Appendix H
Cultural Resources

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks,
Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

April 7, 2011

Donna Bolognino
US DHS - FEMA
Leo O'Brien Federal Building
1 Clinton Square Rm. 742
Albany, New York 12207

Re: FEMA, SEMO
Emergency Building Demolition/DN 1857/PW 807
11-15 Main Street/FORESTVILLE, Chautauqua Co.
11PR02362

Dear Ms. Bolognino:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

We have reviewed the material submitted concerning the building at 11-15 Main Street in Forestville. We concur with your agency's finding that the action was exempt under §800.12 (c)(d). We also acknowledge the interrelationship of the undertakings previously reviewed as 11PR00952, 10PR08021, 11PR00856, 10PR03940 and this undertaking.

If I can be of any further assistance do not hesitate to contact me at (518) 237-8643, ext. 3263.

Sincerely,

John A. Bonafide
Historic Preservation Services
Coordinator

cc: Rick Lord, SEMO *(via e-mail)*

U.S. Department of Homeland Security
Region II
Jacob K. Javits Federal Office Building
Mitigation Division
13th Floor, 26 Federal Plaza
New York, NY 10278-0002

FEMA

March 24, 2011

Mr. John Bonafide
Historic Preservation Services Coordinator
New York State Historic Preservation Office
NYS Office of Parks, Recreation & Historic Preservation
Peebles Island P.O. 189
Waterford, NY 12188-0189

Re: Section 106 Consultation
TLC Health Network Facilities
FEMA 1857-DR-NY

Dear Mr. Bonafide:

The Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, for the projects below that are a result of Disaster Declaration DR-1857-NY, 9/1/2009. FEMA has received requests for funding from TLC Health Network for several projects related to the demolition and proposed demolition of two buildings discussed below that were flooded during the disaster event.

This letter clarifies the interrelated nature of the projects. Additionally, it serves as notification that FEMA is in agreement with the applicant's determination and NY SHPO's concurrence with their determination of effects for the projects as listed below. Furthermore, this letter serves as a consultation cover letter for the demolition of 13 Main Street, Forestville, NY. Detailed information about the project is attached.

Tri-County Memorial located at 100 Memorial Drive, Gowanda, NY was substantially damaged by the event making the facility eligible for relocation. The interim facility will be at the former Jehovah Witness Hall located at 34 Commercial Street, Gowanda, NY. The final relocation will be at the SW corner of Jolls and Stafford Roads in Perrysburg, NY.

- 100 Memorial Drive, Gowanda, NY — FEMA to submit demolition plans as requested by SHPO to complete Section 106 review- 11PR00952.
- 34 Commercial Street, Gowanda, NY — Applicant undertook Section 106 review - 10PR08021-No Effect, PW # 1257.
- Jolls/Stafford Road, Perryburg, NY — Applicant undertook Section 106 review - 11PR00856-No Historic Properties Affected, PW # 1126.

TLC Health Network Primary Health Care Facility located at 13 Main Street, Forestville, NY severely damaged by the flooding event was condemned by the local building official and demolished. The interim

site for this medical facility will be located in a trailer at Hanover Road, Forestville, NY and the final relocation site will be located at Bennett Road in Hanover, NY.

- 13 Main Street, Forestville, NY – Consultation packet attached, PW 807.
- Hanover Road, Forestville, NY – Modern facility. No historic properties affected, PW #1053.
- Bennett Road, Hanover, NY – Applicant undertook 106 review - 10PR03940-No Impact, PW #807.

If you have any questions concerning this correspondence, please contact Ms. Mary Neustadter, Deputy Regional Environmental Officer, at (212) 680-8677 or Mary.Neustadter@dhs.gov.

Sincerely,

for Megan Jadrosich
Regional Environmental Officer

Encl: Section 106 Consultation Package

cc: Rick Lord, NYSOEM

13 Main Street, Forestville, NY

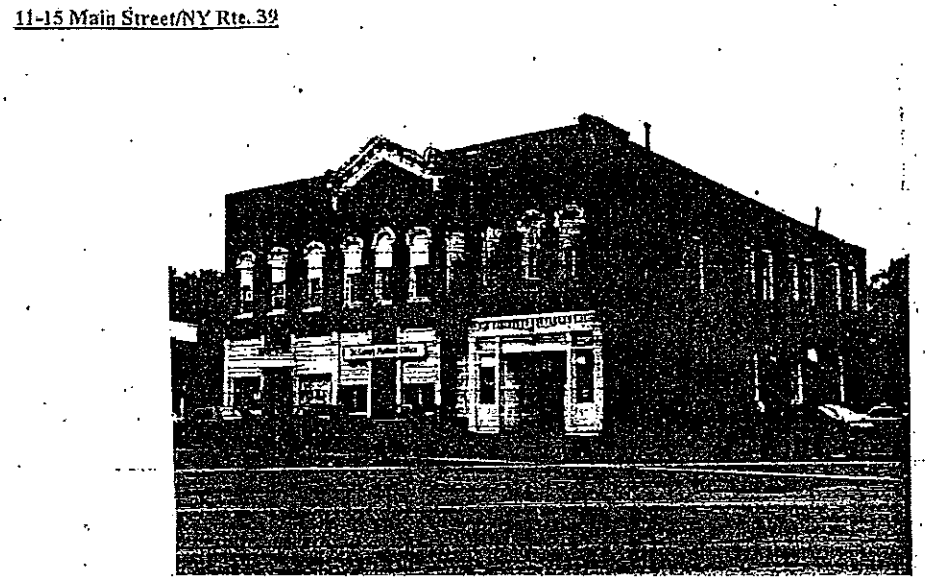
Building Evaluation: The two-story, brick, Italianate style commercial building located at 11-15 Main Street in the Village of Forestville was constructed ca. 1870 (Figure 1). It was three-bays wide and each bay served as a commercial store front connected by common walls. In 1999, the building was recommended as being National Register eligible in a reconnaissance survey conducted by the Department of Anthropology, State University of New York at Buffalo (*1998-1999, Pin 5105.23.121, BIN 1024420, Reconstruction and Improvement of NY Route 39 and Pearl Street Village of Forestville, Chautauqua County, NY*).

Building Demolition: The store fronts at either end (11 Main Street and 15 Main Street) were determined to be unsafe to occupy in the summer of 2009 by the local code enforcement officer. After the August 2009 flooding event, a portion of the wall collapsed at 15 Main Street (Figures 2 & 3). It was determined by Jansen/Kiener Consulting Engineers that 15 Main Street was unsafe to occupy. The building further deteriorated until the local code enforcement officer required its demolition in a letter dated 9/16/09 (Figure 3). At the time of demolition, the building was owned by the Applicant, TLC Health Network.

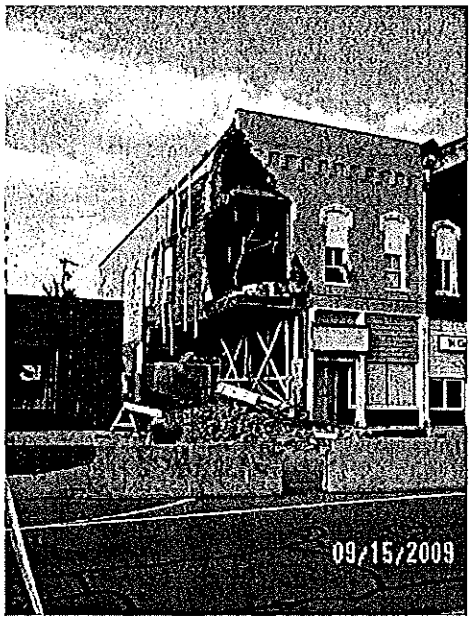
Undertaking: In accordance with 36 CFR Part 800, the implementing regulations for Section 106 of the National Historic Preservation Act, Section 106 review is required when Federal funding, a permit, a license or other Federal assistance are used in connection with the undertaking, in this case the demolition of the 11-15 Main Street. FEMA did not fund the demolition and did not get involved in the project until after it occurred. However, in accordance with 46 CFR Part 1508.25(a) (1), a portion of the regulations implementing the National Environmental Policy Act (NEPA), a federal agency is required to determine if an action is a "connected action" and if so, consider the action within the Environmental Impact Statement. In this case, demolition of the existing facility and the construction of the new facility are directly related. The applicant will receive reimbursement for construction of the new facility at Bennett Road Hanover, NY because the original site was demolished by the municipality for emergency reasons and the funds that the applicant would have received and used to repair/reconstruct that site are now being used to build the new facility. As a result, FEMA is consulting with the NY State Historic Preservation Office (SHPO) in order to satisfy the NEPA requirements of the connected action.

In the attached letter from the Town of Hanover, the Code Enforcement Officer *did make a determination that the building at 15 Main Street needed immediate demolition due to the partial collapse of the structure.* Because of the immediate need to preserve life and property, FEMA concludes that the undertaking is exempt of Section 106 per 36 CFR Part 812(d) (see Figure 3).

Figure 1: 11-15 Main Street, Forestville, NY circa 1998



Figures 2 and 3: 15 Main Street, Forestville, NY deterioration prior to demolition



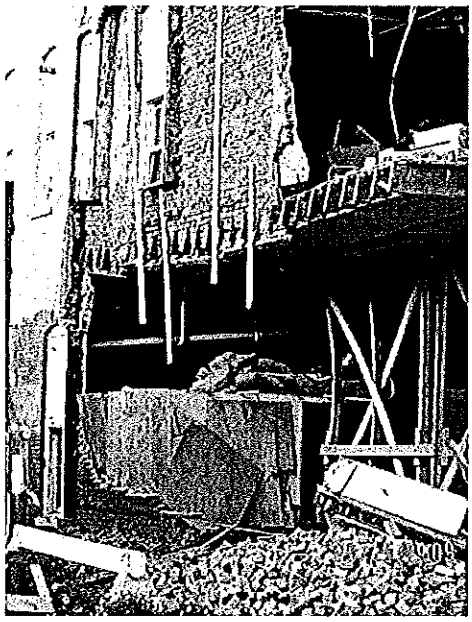


Figure 4: Letter of determination for demolition from Town of Hanover, NY

TOWN OF HANOVER

VILLAGE OF SILVER CREEK * VILLAGE OF FORESTVILLE

68 HANOVER STREET, SILVER CREEK, N.Y. 14136

716-934-2320 Ext. 16 * FAX: 716-934-7991

E-MAIL: [illegible]

9/16/09

To Whom It May Concern:

On September 15, 2009 in my capacity as Code Enforcement Officer for the Town of Hanover, and Village of Forestville did make a determination that the building at 15 Main Street needed immediate demolition due to the partial collapse of the structure. I am a licensed Code Enforcement Officer for the State of New York, my identification number is NY0008179.

If you have any further questions please feel free to call

Sincerely,

[signature]

Linda DeFrees - Code Enforcement Officer

CC: File, Village Board, Village attorney

OFFICE OF PARKS · RECREATION · HISTORIC PRESERVATION
NEW YORK STATE

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

David A. Paterson
Governor

Carol Ash
Commissioner

July 01, 2010

Richard Erdle
Town of Hanover ZBA
68 Hanover Street
Silver Creek, New York 14136

Re: SEQRA
TLC Health Care Clinic
NY Rt 85/FORESTVILLE,
ChautauquaHANOVER, Chautauqua County
10PR03940

Dear Mr. Erdle:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director

PHASE I CULTURAL RESOURCE INVESTIGATION

FOR THE

TLC HEALTH CARE FACILITY

(11024 BENNETT STATE ROAD)

TOWN OF HANOVER,

CHAUTAUQUA COUNTY, NEW YORK

(OPRHP No. 10PR03940)

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February 25, 2011

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Prepared For:

TLC Health Care Network
845 Main Road
Irving, New York 14081

COMMONWEALTH CULTURAL
RESOURCES GROUP, INC.

N526

PHASE I CULTURAL RESOURCE INVESTIGATION

FOR THE

TLC HEALTH CARE FACILITY

(11024 Bennett Road)

TOWN OF HANOVER,

CHAUTAUQUA COUNTY, NEW YORK

(OPRHP No. 10PR03940)

By

Robert J. Peltier, M.A.
Principal Investigator

and

Dana D'Orazio, B.A.
Crew Chief

February 25, 2011

Prepared For:

TLC Health Care Network
845 Main Road
Irving, New York 14081

N-526

Commonwealth Cultural Resources Group, Inc. o 2495 Main Street, Suite 448 o Buffalo, New York 14214

MANAGEMENT SUMMARY

SHPO Project Review Number: 10 PR 03940

Involved Agencies: The project is a candidate for Federal Emergency Management Agency (FEMA) funding, and is a possible candidate for a Certificate of Need (CON) from the NYS Department of Health's Office of Health System's Management. Project sponsors are requesting that the NY State Historic Preservation Office's (SHPO's) comments of project effect under Section 106 of the National Historic Preservation Act of 1966 and the relevant implementing regulations so we will be eligible to pursue federal grants, loans, and guarantees.

Phase of Survey: Phase I

Location: 11024 Bennett State Road
Town of Hanover
Chautauqua County, New York 14062

Surveyed Area: Overall Project – 0.2± Acres; Area Tested – 0.2± Acres
Length: N/A
Width: N/A
Depth: N/A
Acres Surveyed: 0.2± Acres

Archaeological Survey Overview:

No. and Interval of Shovel Tests:	36 (15 m / 50 ft)
No. and Size of Test Units:	N/A
Width of Plowed Strips:	N/A
No. of Acres Surface Surveyed	N/A

Results of Archeological Survey:

No. and Name of Prehistoric Sites Identified:	none
No. and Name of Historic Sites Identified:	none
No. and Name of Sites Recommended for Phase 2:	none

Results of Architectural Survey:

No. of Structures in Project Area:	none
No. of Known NR Listed/Eligible Structures/Districts:	none
No. of Recommended Eligible Structures/Districts:	none
No. of Listed/Eligible Structures/Districts That May Be Impacted:	none

Report Author(s): Robert J. Peltier, M.A. and Dana D'Orazio, B.A.

Date of Report: February 25, 2011

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(Attachment A)

ARCHAEOLOGICAL SITE FILE/LITERATURE SEARCH REPORT

PREPARED BY: Robert J. Peltier, M.A. and Dana D'Orazio, B.A.

AFFILIATION: Commonwealth Cultural Resources Group, Inc.
2495 Main Street, Suite 448
Buffalo, New York 14214
716/831-9003

DATE: February 25, 2010

1.0 PROJECT INFORMATION

Location of Proposed Action: The project parcel is located at 11024 Bennett State Road, Town of Hanover, Chautauqua County, New York 14062 (Figures 1 through 3).

Description of Undertaking: The proposed project calls for the construction of the TLC Health Care Clinic, associated with Tri-County Hospital (Town of Perrysburg, Cattaraugus County). The project area is currently located within an agricultural field supporting grapevine (Figures 2 and 3).

The project is a candidate for Federal Emergency Management Agency (FEMA) funding, and is a possible candidate for a Certificate of Need (CON) from the NYS Department of Health's Office of Health System's Management. Project sponsors are requesting the NY State Historic Preservation Office's (SHPO's) comments of project effect under Section 106 of the National Historic Preservation Act of 1966 and the relevant implementing regulations so they may be eligible to pursue federal grants, loans, and guarantees.

Estimated Size of Impact Area (2± Acres): The Area of Potential Effect (APE) for this project consists of approximately 2 acres. The APE is bounded to the north, east and south by fields supporting vineyards and to the west by Bennett State Road (Figures 2 and 3).

Description of Impact: Although specific plans for the 2± acre APE are not yet in place, project sponsors, TLC Health Network, proposes to construct a health care facility. Impacts typically associated with such undertakings include, but may not be limited to: possible grading, cutting, and filling; driveway, parking lot and sidewalk construction; installation of subsurface utilities (e.g. natural gas, sewer, electric, water, cable, telephone etc.); installation of drainage ditches and/or storm water detention ponds; and landscaping subsequent to such developments.

2.0 ENVIRONMENTAL INFORMATION

Topography: The project area lies near the boundary of the Erie-Ontario Lake Plain and Allegheny Plateau physiographic regions. Typical landscape within this region consists of relatively steep valley walls, wide ridge tops and flat-topped hills between drainages (Floyd et al 1998). Elevation across the project parcel ranges between 860 feet (ft) and 870 ft (262 meters [m] and 265 m] above mean sea level. Other than the parcel's gentle slope, there are no other noticeable areas of relief (Figure 1).

Geology: Chautauqua County contains several bedrock formations – those along Lake Erie occur in bands of an east-west orientation. The bedrock underlying the vicinity of the project area is comprised of a variety of black and gray shale from the West Falls Group (i.e., Angola Shale) and the Canadaway Group (i.e., Dunkirk Shale, South Wales Shale). The overlying gray shale is infused with bands of black shale and gray siltstone of the Gowanda, Westfield and Shumla Members of the Canadaway Group (USDA 1994). Nowhere within the project was bedrock exposed. Ground surface conditions and soils are derived from both lake sediment and Wisconsin glacial till deposits (Miller 1973).

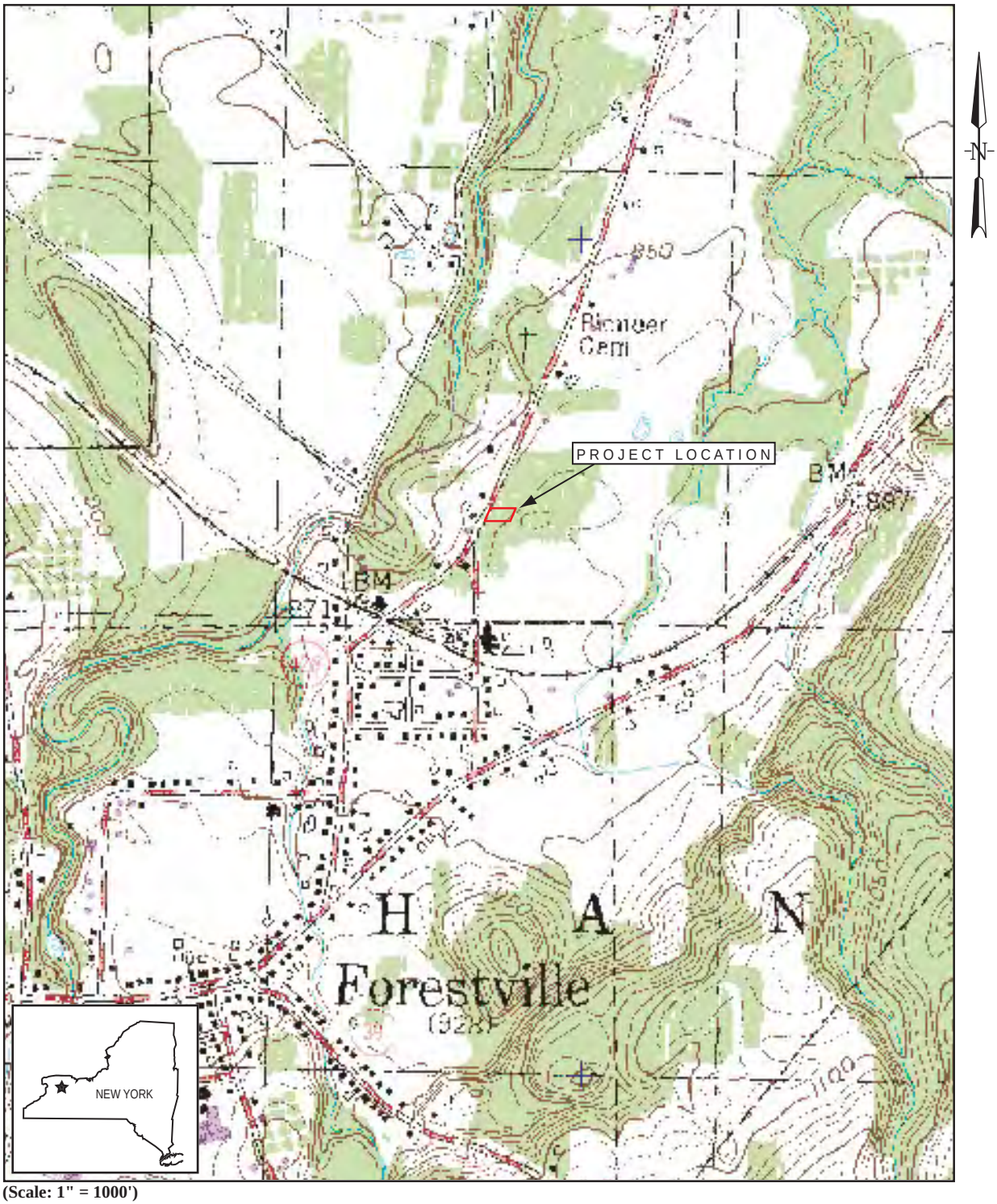


FIGURE 1. Project Location on *Forestville, NY* 7.5 Minute Series Quadrangle

FIGURE 2. Bird's Eye View of Project Area, Facing East

FIGURE 3. Bird's Eye View of Project Area, Facing North

Soils: Soils within the project area are those of the Hornell-Orpark unit. According to the USDA (1993), these are dominantly nearly level to moderately steep, moderately deep and somewhat poorly drained soils (Figure 4; Table 1). Moreover, these moderately fine-textured soils have a low lime content and are found on uplands. Three specific soil types can be found within the project area: Chenango Channery Loam [CoA]; Niagara Silt Loam [Nga]; and Valois Gravelly Silt Loam [VaB].

FIGURE 4. Mapped Soils Within the Project Area (USDA/NRCS 2011)

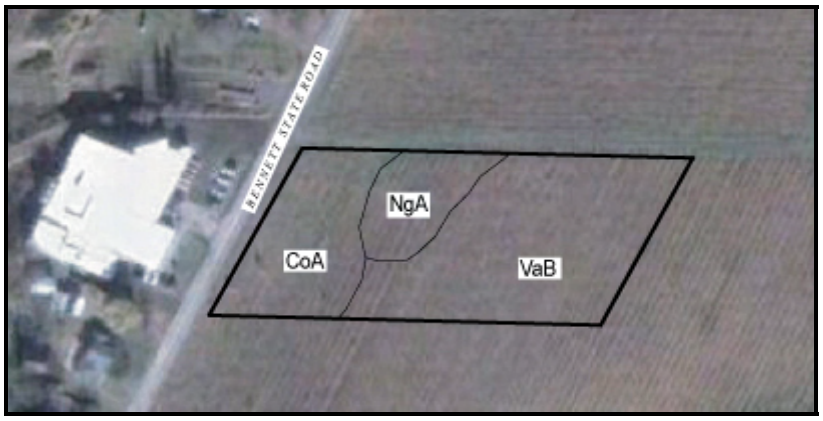


TABLE 1. Soil Descriptions for the Project Area (USDA/NRCS 2011)

Soil Type	Depth (in/cm)	Color/Texture	Slope	Drainage	Landform
CoA	0-9 in (0-23 cm)	Brown Channery Silt Loam (25% Channery Fragments)	0-3%	WD-ED	Alluvial Fans; Remnant Deltas
	9-27 in (23-69 cm)	Yellowish Brown, Friable Gravelly Silt Loam (30% Gravel)			
	27-45 in (69-114 cm)	Yellowish Brown, Friable Very Gravelly Fine Sandy Loam (45% Gravel)			
	45-72 in (114-183 cm)	Brown Very Gravelly Loamy Sand (55% Gravel)			
NgA	0-12 in (0-31 cm)	Dark Brown Silt Loam	0-3%	SPD	Low Areas on Lake Plains; Broad Flats in Larger Valleys
	12-15 in (31-38 cm)	Pale Brown, Mottled, Friable Silt Loam			
	15-37 in (38-94 cm)	Dark Brown, Mottled, Firm Silty Clay Loam			
	37-45 in (94-114 cm)	Brown, Firm Silt Loam			
	45-60 in (114-152 cm)	Light Olive Brown, Light Olive Gray and Strong Brown Silt Loam			
	60-72 in (152-183 cm)	Dark Gray Gravelly Loam (20% Gravel)			
VaB	0-6 in (0-15 cm)	Dark Brown Gravelly Silt Loam	3-8%	WD	Reglaciated Moraines
	6-11 in (15-28 cm)	Yellowish Brown, Friable Gravelly Silt Loam (15% Gravel)			
	11-28 in (28-71 cm)	Yellowish Brown, Friable Gravelly Loam (20% Gravel)			
	28-45 in (71-114 cm)	Dark Yellowish Brown, Friable Gravelly Sandy Loam (30% Gravel)			
	45-48 in (114-122 cm)	Brown Very Gravelly Loamy Sand (35% Gravel)			
	48-72 in (122-183 cm)	Brown Very Gravelly Sandy Loam (45% Gravel)			

Key: WD – well drained; ED – excessively drained; SPD – somewhat poorly drained

Drainage: The primary drainage associated with the project area is Walnut Creek, which is located approximately 750 ft (230 m) to the west, across Bennett State Road (Figures 1 and 3). A north-south tributary of Walnut Creek is also located approximately 1,000 ft (305 m) to the east and can be seen on Figure 2. Both drainages converge about 500 ft (152 m) north of the project area, north of Keaches Corners. Walnut Creek eventually merges with Silver Creek and empties into Lake Erie to the northwest.

Vegetation: Prior to Euro American settlement, this portion of New York State probably supported oak, chestnut, hickory and other conifer species (Miller 1973). The modern climate and soil conditions within the region favor a potential natural forest of beech, sugar maple, yellow birch and hemlock, which may have existed within the region as early as 9,000 B.P. Current vegetation across the project area consists of rows of planted grapevines.

Manmade features and Alterations: Initial impacts to the project area were those most likely related to early to mid- 19th century Euroamerican land clearing and agricultural activities (e.g., plowing, discing, planting). Additional impacts to the project area include those associated with agriculture (vineyards) and the construction and maintenance of Bennett State Road (Attachment A, Photos 6 through 8).

3.0 DOCUMENTARY RESEARCH

Site Files: Site file and map research for the project area was conducted at the Archaeological Survey, State University of New York at Buffalo (SUNYAB) (Amherst, New York); the Office of Parks, Recreation, and Historic Preservation (OPRHP) (Waterford, New York), and the New York State Museum (NYSM) (Waterford, New York). Research included a review of the New York State Inventory and Register, the National Register of Historic Places (NRHP), and the NRHP-eligible and State/NRHP-proposed lists.

National Register of Historic Places: No cultural resources listed in or eligible for the State and/or NRHP were recorded within, or immediately adjacent to, the project area. However, background research conducted for the project indicated at least thirty (n=30) National Register Eligible (NRE) properties within 1.5 miles (2.4 km) of the project (Table 2). Many of the properties were identified during the few cultural resource studies which have been carried out within the vicinity of the project area.

Prehistoric Archaeological Sites: No prehistoric archaeological sites have been recorded within 1.5 mi (2.4 km) of the project area.

Historic Archaeological Sites: Three historic archaeological sites have been recorded within 1.5 mi (2.4 km) of the project area (Table 3).

Historic Map Overview: A review of available historic maps, atlases, and site file literature (Beers 1881; Keeney 1854; Stewart 1867; 1900 and 1938 *Cherry Creek, NY* Quadrangles) indicated that the APE never contained a structure, historic or otherwise (Figures 5 through 9).

Previous Surveys: The project area is within a region studied by several early archaeologists (e.g. Edson 1894; Squier 1851; Benedict 1901; Cheney 1860; Parker 1922) and later by regional researchers (Ritchie and Funk 1973; Ritchie 1980; Schock 1980, 1980; Guthe 1958). Within the past 30 years, only one cultural resource survey has been conducted within 1.5 mi (2.4 km) of the project area. The Archaeological Survey (Department of Anthropology, State University of new York at Buffalo) conducted an Archaeological and Architectural Reconnaissance Survey for a NYS Department of Transportation (DOT) project along NY Route 39 and Pearl Street, in the Village of Forestville, just south of the current project area (Floyd et al 1998.). Located about 6 mi (9.7 km) to the northwest, CCRG conducted a Phase I Cultural Resource Investigations study for a proposed watermain in the Town of Sheridan (Pierce 2003). In addition, a Phase IB Archaeological Investigation and an Historic Architectural Resources study was completed for the Arkwright Summit Wind Farm project, located in the Town of Arkwright (southeast of the project). Although the results of the Arkwright Summit Wind Farm reports were obtained for the purposes of this report, the reports themselves were not available for review.

Table 2. NRE Properties within 1.5 mi (2.4 km) of the Project Area

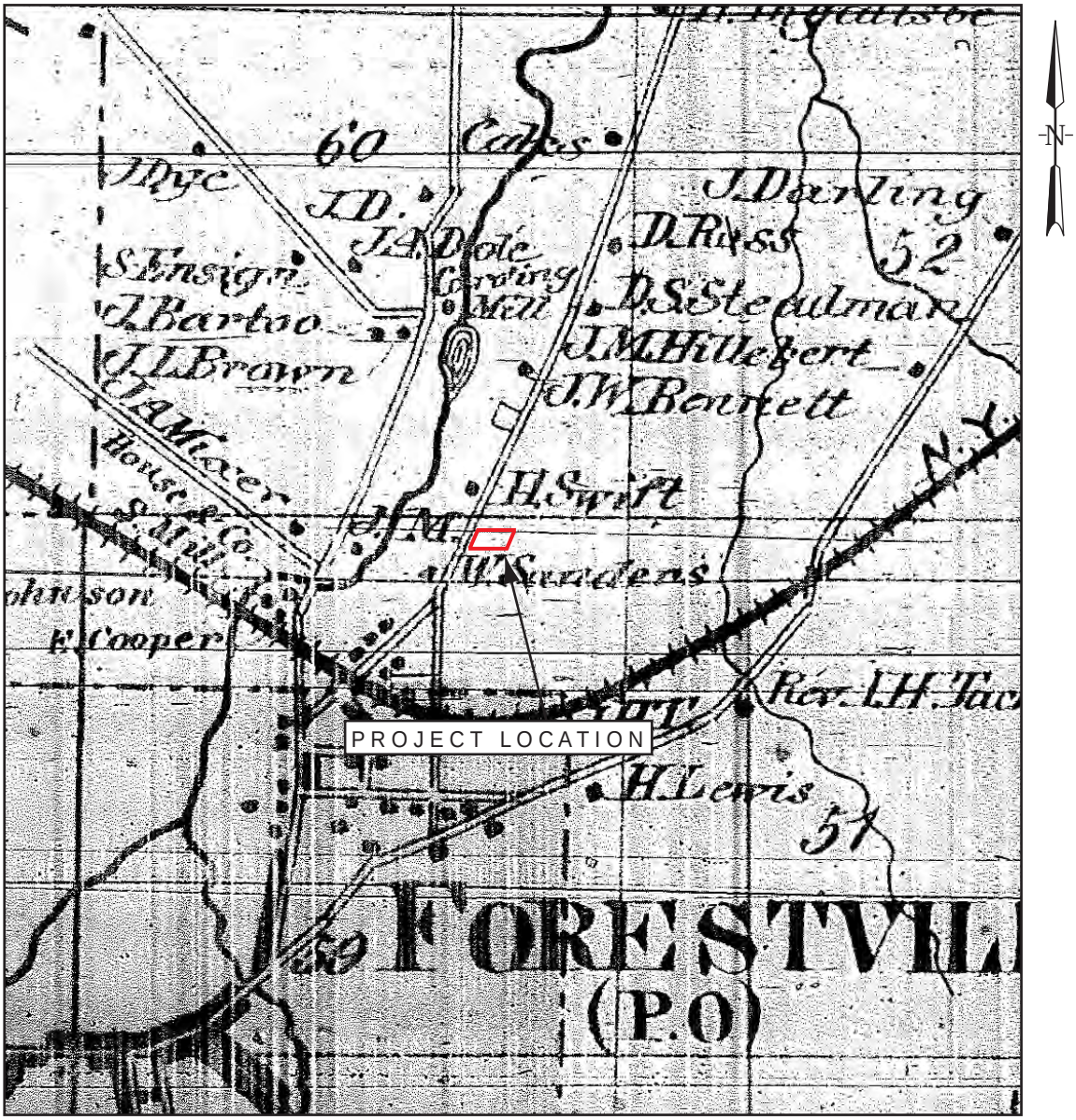
OPRHP No.	Location/Description	Distance From Project
01352.000098	13 Cedar Street – c.1860	3,000 ft (914 m)
01352.000114	1 Center Street – c.1860	3,000 ft (914 m)
01352.000099	18 Center Street – c.1890	2,500 ft (762 m)
01352.000100	28 Center Street – c.1870	2,000 ft (610 m)
01352.000112	1 Lodi Street (NY Rte. 39) – Lodi Manor – c.1865-1890	4,200 ft (1280 m)
01352.000047	11-15 Main Street – c.1870	4,100 ft (1250 m)
01352.000110	14 Main Street – c.1870	4,100 ft (1250 m)
01352.000106	25 Main Street – c.1870 (Evans National Bank)	4,300 ft (1311m)
01352.000103; 01352.000055	26 Main Street – c.1830	5,200 ft (1585 m)
01352.000105; 01352.000056	27 Main Street – c.1870	4,200 ft (1280 m)
01352.000058	32 Main Street – c.1860	5,000 ft (1524 m)
01352.000065	43 Main Street – c.1812	4,800 ft (1463 m)
01352.000104	3 Park Street – Forestville United Methodist Church – c.1861	5,000 ft (1524 m)
01352.000101	2 Pearl Street – c.1860	4,100 ft (1250 m)
01352.000113	21 Pearl Street – c.1865-1890	3,500 ft (1067 m)
01352.000072	4 Pearl Street – c.1890	4,000 ft (1219 m)
01352.000109	1 Prospect Street – c.1900	4,500 ft (1372 m)
01352.000111	2 Prospect Street – c.1865-1890	4,500 ft (1372 m)
01352.000108	3 Prospect Street – c.1875	4,500 ft (1372 m)
01352.000107	5 Prospect Street – c.1855	4,500 ft (1372 m)
01352.000102	9 Water Street – c.1860	6,000 ft (1830 m)
01314.000090	Forestville Pioneer Cemetery	1,000 ft (305 m)
01314.000062	Evergreen Cemetery – Early 19th Century	
01314.000091	11051 Bennett State Road – c.1840	1,500 ft (457 m)
01314.000056	11776 Bennett State Road	6,000 ft (1830 m)
01314.000063	Center Street - Forestville Depot – c.1850	3,000 ft (914 m)
01314.000072	1411 NY 39 – c.1840	7,000 ft (2134 m)
01314.000073	11049 Old Forestville Road – Pioneer Cemetery	1,200 ft (366 m)
01314.000074	11103 Old Forestville Road – c.1870	2,684 ft (818 m)
01314.000089	Forestville (Prospect) Cemetery	6,145 ft (1873 m)

Table 3. Historic Archaeological Sites Recorded Within 1.5 mi (2.4 km) of the Project Area

Site Name	Site Number	Site Type	Time Period	Distance From Project
Colville Site	01352.000086; UB 3011	Residential (artifact scatter)	19th century	4,000’ (1219 m)
Hurlbert Blacksmith Site	01352.000085; UB 3010	Blacksmith shop (artifact scatter)	19th century	4,200 (1280 m)
43 Main Street	01352.000115	Residential	c.1815	4,800’ (1463 m)

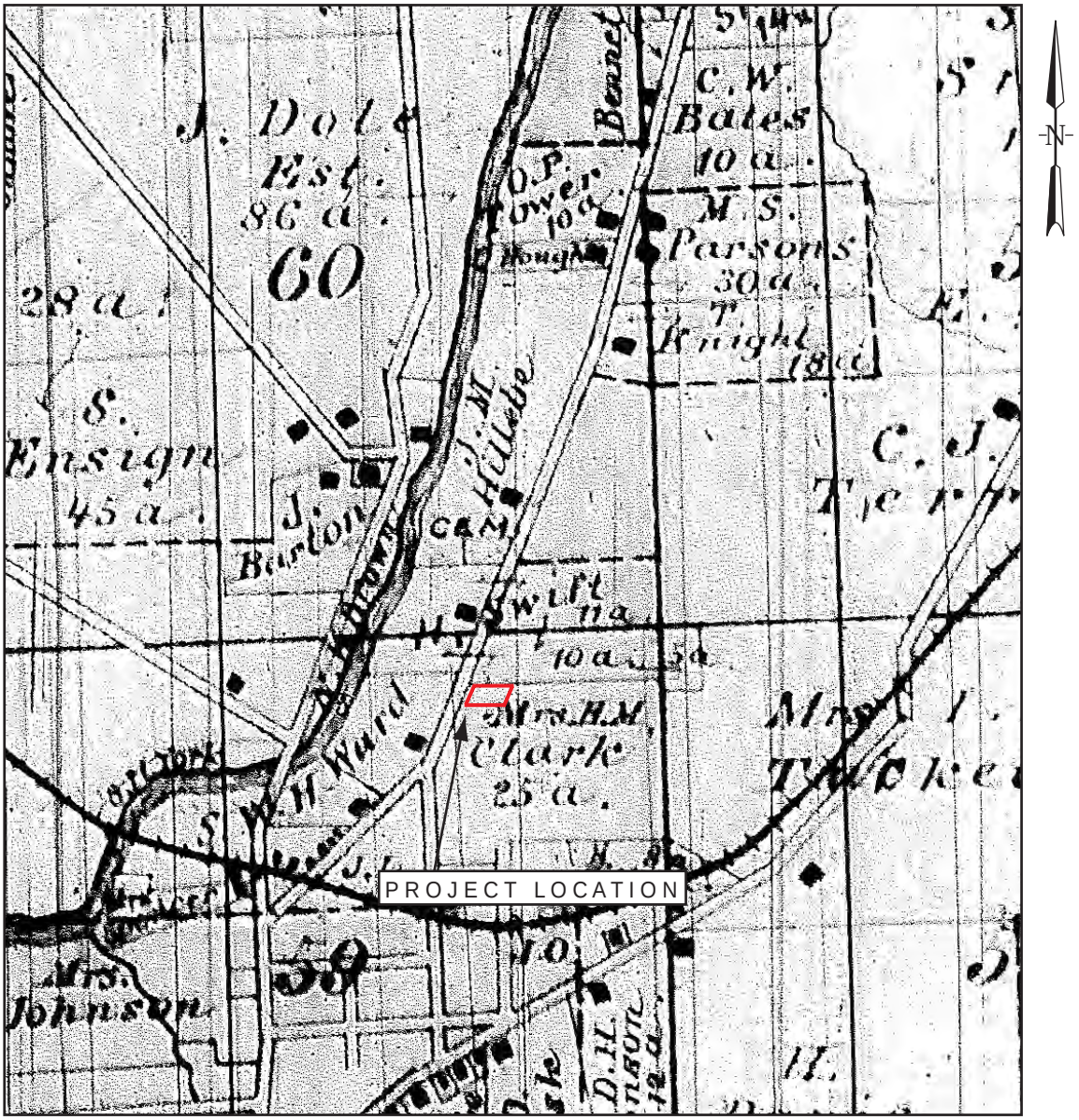
(Source: Keeney 1854)

FIGURE 5. Project Location in 1854



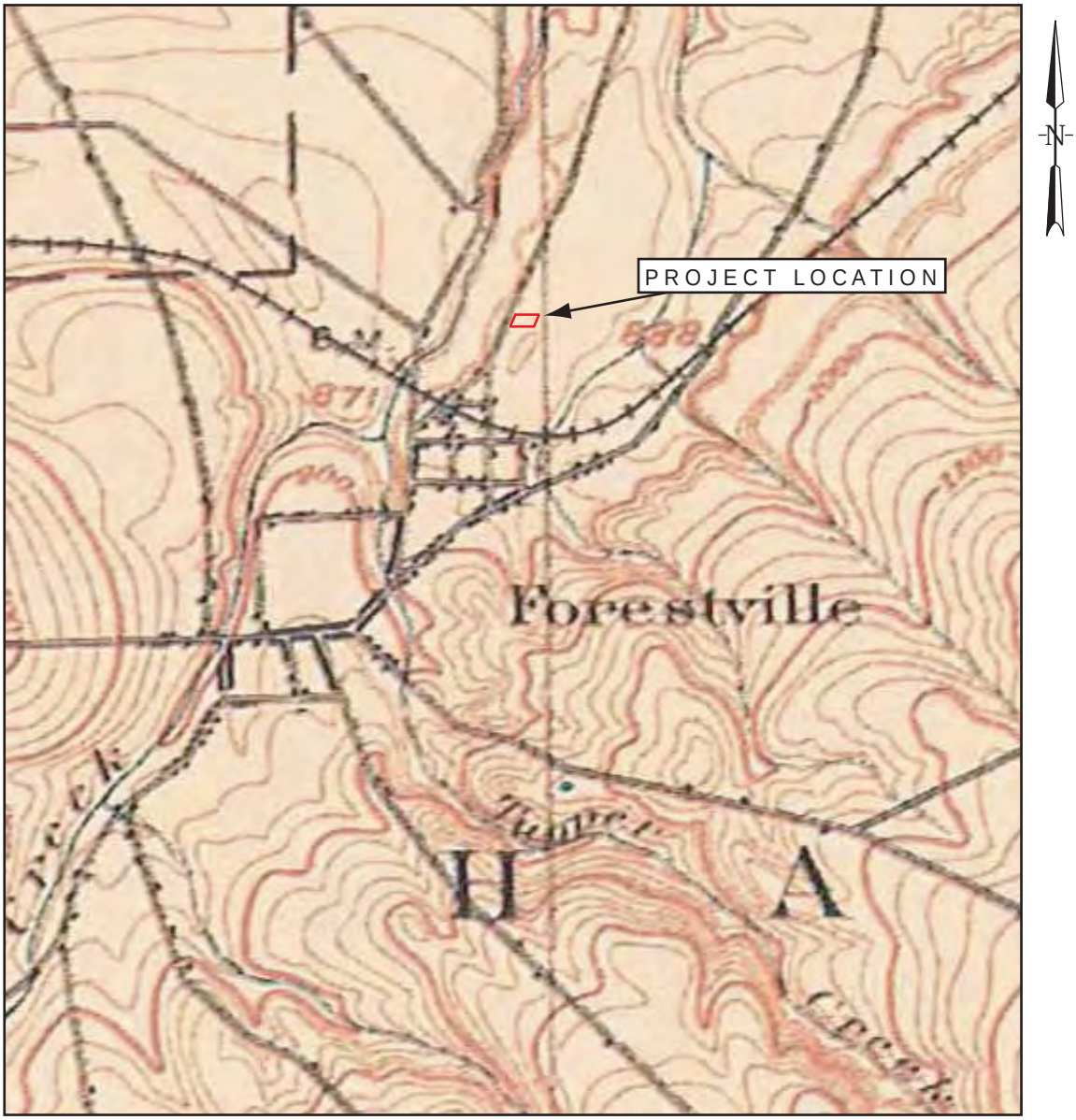
(Source: Stewart 1867)

FIGURE 6. Project Location in 1867



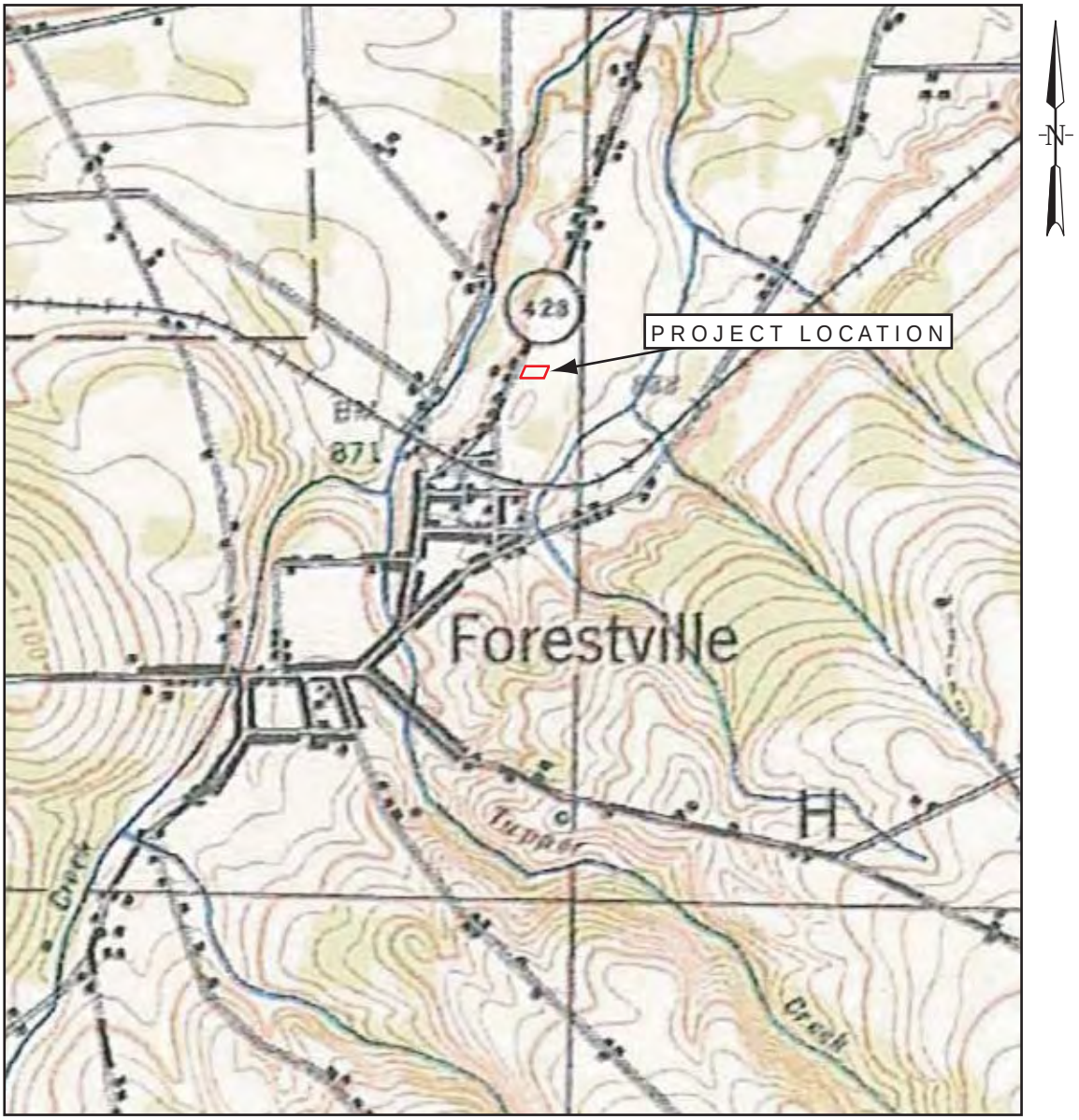
(Source: Beers 1881)

FIGURE 7. Project Location in 1881



(Source: 1900 *Cherry Creek, NY* USGS Quadrangle [reprint 1912])

FIGURE 8. Project Location in 1900



(Source: 1938 *Cherry Creek, NY* USGS Quadrangle)

FIGURE 9. Project Location in 1938

Sensitivity Assessment/Prediction:

Prehistoric: The project area was, initially, considered to contain a moderate to high sensitivity for the location of previously unrecorded prehistoric archaeological sites due to its geographic location and favorable environmental conditions (i.e., close proximity to water source, well-drained soils). Although there are no previously recorded prehistoric archaeological sites located within 1.5 mi (2.4 km) of the APE, this is likely due to the low number of cultural resource surveys that have been conducted within the general vicinity.

Historic: As described above, historic maps, atlases, and site file literature (Beers 1881; Keeney 1854; Stewart 1867; 1900 and 1938 *Cherry Creek, NY* Quadrangles) reviewed for the project indicated that the APE never contained a structure, historic or otherwise. Therefore, the project area contains a low sensitivity for the location of historic resources such as foundation remains, but a moderate sensitivity for finding peripheral activity areas such as historic middens. As indicated on historic maps and atlases (Figures 5 through 9), denser settlement in the vicinity of the project area occurred to the south within the Village of Forestville.

4.0 RECOMMENDATIONS

In a letter dated July 1, 2010, the NYS OPRHP concluded that the proposed project will have no impact upon cultural resources in or eligible for conclusion in the State and/or NRHP (Attachment B). Regardless, due to the site's favorable environmental conditions (close proximity to water source, well-drained soils), project sponsors decided to conduct a full Phase I (IA and IB) cultural resource investigation for the project, as to avoid any potential adverse impacts on possible unrecorded cultural resources.

REPORT OF FIELD RECONNAISSANCE

PERMIT APPLICATION: TLC Health Network
845 Main Road
Irving, New York 14081

LOCATION: Town of Hanover
Chautauqua County, New York

REPORT PREPARED BY: Robert J. Peltier, M.A. and Dana D'Orazio

AFFILIATION: Commonwealth Cultural Resources Group, Inc.
2495 Main Street, Suite 448
Buffalo, New York 14214
716/831-9003

DATE: February 25, 2011

5.0 FIELD INVESTIGATIONS/METHODOLOGY

Description of Structure of Survey Team: The survey team for the Phase IB cultural resource investigation for the project area was composed of Field Director Michael L. Kagelmacher, M.A. and Crew Chief Dana D'Orazio.

Date of Survey and Description of General Surface and Subsurface Conditions: Pre-field reconnaissance was conducted on January 18, 2011 by Principal Investigator Robert Peltier. The purpose of the walk-over inspection, in addition to determining whether favorable field conditions existed, was to look for surface indications of archaeological sites and standing structures within or directly adjacent to the project parcel. At this time, the project was visually inspected in order to identify areas of at least 75% ground surface visibility that would warrant a surface inspection (in addition to shovel testing) and areas of ground disturbance that would not be conducive to shovel testing. No surficial evidence of archaeological sites (prehistoric or historic) was identified

Phase IB field investigations were conducted on February 18, 2011. Weather conditions consisted of sunny to partly cloudy skies and high winds with temperatures reaching 50 degrees. Ground surface across the 2± acre project area was nearly 100% free of snow accumulation (Attachment A, Photos 6, 7, and 8). Soils were found to be somewhat seasonally wet, yet moderately well-drained.

Description of Intensity of Coverage and Rationale for Excluding Areas From Survey: Phase IB shovel testing was conducted at a 50 ft (15 m) interval across the entire APE. Nine transects, each with four shovel tests, ran southwest from an east-west baseline established along the APE's northern boundary. Shovels tests were excavated between the rows of planted grapevines. All proposed thirty-six (n=36) shovel tests were excavated. Figure 10 indicates the location of each test, while Attachment C summarizes the results of shovel testing across the APE.

Outline of Field Testing Strategy (Sampling Techniques, Surface Inspection Techniques, Subsurface Techniques, Remote Sensing Techniques): Ground surface visibility throughout the project area was minimal, which eliminated the possibility of conducting pedestrian survey (surface inspection). Shovel testing was the only field methodology employed.

FIGURE 10. Map Showing Results of Phase IB Shovel Testing

Shovel tests were excavated with shovels and hand trowels. Soils in all shovel tests were screened through ¼-inch mesh hardware cloth and examined for the presence or absence of cultural material. Pertinent information for each shovel test (i.e., depth, soil type, color [Munsell] and texture) was recorded in field notebooks. All shovel tests were back-filled upon completion.

Description of General Soil Characteristics (Including Texture and Depth to Sterile Soil): Soils from testing across the project area were consistent with those expected for the vicinity (USDA 1994). In general, they consisted of dark grayish brown (10YR 4/2) silt or sand loam to an average depth of 23 cm (9 in) below the surface. These overlaid yellowish brown (10YR 5/4), light yellowish brown (10 YR 6/4) or dark yellowish brown (10YR 4/6) sand to silty clay excavated to an average depth of 33 cm (13 in) below the surface. Soils contained moderate percentages of glacial gravel and shale. Attachment C contains a shovel test table, which summarizes the results of the Phase IB testing.

Description of Problems Encountered During Survey Which May Have Influenced Results: No problems were encountered during field investigations which would have influenced the results of the study.

6.0 RESULTS OF FIELD INVESTIGATION

No prehistoric cultural material was uncovered during field investigations at the project area. However, one whiteware fragment with blue print was recovered from shovel test C.4.

7.0 RECOMMENDATIONS AND RATIONALE

Phase IB field investigations at the project area failed to identify evidence of archaeological sites. The one recovered whiteware fragment from shovel test C.4 is not considered significant due to its lack of association with evidence of a former structure. No further cultural resource investigations are recommended for the proposed TLC Health Care Clinic project area. The proposed development will not impact any culturally important resources.

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SUPPORTING DATA

ATTACHMENT A. Photographs Showing Project Area (w/ Photo Angle Map)

ATTACHMENT B. Correspondence from OPRHP Regarding Cultural Resource Concerns

ATTACHMENT C. Phase IB Shovel Test Summary

Certification: I certify that I directed the cultural resource investigation reported here, that my observations and methods are fully reported and that this report is complete and accurate to the best of my knowledge.

2/25/11
Date

Signature of Preparer

ATTACHMENT A

Photographs Showing Project Area (w/ Photo Angle Map)

ATTACHMENT A. Map Showing Photo Angles

PHOTO 1. View of Adjacent Commercial Property (No. 10987 Bennett State Road/Bailey Manufacturing Co., LLC), Facing Southwest.

PHOTO 2. View of Adjacent Residence (No. 11003 Bennett State Road), Facing Southwest.

PHOTO 3. View of Adjacent Residence (No. 10983 Bennett State Road), Facing West.

PHOTO 4. View of Adjacent Residence (No. 10979 Bennett State Road), Facing West.

PHOTO 5. View of Adjacent Residence (No. 10968 Bennett State Road), Facing Southeast.

PHOTO 6. View Along Project Area's Northern Boundary, Facing West.

PHOTO 7. Project Overview From Northwestern Corner, Facing South.

PHOTO 8. Project Overview From Southwestern Corner, Facing Northeast.

ATTACHMENT B

Correspondence from OPRHP Regarding Cultural Resource Concerns

David A. Paterson
Governor

Carol Ash
Commissioner

New York State Office of Parks,
Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

July 01, 2010

Richard Erdle
Town of Hanover ZBA
68 Hanover Street
Silver Creek, New York 14136

Re: SEQRA
TLC Health Care Clinic
NY Rt 85/FORESTVILLE,
ChautauquaHANOVER, Chautauqua County
10PR03940

Dear Mr. Erdle:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director

ATTACHMENT C

Phase IB Shovel Test Summary

Shovel Test No.	Depth (cm)	Soil Description	Artifact Summary
A.1	0-36	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	36-46	Yellowish Brown Sandy Clay w/Glacial Gravel	---
	30+	Water Table	
A.2	0-34	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	34-44	Yellowish Brown Sandy Clay w/Glacial Gravel	---
A.3	0-20	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	20+	Water Table	
A.4	0-21	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	21+	Water Table	
B.1	0-22	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	22+	Water Table	
B.2	0-24	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	24-34	Yellowish Brown Sand Loam w/Glacial Gravel	---
B.3	0-23	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	23-33	Yellowish Brown Sand Loam w/Glacial Gravel	---
B.4	0-25	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	25-35	Yellowish Brown Sand Loam w/Glacial Gravel	---
C.1	0-19	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	19+	Water Table	
C.2	0-30	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	30-40	Yellowish Brown Sandy Clay w/Glacial Gravel	---
	33+	Water Table	
C.3	0-33	Dark Grayish Brown Silt Loam w/Glacial Gravel	---
	33-43	Yellowish Brown Sandy Clay w/Glacial Gravel	---
	36+	Water Table	
C.4	0-34	Dark Grayish Brown Silt Loam w/Glacial Gravel	1-Whiteware w/Blue Print
	34-44	Yellowish Brown Sandy Clay w/Glacial Gravel	---

Shovel Test No.	Depth (cm)	Soil Description	Artifact Summary
D.1	0-39	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	39-49	Yellowish Brown Sand w/Glacial Gravel	---
D.2	0-14	Dark Grayish Brown Sandy Silt w/Glacial Gravel	---
	14-35	Yellowish Brown Sand w/Glacial Gravel	---
D.3	0-12	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	12-30	Yellowish Brown Sand w/Glacial Gravel	---
D.4	0-21	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	21-31	Light Yellowish Brown Silty Clay w/Glacial Gravel	---
E.1	0-20	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	20-30	Yellowish Brown Sand Loam w/Glacial Gravel	---
E.2	0-12	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	12-30	Yellowish Brown Sand Loam w/Glacial Gravel	---
E.3	0-6	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	6-20	Yellowish Brown Sand Loam w/Glacial Gravel	---
	20+	Rock Impasse	
E.4	0-29	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	29-40	Yellowish Brown Sand Loam w/Glacial Gravel	---
F.1	0-21	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	21-23	Yellowish Brown Sand Loam w/Glacial Gravel	---
	23+	Rock Impasse	
F.2	0-16	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	16-26	Yellowish Brown Sandy Silt w/Glacial Gravel	---
F.3	0-11	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	11-21	Yellowish Brown Silty Clay w/Glacial Gravel	---

Shovel Test No.	Depth (cm)	Soil Description	Artifact Summary
F.4	0-16	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	16-26	Yellowish Brown Silty Clay w/Glacial Gravel	---
G.1	0-38	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	38-48	Dark Yellowish Brown Sand Loam w/Glacial Gravel	---
G.2	0-14	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	14-32	Yellowish Brown Sand Loam w/Glacial Gravel	---
G.3	0-14	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	14-31	Light Yellowish Brown Sand Loam w/Glacial Gravel	---
G.4	0-29	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	29-40	Light Yellowish Brown Sand Loam w/Glacial Gravel	---
H.1	0-25	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	25-35	Yellowish Brown Silty Clay w/Glacial Gravel	---
H.2	0-19	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	19-29	Yellowish Brown Silty Clay w/Glacial Gravel	---
H.3	0-17	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	17-27	Yellowish Brown Sand Loam w/Glacial Gravel	---
H.4	0-18	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	18-28	Yellowish Brown Sand Loam w/Glacial Gravel	---
I.1	0-27	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	27-40	Yellowish Brown Sand Loam w/Glacial Gravel	---
I.2	0-27	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	27-37	Yellowish Brown Sand Loam w/Glacial Gravel	---
I.3	0-13	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	13-30	Yellowish Brown Sand Loam w/Glacial Gravel	---

Shovel Test No.	Depth (cm)	Soil Description	Artifact Summary
I.4	0-33	Dark Grayish Brown Sand Loam w/Glacial Gravel	---
	33-45	Dark Yellowish Brown Sand Loam w/Glacial Gravel	---