

By Legislators McCabe and Johns

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2022

**CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO  
STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR CONSTRUCTION OF A SPRAY PARK  
AT ONTARIO BEACH PARK**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Monroe County Legislature determines that the construction of a spray park at Ontario Beach Park is an Unlisted action.

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated July 15, 2022 and has considered the potential environmental impacts of the construction of a spray park at Ontario Beach Park pursuant to the requirements of State Environmental Quality Review Act and has found that the proposed action will not result in any significant adverse environmental impacts. The Monroe County Legislature hereby issues and adopts the Negative Declaration attached hereto and made a part hereof and determines that an environmental impact statement is not required.

Section 3. The County Executive, or his designee, is hereby authorized to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution, and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; August 22, 2022 - CV: 7-0  
File No. 22-0275

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

\* EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Monroe County Installation of Spray Park at Ontario Beach Park			
Name of Action or Project:			
Installation of new spray park at Ontario Beach Park			
Project Location (describe, and attach a location map):			
The Project is located at one site at Ontario Beach Park.			
Brief Description of Proposed Action:			
The new spray park / splash pad feature would be located at Ontario Beach Park, east of the existing playground. Mapping attached. It is known that Ontario Beach Park is a popular park during the summer time due to the Beach, however, periodic beach closures due to high bacteria levels and water clarity causes patron frustration. The spray park would provide an alternative option during beach closures and provides an ADA compliant option for individuals with differing needs.			
Name of Applicant or Sponsor:		Telephone: 585-753-7279	
Monroe County - Robert W. Kiley, Deputy Director		E-Mail: robertkiley@monroecounty.gov	
Address:			
171 Reservoir Rd			
City/PO:		State:	Zip Code:
Rochester		NY	14620
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			
2. Does the proposed action require a permit, approval or funding from any other government Agency?			
If Yes, list agency(s) name and permit or approval:			
3. a. Total acreage of the site of the proposed action?			
b. Total acreage to be physically disturbed?			0.5 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			74.31 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Residential (suburban)
<input checked="" type="checkbox"/> Parkland	<input type="checkbox"/> Other(Specify)		

5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO YES		
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO YES		
If Yes, identify: <u>Environmentally Sensitive, by the City of Rochester in 1985</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO YES		
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO YES		
If the proposed action will exceed requirements, describe design features and technologies:				
<u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO YES		
If No, describe method for providing potable water:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO YES		
If No, describe method for providing wastewater treatment:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO YES		
<u>Ontario Beach Park; 12/31/2018</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO YES		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input checked="" type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?		
	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?		
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes,		
a. Will storm water discharges flow to adjacent properties?		
	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		
	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?		
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, explain the purpose and size of the impoundment:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?		
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?		
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, describe:		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Robert W. Key</u>		
Date: <u>7/15/22</u>		
Signature: <u>[Signature]</u>		
Title: <u>Deputy Director of Monroe County Parks</u>		

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Agency Use Only (If applicable)

Project:

Date:

# Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Agency Use Only (If applicable)

Project: \_\_\_\_\_  
Date: \_\_\_\_\_

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The existing location at Ontario Beach is a gently graded / relatively flat grassed area, utilized as a passive recreational area. Use of this area for increased recreational purposes would occur on MB hydric soils. Earthen disturbances during construction would be less than 0.50 acres and erosion and sediment controls would be utilized as needed during construction. As soil erosion and sedimentation controls would be utilized, there are no significant impacts to land anticipated.

The project would not result in additional stormwater runoff entering an stormwater sewer system, however the project would be connect to the sanitary sewer system. Annual potable water usage is estimated between 7 to 8 million gallons, with that, flow would be directed to the sanitary sewer system. The project is within the 100 year floodplain for Lake Ontario and will be designed and constructed to allow the sanitary sewer system to be shunted off, thus eliminating flow into the sanitary sewer system during a flood event. As a result of the aforementioned, there are no significant impacts to flooding as a result of this project.

In 1996, the City of Rochester designated the area as a critical environmental area, noting that it is a environmentally sensitive area. The NYS-DEC Environmental Resource Mapper was reviewed and no threatened or endanger species were mapped within the project area. As a result, no significant impacts to flora and fauna are anticipated.

There are two remediation sites within 2000 ft of the proposed project, the lighthouse point inland and the old Rochester city landfill on Pattonwood. As the project would not impact these remediation sites, no significant impact is noted.

The project is consistent with the community character and the concept of a spray park was noted within several local community master plans. Therefore, no significant impact to the community character is noted.

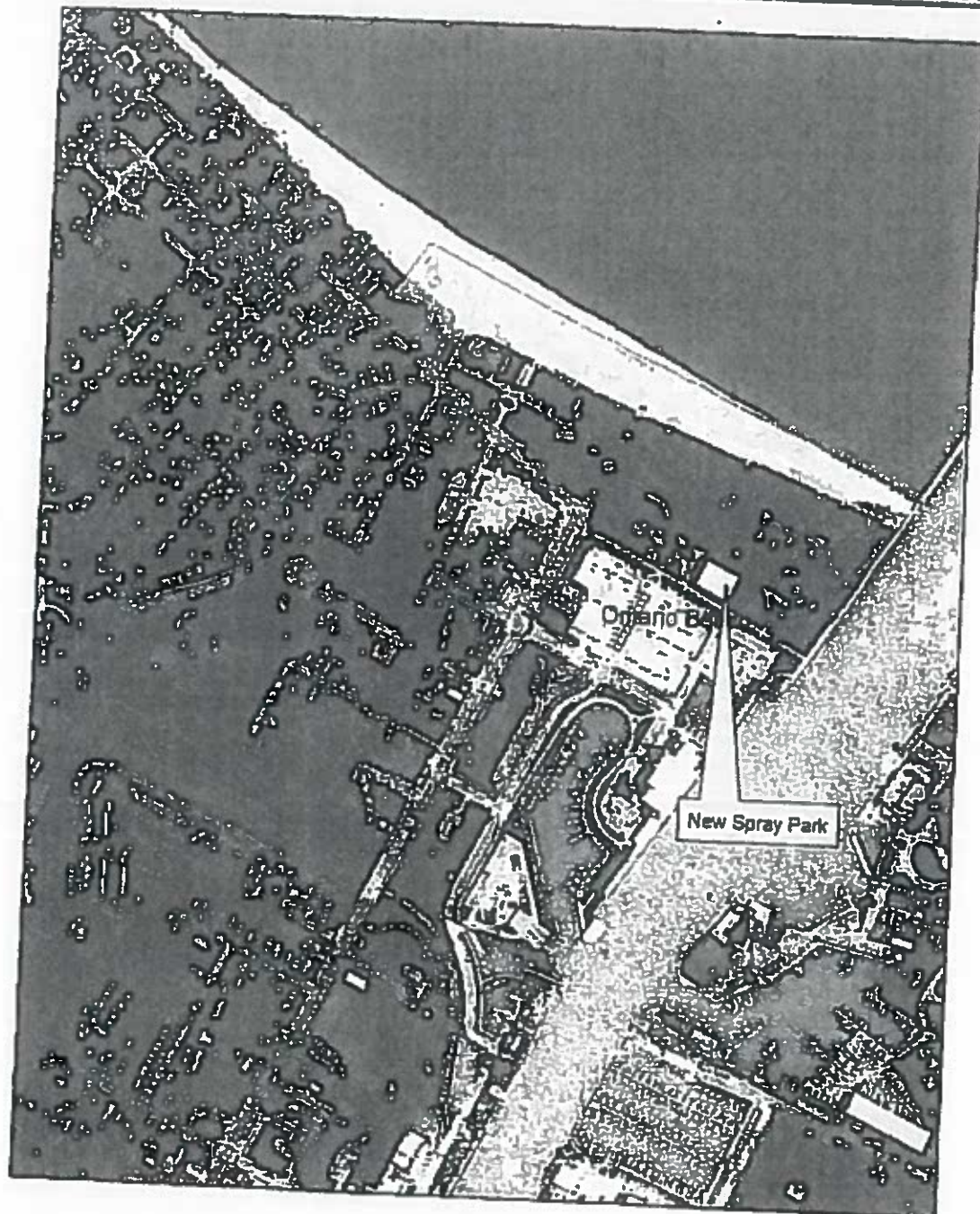
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Monroe County	7-15-2022
Name of Lead Agency	Date
Adam J. Bello	County Executive
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

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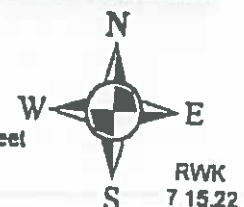
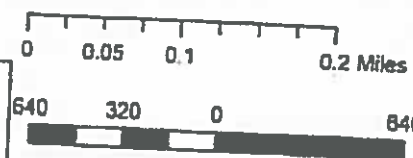


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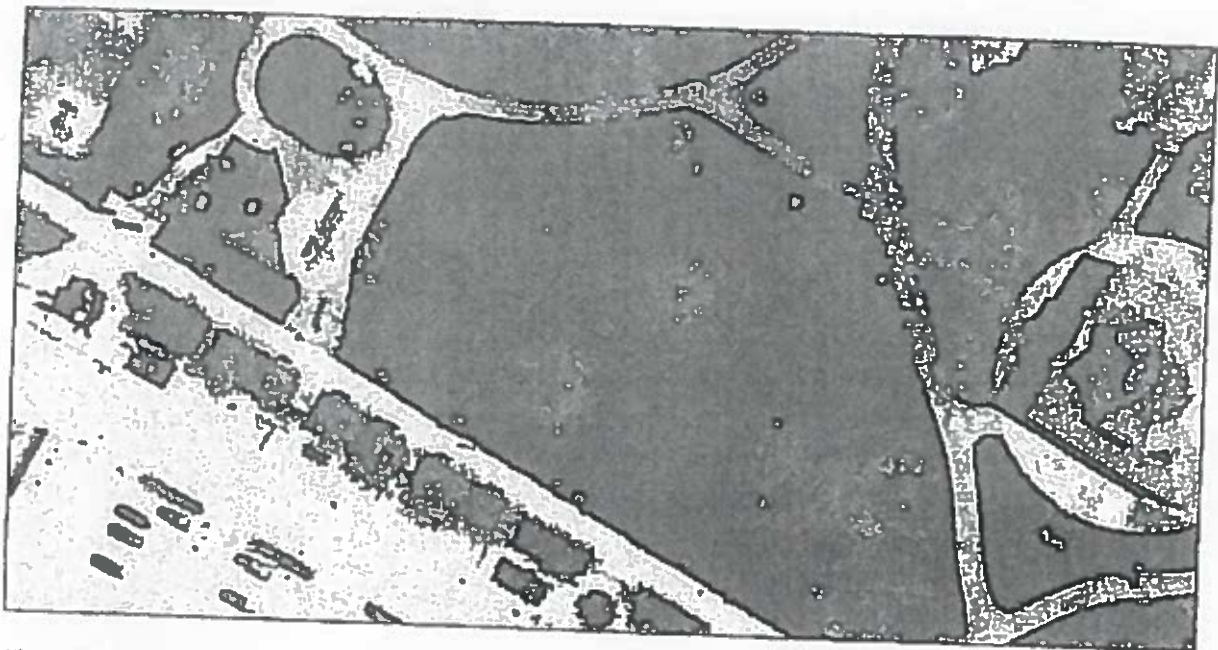
## Spray Park / Splash Pad at Ontario Beach



**Legend**  
Monroe County Playground Upgrades



## Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	Easting: 288432.4546057407	Northing: 4792739.2428636355
Longitude/Latitude	Longitude: -77.60652413713993	Latitude: 43.25777751532605

The approximate address of the point you clicked on is:  
Ontario Beach Park

County: Monroe  
City: Rochester  
USGS Quad: ROCHESTER EAST OEN

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

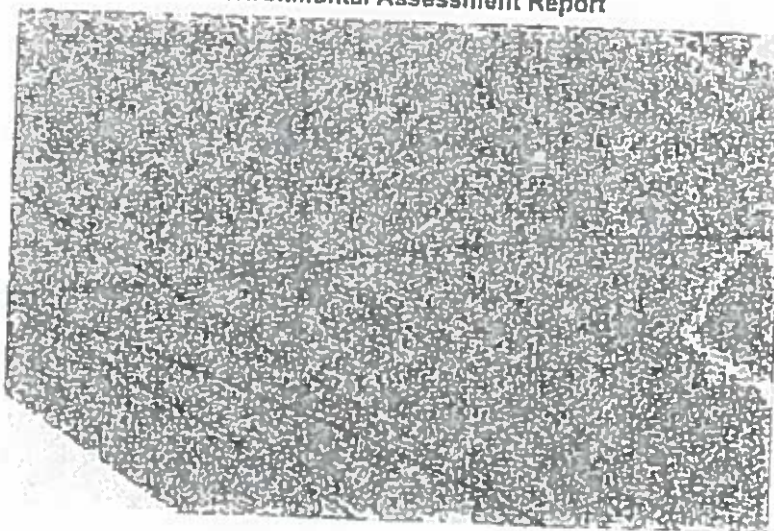
The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

**Disclaimer:** If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.



## Environmental Assessment Report



Project Name:

Parcel Address:

50 Beach Ave

Rochester 14612

Tax Parcel ID #:

047.47-1-0

☒ Sewer Service

SERVICED BY:

☒ Water Service

SERVICED BY:

Acreage:

14.46

Owner Name:

City Of Rochester

Latitude: N/A

Longitude: N/A

Census Tract: 03

TAZ: 3808500000095

8510

☐ Agricultural District

☐ Western Agricultural District

☐ Eastern Agricultural District

Soils Type Mb

☒ Hydric Soils on Site?

☐ Steep Slope

☐ Aquifer on Site

Type: N/A

☐ Aquifer near Site

Type: N/A

☐ Stream on Site?

☐ Protected stream on site?

☐ Non-Protected stream on site?

Name of Stream: N/A

Stream Classification: N/A

☐ Within 500' of Barge Canal?

☒ Drainage Basin

Basin Name: Genesee River

☒ Adjacent to County Park?

Name of Park: Ontario Beach  
Park

☐ Pedestrian or bike routes on site?

Trail Use: N/A

☒ Site within half mile of bus route?

☐ Site within NYS DEC Wetland?

Type: N/A

☐ Site within 100' of NYSDDEC Wetlands? Type N/A

☐ Federal Wetland Type N/A

☒ 100 Year Floodplain

☐ 500 Year Floodplain

☐ Floodway

☐ Coastal Erosion Area

☒ CEA on site?

CEA Name Not named

Basis for Designation Environmentally sensitive

Designating Agency Rochester, City of

Date of Designation 3-14-86

☒ CEA on site?

CEA Name Not named

Basis for Designation Environmentally sensitive

Designating Agency Rochester, City of

Date of Designation 3-14-86

☐ CEA adjacent to site?

CEA Name N/A

Basis for Designation N/A

Designating Agency N/A

Date of Designation N/A

☐ Woodlot within site?

☐ Hazardous Waste Site on site?

☐ Is it a Remediation Site?

Name of Hazardous Waste Site N/A

Type of waste on site N/A

☐ Site adjacent to Hazardous Waste Site?

Name of Hazardous Waste Site N/A

Type of waste on site N/A

☒ Within 2000' of Remediation Site?

Site Name Lighthouse Pointe Inland

Type of waste on site. See NYSDOC Website

☒ Within 2000' of Remediation Site?

Site Name Old Rochester City Landfill - Pattonwood

Type of waste on site See NYSDOC Website

☐ National Historic Area on site?

Name of Site N/A

☐ National Historic Area adjacent to site?

Name of Site N/A

☐ Natural Community on site?

Name of Community N/A

☐ Site within airport boundary?

☐ Site within one mile of airport?

☐ Site within seven miles of airport?

☐ Site within RPZ?☐ Site within Noise Impact Area?

Fire District Name **City of Rochester**

**EMS Service Area**      **American Medical Response**

Police Service Area. Rochester Police Department

School District: ROCHESTER

☐ Within 500' of Municipal Boundary? Municipality N/A

**NYS Heritage Area West Erie Canal Corridor**

[illegible]