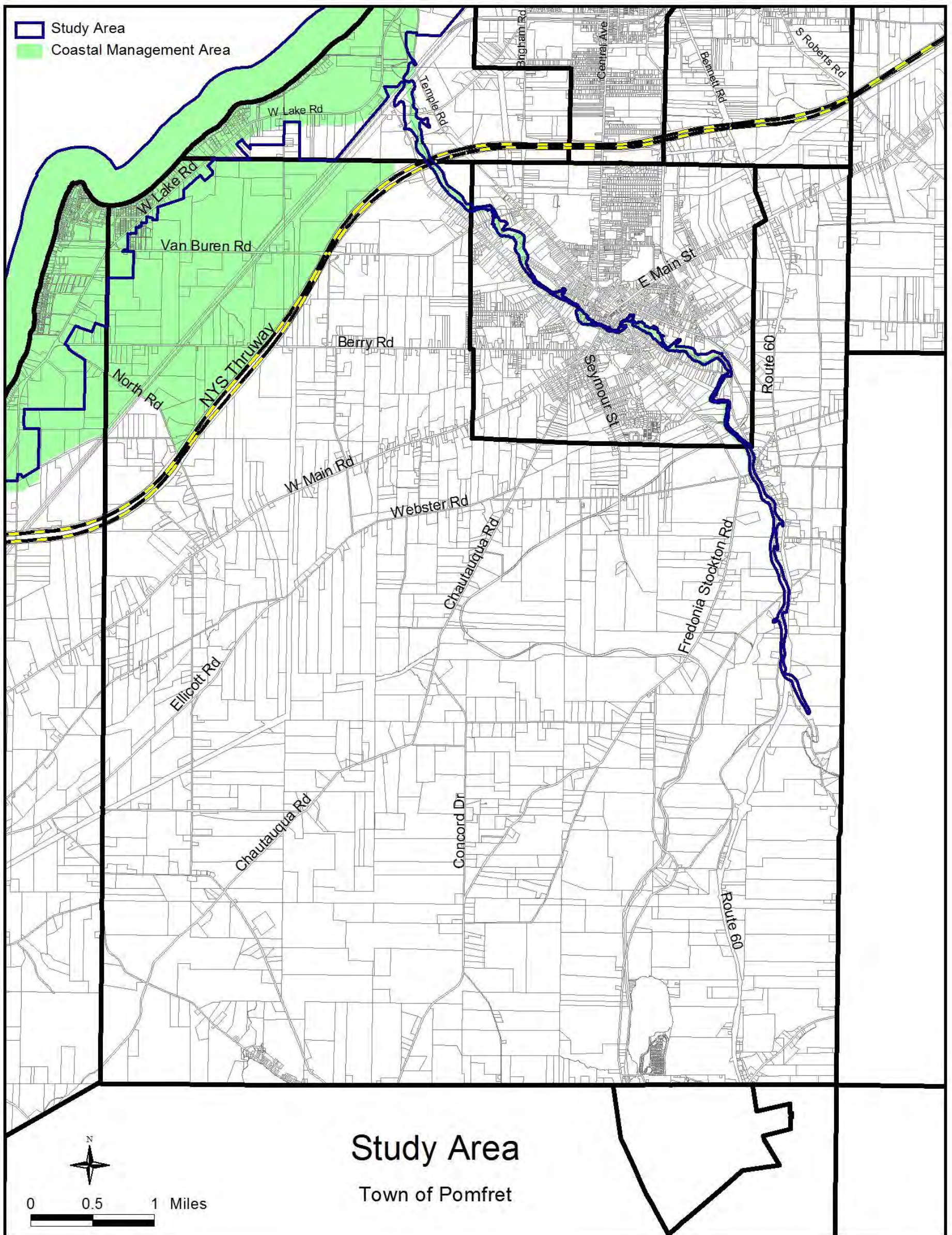
# Study Area

City of Dunkirk  
Town of Dunkirk



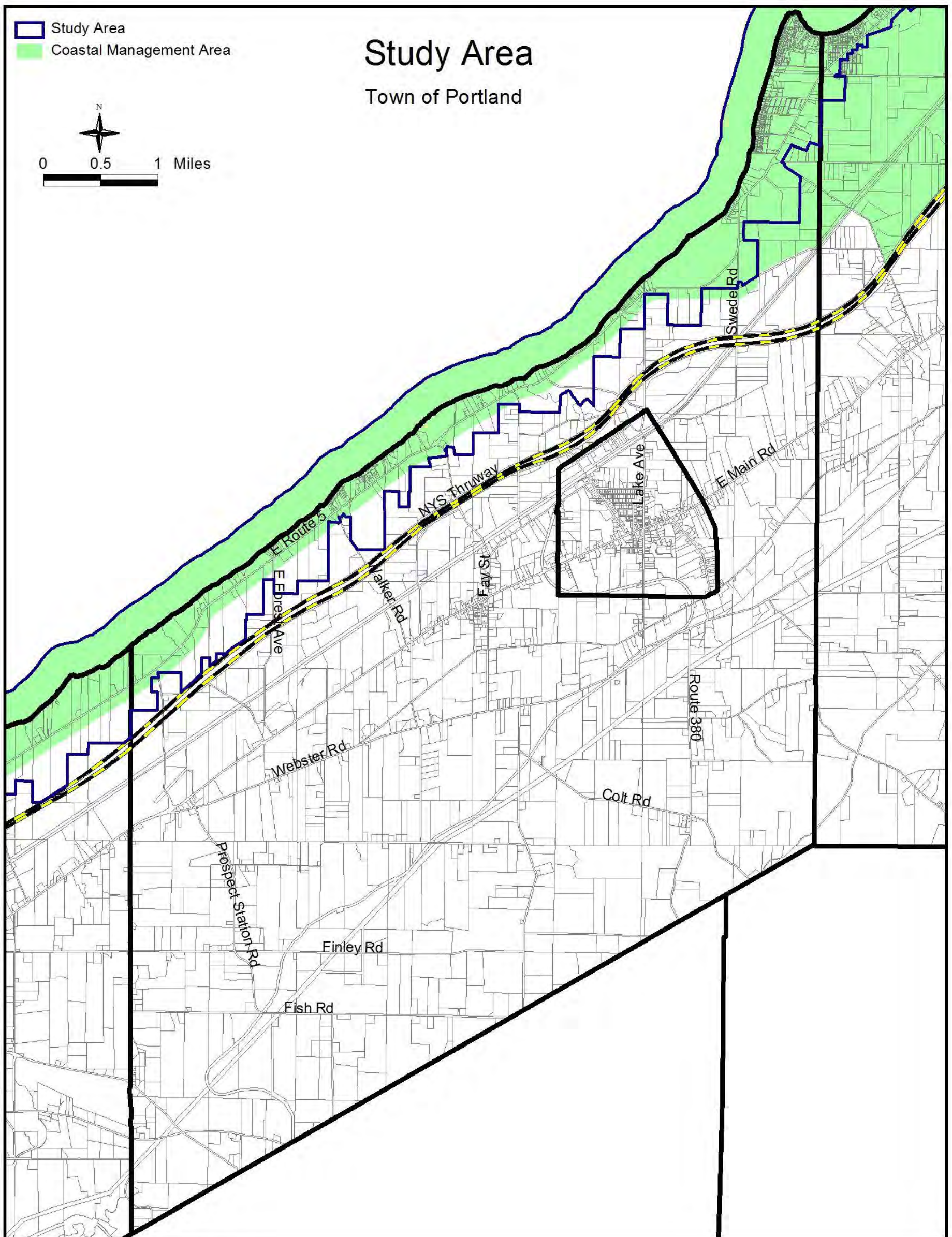
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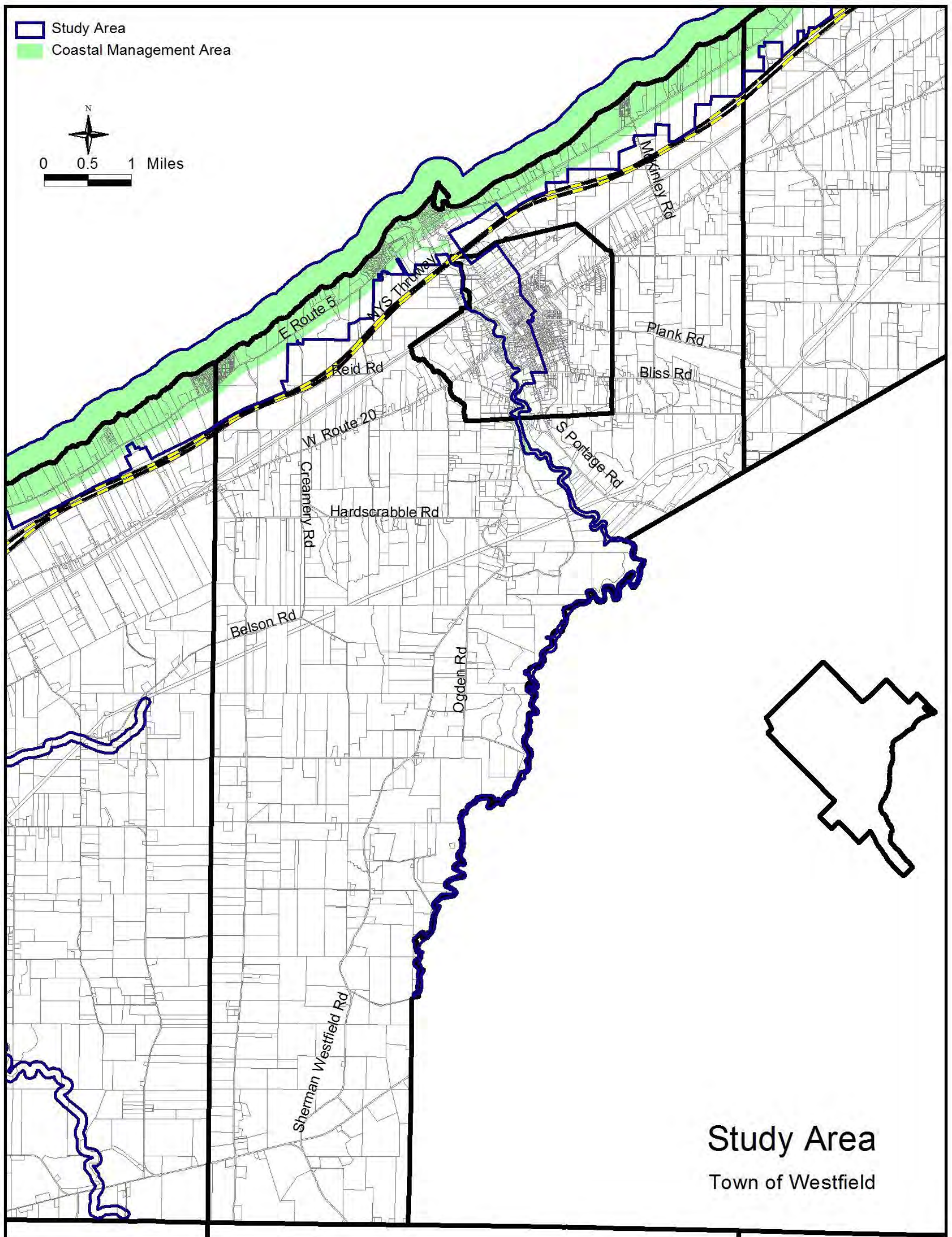
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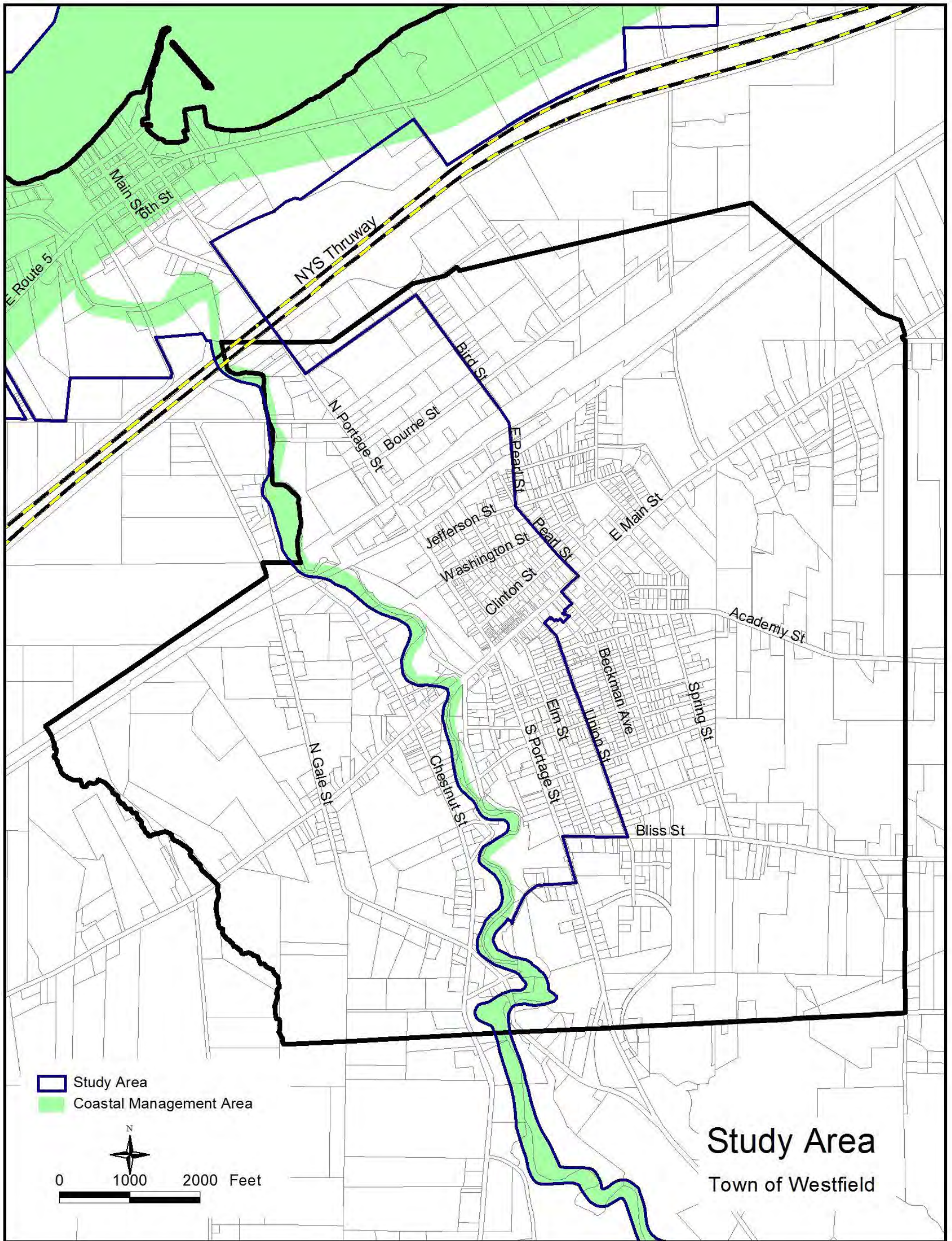




**Study Area**  
Town of Westfield

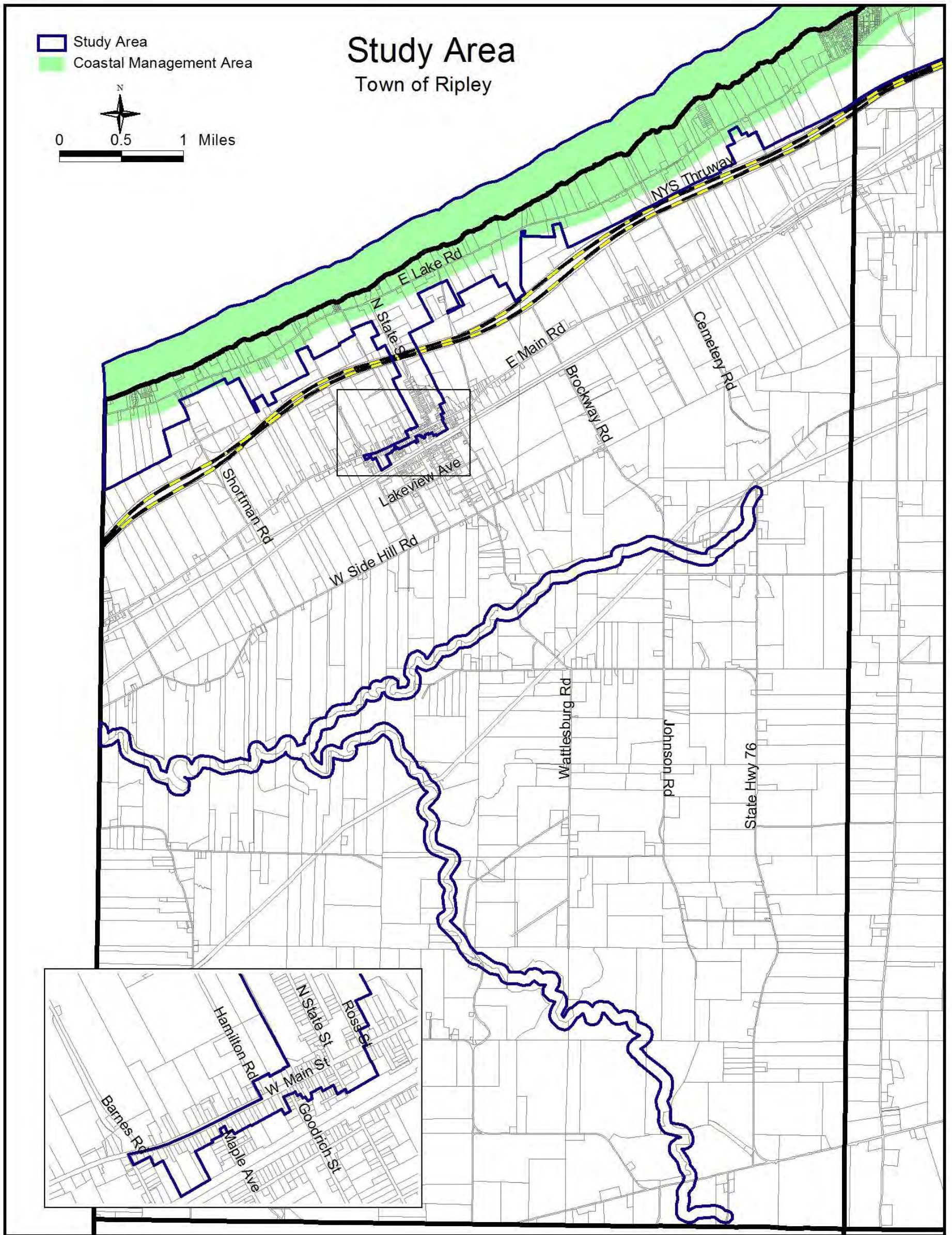
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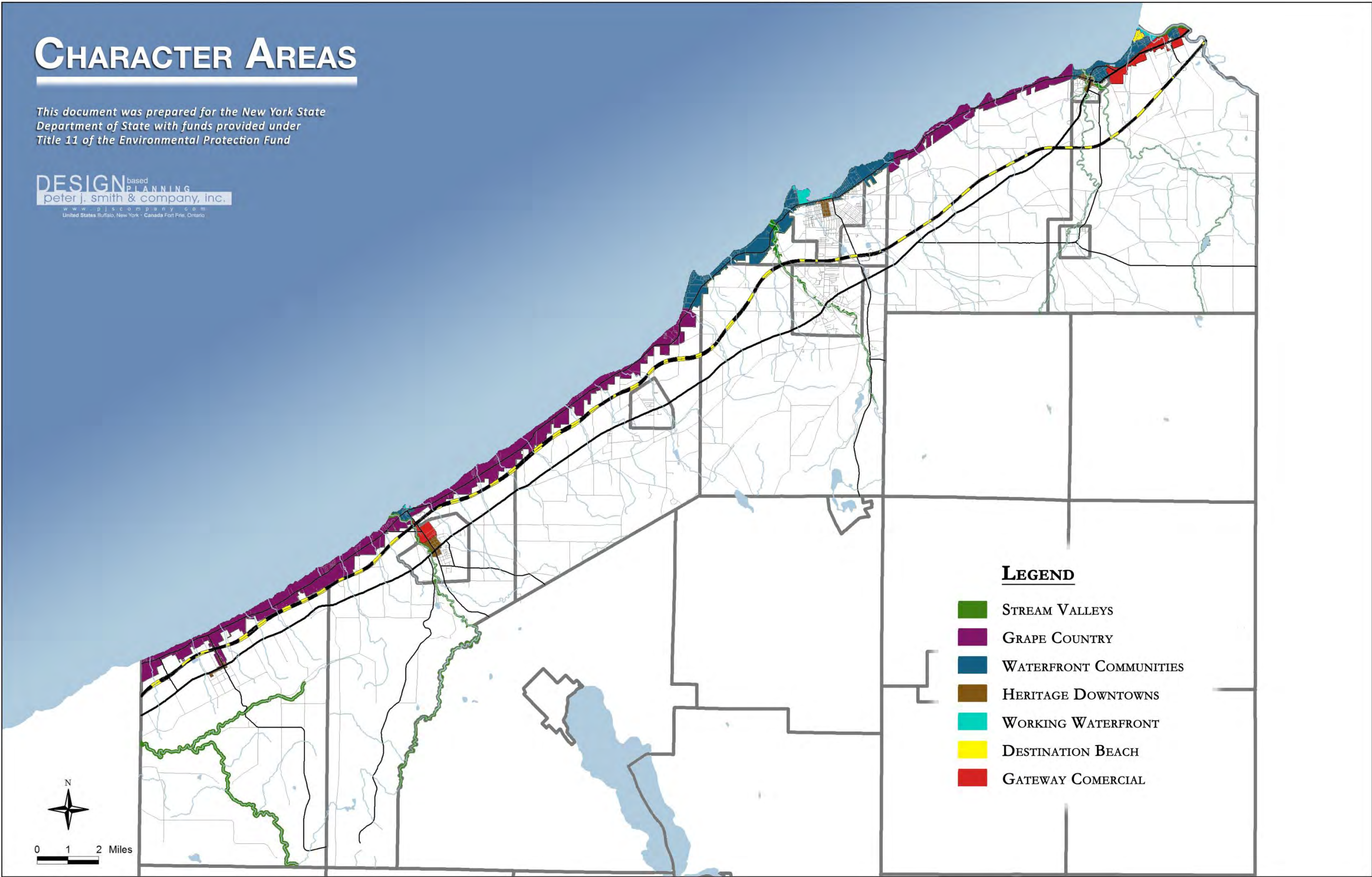
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# CHARACTER AREAS

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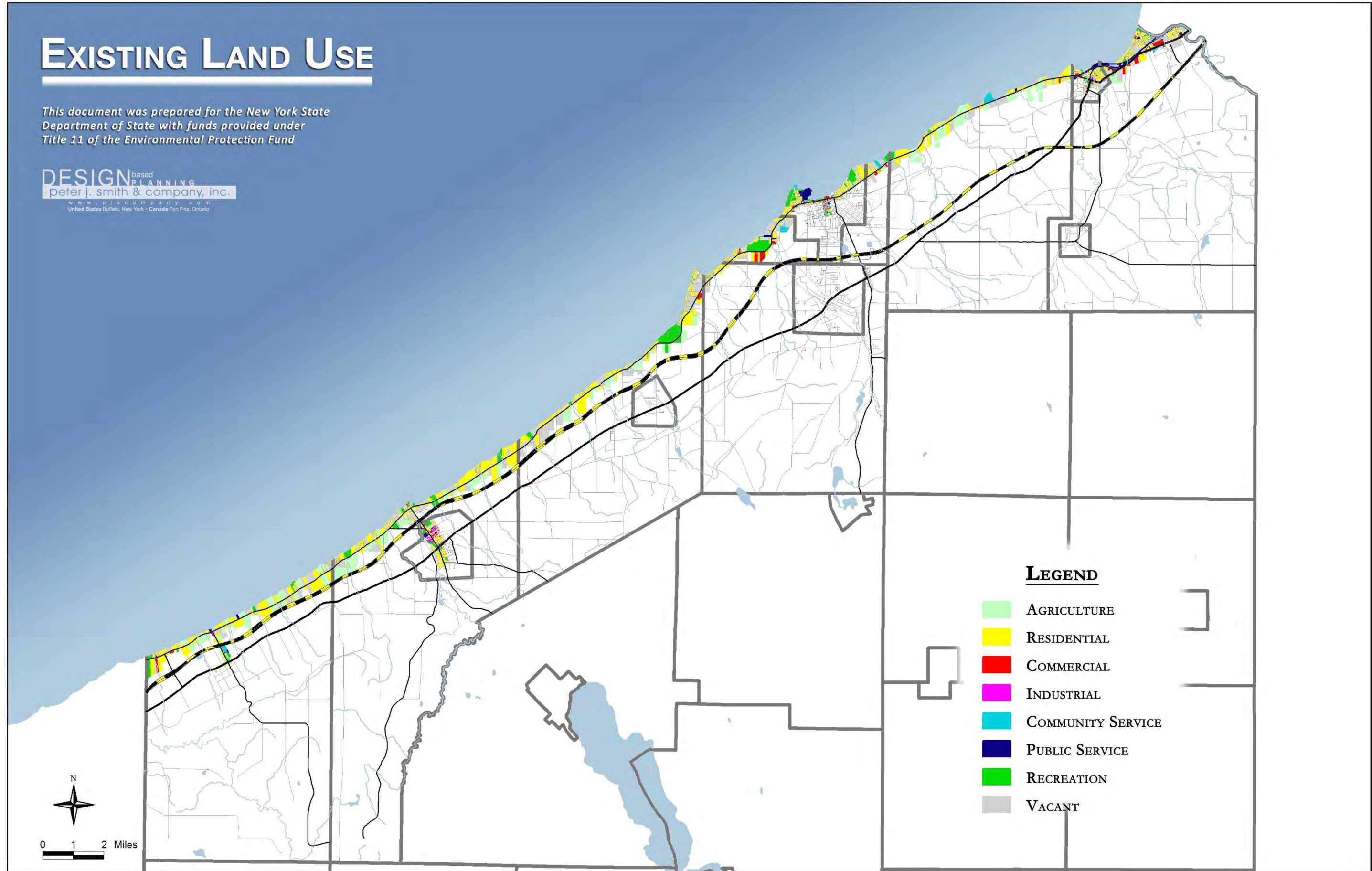




# EXISTING LAND USE

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










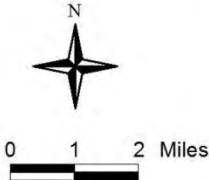
# CURRENT ZONING

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### GENERALIZED ZONING DISTRICTS

-  AGRICULTURE
-  LOW DENSITY RESIDENTIAL
-  RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  RURAL COMMERCIAL
-  COMERCIAL
-  CENTRAL BUSINESS DISTRICT
-  INDUSTRIAL
-  CONSERVATION

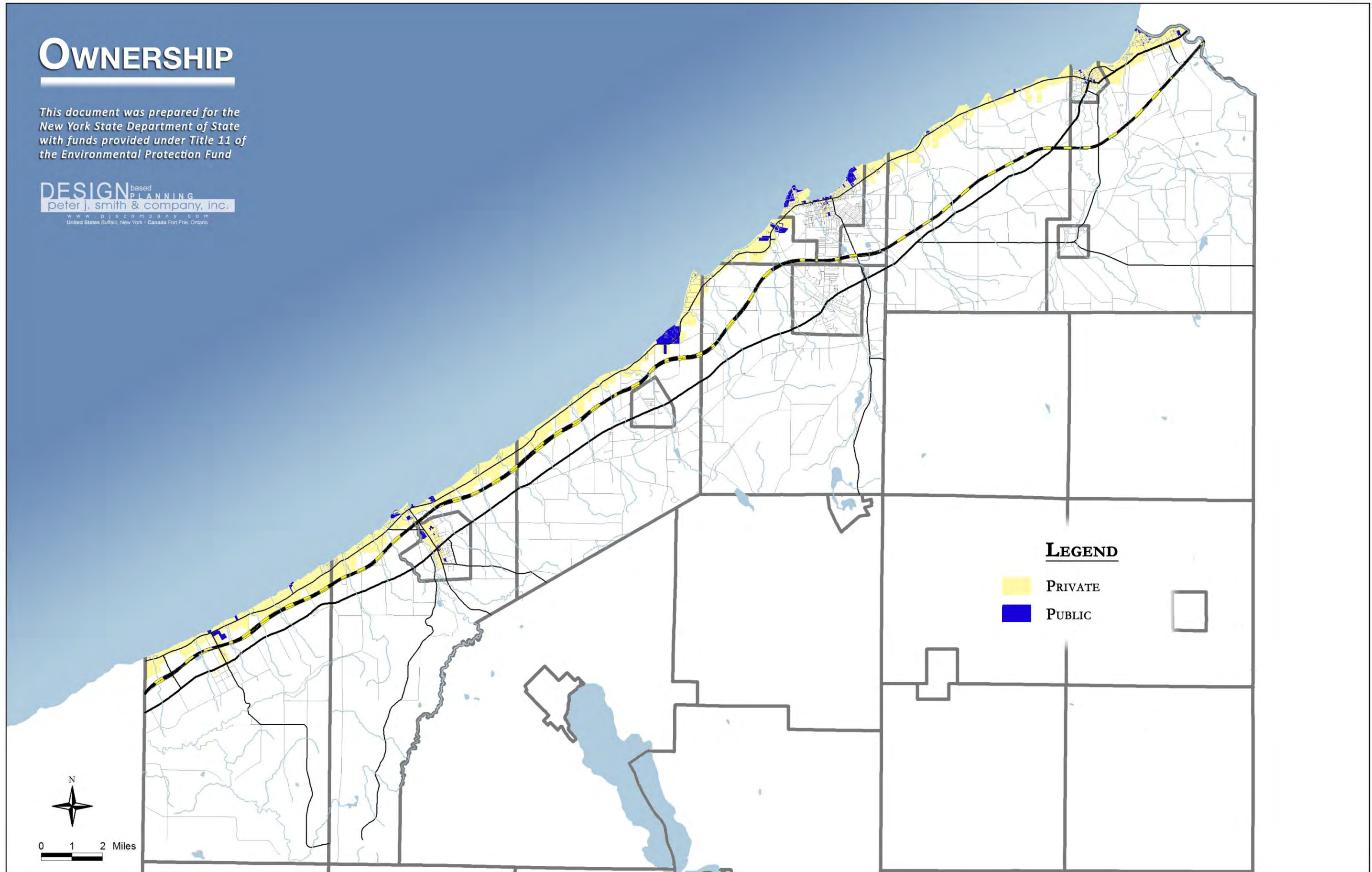




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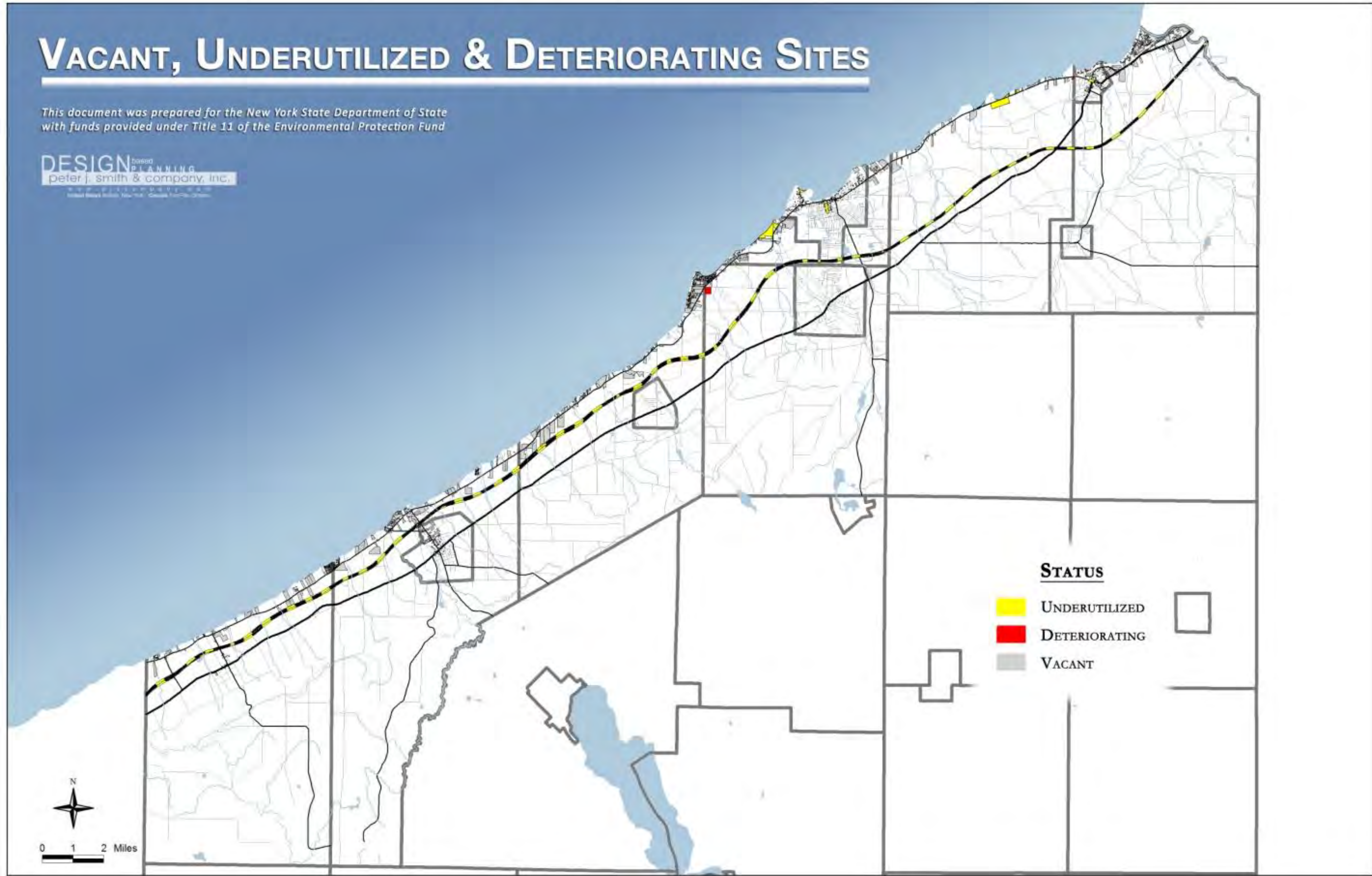




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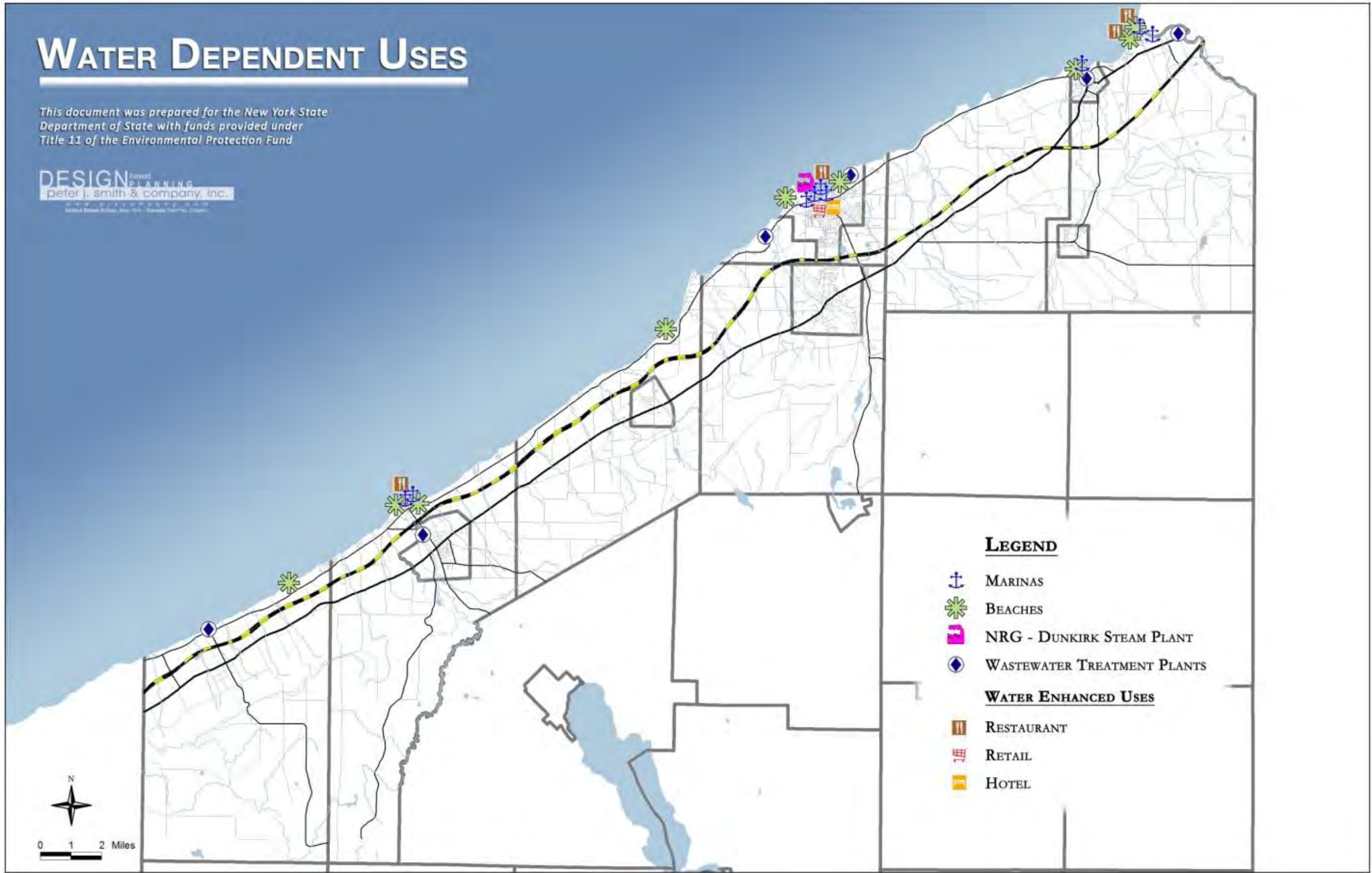




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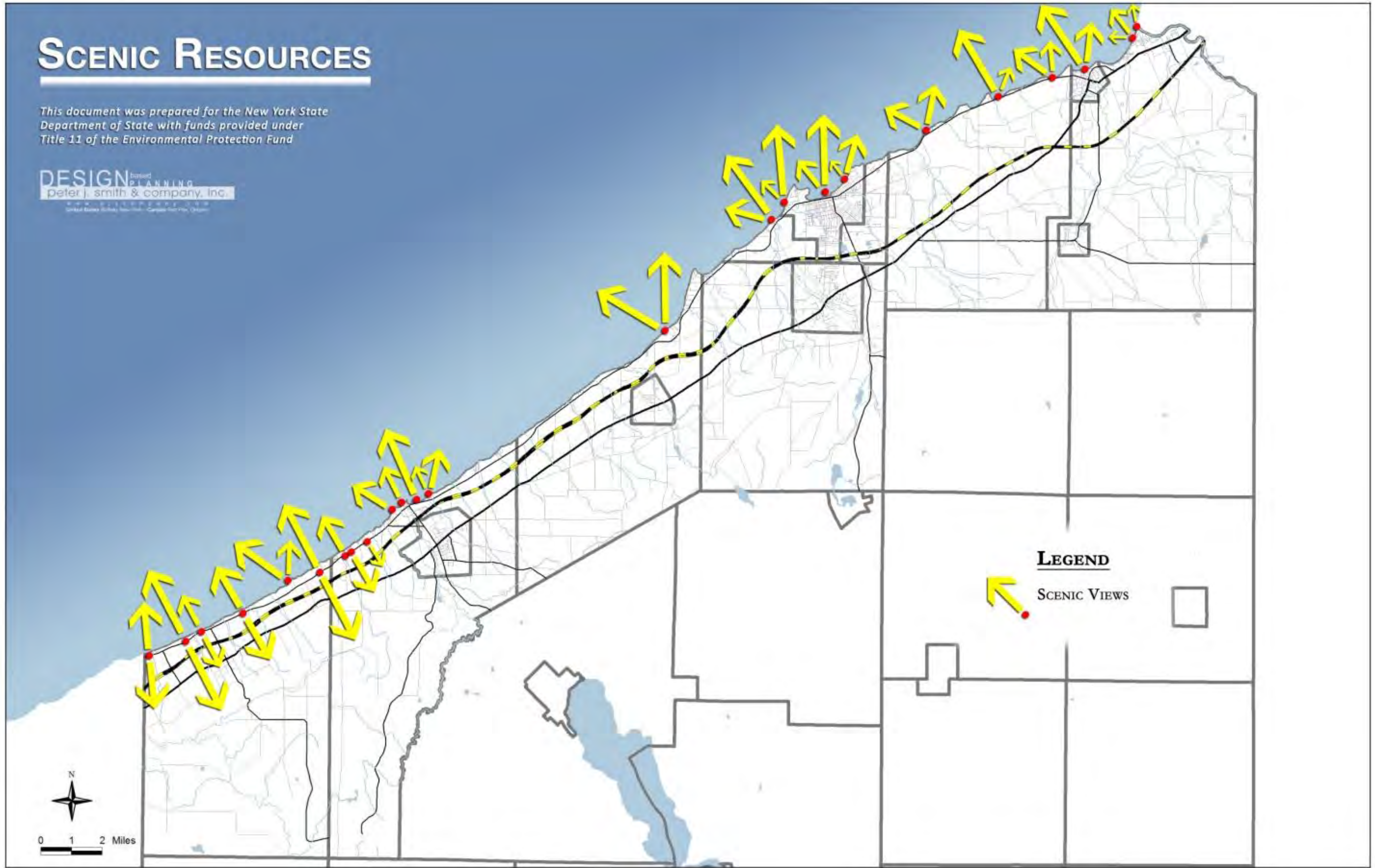





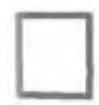
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### LEGEND

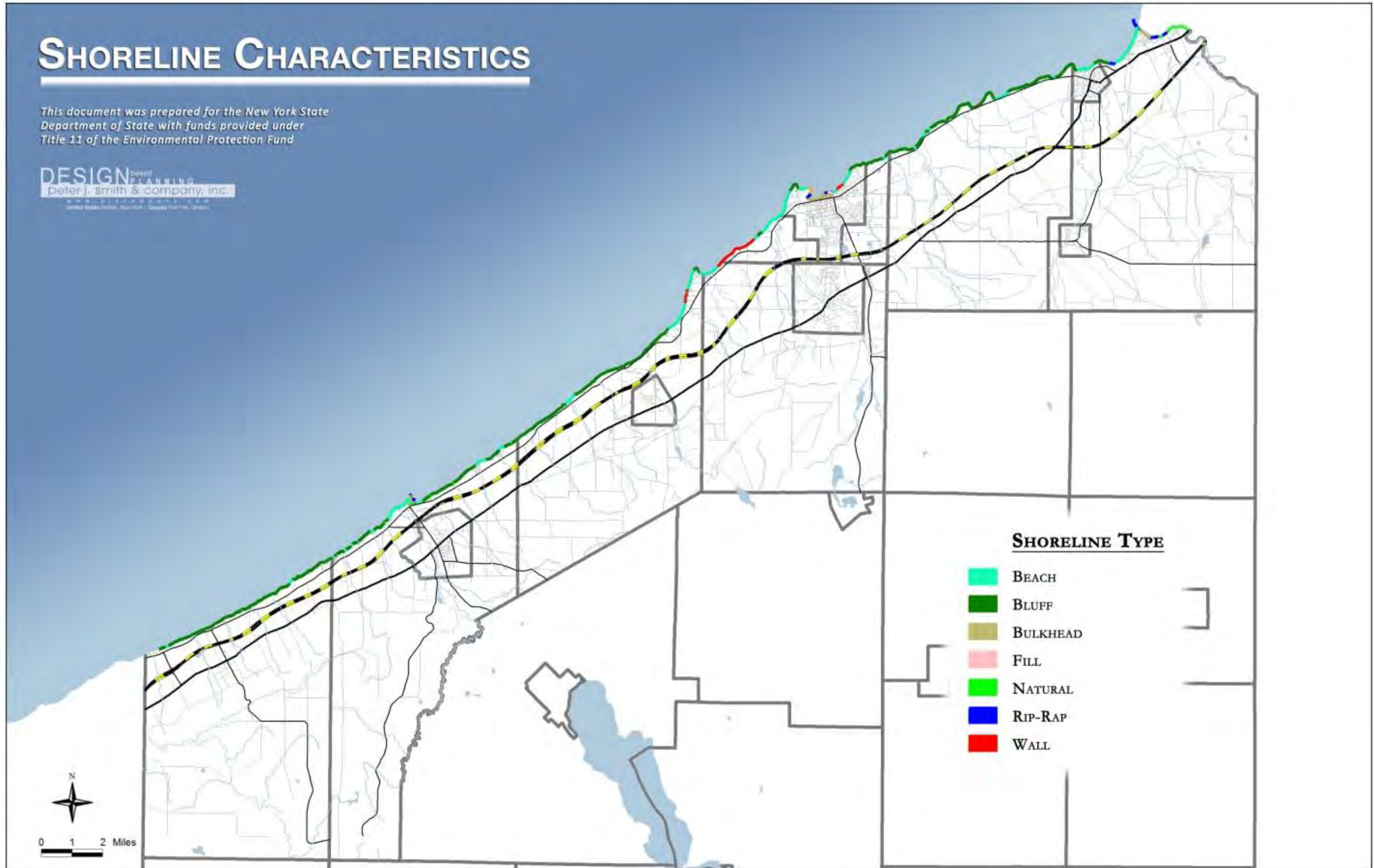
 SCENIC VIEWS 



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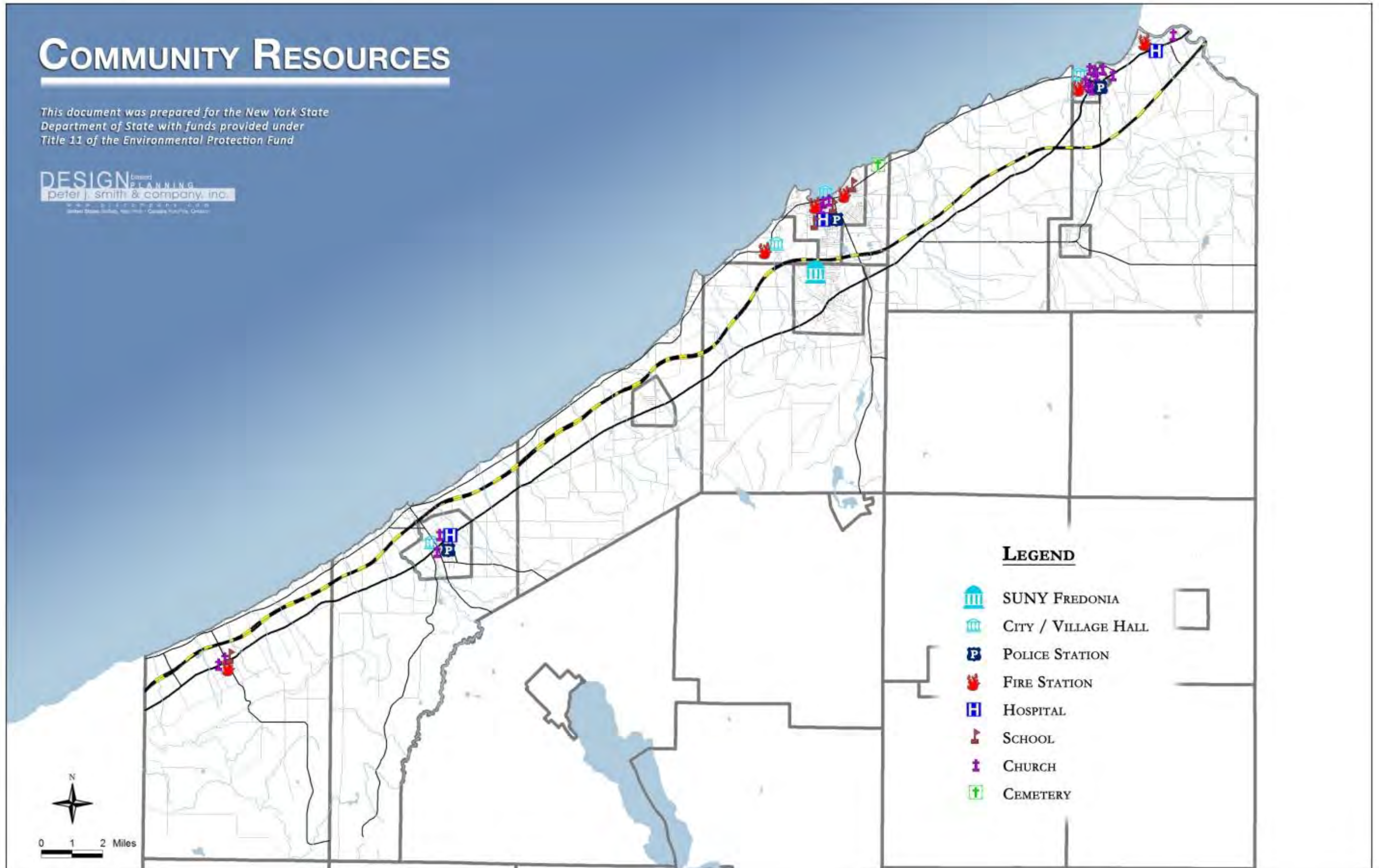




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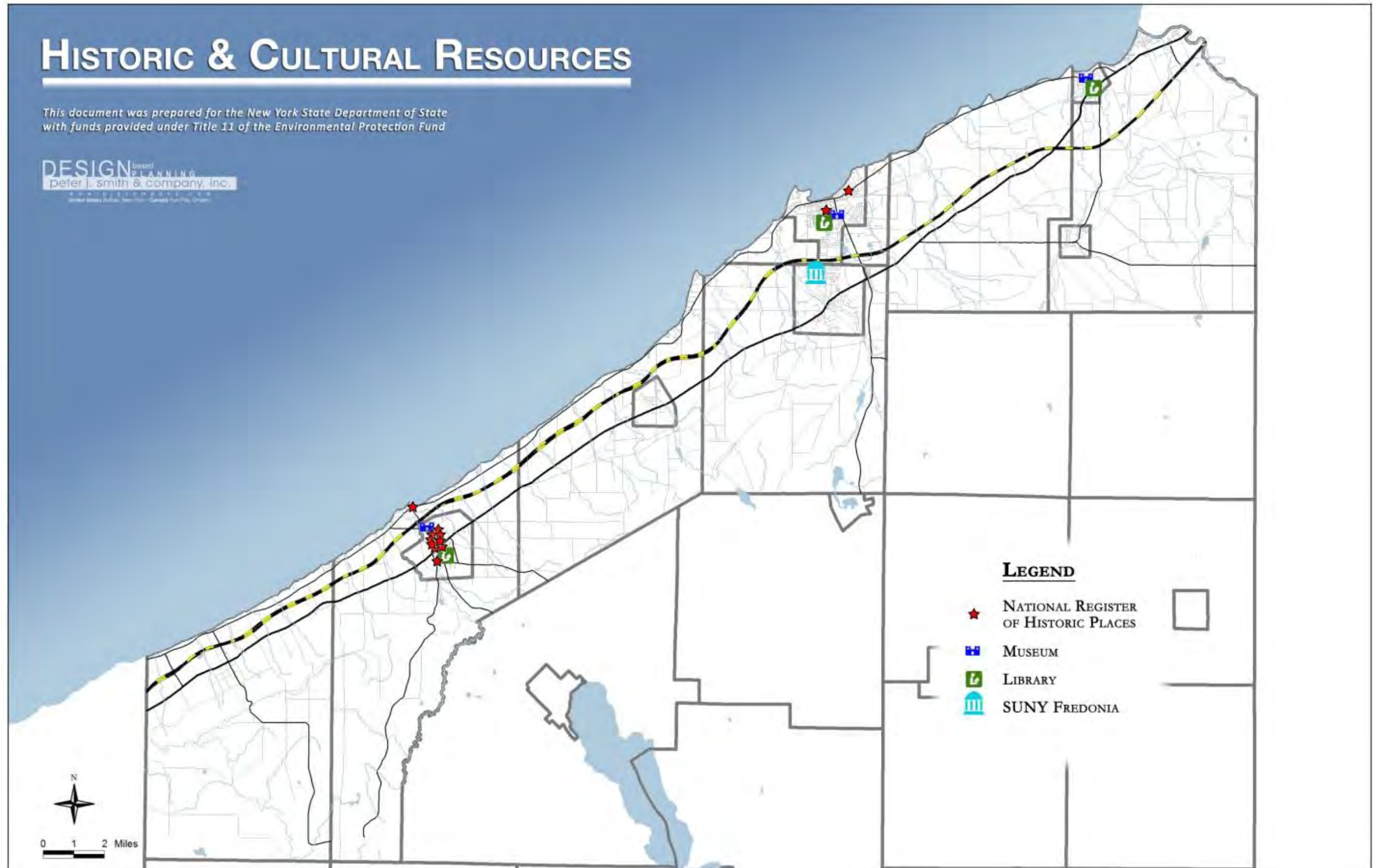
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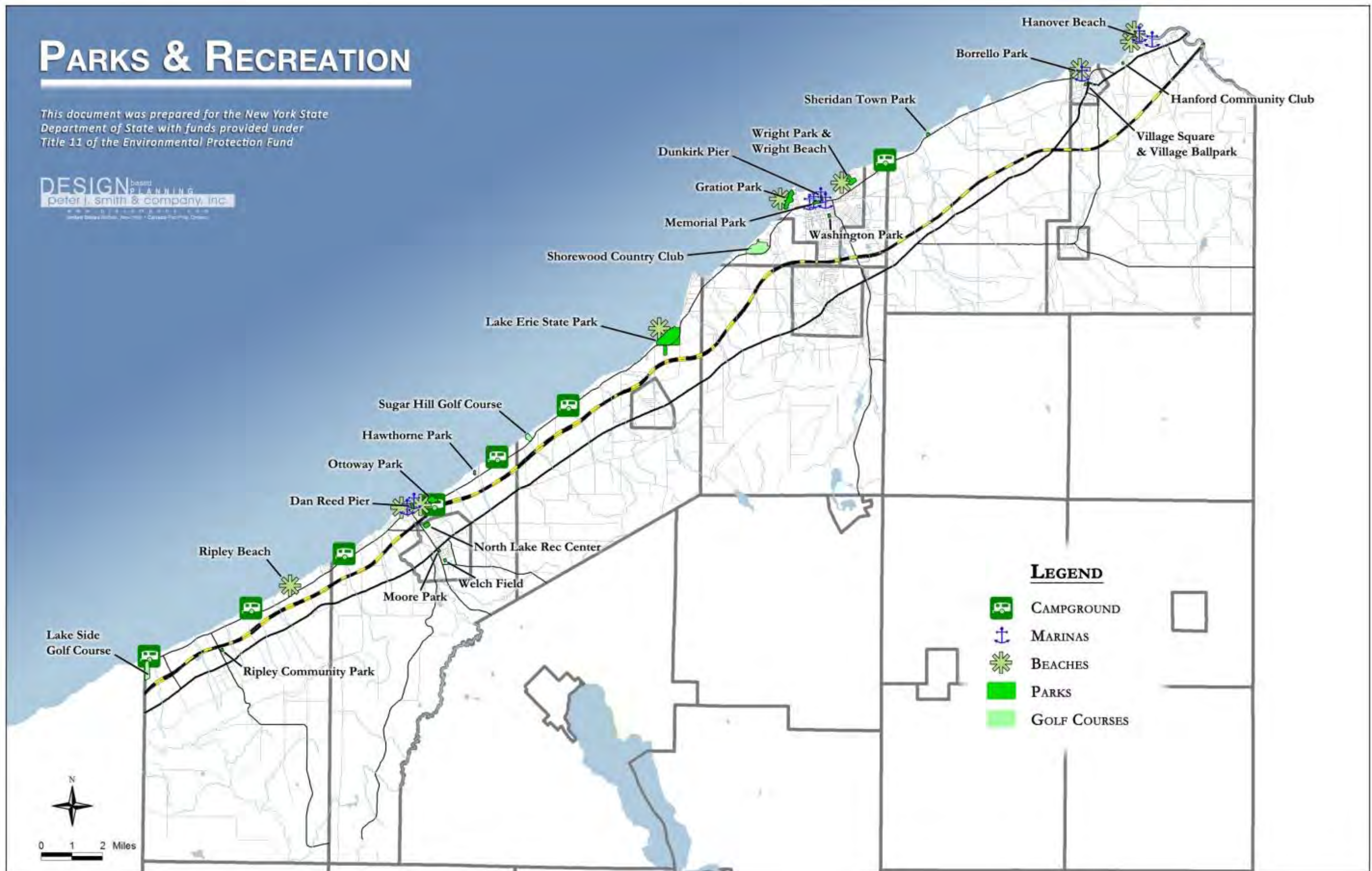




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