

# **Great Sodus Bay**

## **DRAFT**

# **Harbor Management Plan**

**Prepared For:**

Village of Sodus Point  
Town of Huron  
Town of Sodus  
Wayne County

**Under the auspices of the:**

Great Sodus Bay Watershed Intermunicipal Committee

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Also available at [www.sodushmp.org](http://www.sodushmp.org)

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## **1.0 Executive Summary**

The Great Sodus Bay Harbor Management Plan has been developed as a cooperative effort by the Village of Sodus Point, the Towns of Huron and Sodus, the Wayne County Planning Department and the NYS Department of State.

The purpose of the Great Sodus Bay Harbor Management Plan is to provide the vision and tools that will enable local governments to manage the activities on the surface waters of Sodus Bay and the adjacent shoreline in a comprehensive and coordinated manner.

Based upon a comprehensive inventory and analysis of existing conditions, the following opportunities and issues have been identified:

### Opportunities:

- Great Sodus Bay has the location and features to make it a world class recreational boating resource.
- The Bay has sufficient capacity for expanded use during non-peak periods. Thus, growth of weekday and week-long tourism during the summer and expanded winter activities can be accommodated with little further infrastructure improvements.
- The Bay has the location and features to support world class research, eco-tourism, and enhanced large vessel recreational use.

### Issues:

- Better boater education and navigational markings should be provided.
- Congestion during peak periods in the area between Charles Point, Sodus Point and Newark Island.
- Better landside support for winter use, such as enhanced access, restrooms, parking, and trash receptacles, is needed.

- There is limited public launch capacity and launch area parking on the Bay to meet peak weekend demand. This limited capacity is further eroded by the fact that no supervision is provided at the existing public launch site.
- There is limited public access to the Bay and Bay shoreline other than for fishing and boating.
- There is a lack of a public “destination” with services for recreational boating.
- Public information meetings indicated that noise from vessels and associated land uses is an issue in several locations.

In response to the opportunities and issues identified, a set of goals and objectives have been developed for the Harbor Management Plan. The goals are as follows:

- Establish stewardship of the Bay through shared management and resource allocation among public agencies and individuals.
- Provide public access to Bay resources and link compatible activities on and around the Bay to benefit both residents and visitors.
- Promote and manage quality development and land use patterns that enhance the historic and unique character of the Bay area while balancing the residential, economic, and ecological needs in order to foster a sense of community pride and identity.

To further these goals, a set of elements with action items were identified for implementation. It is noted that these action items are not in order of priority or in order of implementation. Instead, they may proceed in series or in parallel as conditions and funding permit. The proposed elements and actions can be summarized as follows:

1. The development of guidance for the location and design of one or more public destinations.

Action 1a: Development of a public pier at which vessels could tie up for short term visits to reach services and attractions. Desirable elements with respect to its location and design are listed.

- Action 1b: Provide public access and ownership for a portion of Crescent Beach. This is a long-term project with the two-fold goal of having a public (state or local) park on the barrier bar that would be accessed only by boat while providing current property owners with a buyer of last resort in the event of a catastrophic flooding/erosion event. Acquisition would only proceed for parcels with owners that are willing sellers.
2. The provision of adequate public launch capacity and/or supervision to meet peak weekend demand.
- Action 2a: Provide additional boat launch lanes for the Bay to reduce current overuse at Harriman Park and to provide more opportunities for boating access for the public. It is desired that this be located in the southeastern portion of the Bay. It is envisioned that the additional launch facility would charge a fee, as would Harriman Park, with some exceptions for residents.
- Action 2b: Reduce the existing peak hour congestion and provide increased capacity at the Harriman Park launch through the following steps:
- upgrade the launch ramp and associated docks to provide two full launch lanes
  - expand and improve the parking lot
  - institute on-site management, at least for weekend periods
  - upgrade the entrance to the ramp and install a control structure
  - provide a marked and signed pedestrian crossing of Route 14
3. The provision of enhanced boater education and improvements to existing navigational markings.
- Action 3a: Provide improved dissemination regarding local navigation rules as well as services available for the public in the Bay. This would be achieved through new signage, brochures, kiosks at key entry points and, perhaps, via a radio broadcast.

- Action 3b: Establishment of a seasonal Harbor Master position to provide a visible presence on the Bay. Responsibilities of the position are proposed in the areas of boating education and information dissemination, coordination of events, operation of the public pier and public launches and, if desired by the Village and Towns, the administration of the respective docking and mooring laws of the municipalities.
- Action 3c: Provide improvements to the navigational markings delineating the existing no-wake zone at the north end of the Bay
- Action 3d: Establish provisions for the regulation of large scale events on the Bay that utilize public facilities.
- Action 3e: Establish procedures for the activation of a new channel fog horn and its continuing maintenance.
- Action 3f: Specify responsibility for the maintenance and alignment of the pier lighthouse.
4. The provision of improved landside support for winter use and the adoption of a uniform policy on the use of deicing equipment and ice marking.
- Action 4a: Providing improved access for winter use of the Bay at the a number of locations while discouraging unauthorized parking and access through private properties in other areas. The improved access locations are:
- the municipal parking lot in the Village of Sodus Point
  - Harriman park
  - Saw Mill Cove (restricted use)
  - new launch site near Bay bridge
  - Lake Bluff Road at an existing restaurant or marina parking lot
  - Hog Island (restricted use)
- Action 4b: Evaluation of the necessity for the regulation of winter activities. No such regulation was deemed necessary at this time.

- Action 4c: The establishment of uniform regulations regarding the use of deicing equipment.
- Action 4d: The provision of adequate resources for winter use law enforcement.
5. The expansion and enhancement of public access to the Bay and Bay shoreline other than for fishing and boating.
- Action 5a: The advancement of existing shoreline access recommendations as previously developed as part of the Sodus Point Local Waterfront Revitalization Plan (LWRP) and the Sodus Bay Waterfront Initiative, which are complementary to the recommendations under the Harbor Management Plan.
- Action 5b: Provide additional public shoreline access locations through improvements at the following locations:
- Saw Mill Cove at Red Mill Road. (Town of Sodus)
  - Stub end of Spiegel Drive (Town of Huron)
  - NYS DEC Wildlife Management Area (south of Ridge Road and the Bay bridge)
  - Bay bridge (Town of Huron)
  - Hog Island and LeRoy Island Bridge
- Action 5c: Locations of important public Bay viewpoints have been identified and improvements for public use are proposed. The locations are identical as under Action 5b.
6. The development of guidance for locations for new or expanded commercial marine facilities.
- Action 6a: An analysis of the existing Bay use levels was used to identify the potential for future growth in marine use. The Bay has been found to have additional capacity for boating use, especially during non-peak weekday periods.

- Action 6b: Areas for expanded marine use were identified. The primary area with potential for expanded commercial marine use is along the south shore of the Village of Sodus Point, between the commercial area of the Village and First Creek.
- Action 6c: Recommendations are made regarding changes to land use regulations to allow for the landside support for expanded marine facilities.
7. The development of measures to assure that marine-related public infrastructure is maintained.
- Action 7a: Identify entity responsible for periodic dredging of the Channel. The Army Corps of Engineers has this responsibility, but is hampered in meeting it due to funding limitations.
- Action 7b: Identify entity responsible for maintenance of the sea wall. The Army Corps of Engineers has this responsibility and will respond as the need arises.
- Action 7c: Identify entity responsible for response to future breaches in the Crescent Beach barrier bar. No agency has this responsibility. Establishment of a dedicated fund for public acquisition for property in this area will help address this need.
8. Implementation of uniform, minimum standards, on a Bay-wide basis, for marine shoreline and on-water structures in recognition of the common vision for the future among the three municipalities.
- Action 8a: Recommendations are made for key substantive provisions that will be uniform among the three municipalities. These deal with the permitted number of docks and boat slips, minimum setbacks, dock dimensional requirements and the use of deicing equipment.
- Action 8b: A recommendation is made for review of large projects in the harbor management area by the Intermunicipal Committee with the ability to provide comments back to the municipalities.

More details on each of these action items are contained in Section 8 of this report with implementation measures, including potential funding sources, detailed in Section 9. Implementation of the recommendations will provide benefits to residents and the public and economic benefits to the community while helping to protect the Sodus Bay water quality and fish and wildlife resources from degradation.

## **2.0 Introduction**

The development of the Great Sodus Bay Harbor Management Plan is a cooperative effort by the Village of Sodus Point, the Towns of Huron and Sodus, the Wayne County Planning Department and the NYS Department of State. The Plan has been developed under the guidance of the Great Sodus Bay Watershed Intermunicipal Committee, building upon the previously completed Sodus Bay Waterfront Initiative<sup>1</sup>. Funding for the Plan development has been provided by the New York State Department of State under Title 11 of the Environmental Protection Fund, Wayne County, and the private groups Save Our Sodus (SOS) and the Great Sodus Bay Association.

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<sup>1</sup> *Sodus Bay Waterfront Initiative*. Prepared by the SUNY ESF Council for Community Design Research for the Towns of Sodus and Huron and the Village of Sodus Point, December, 2001.

## **3.0 The Harbor Management Plan**

### **3.1.1 Purpose**

The purpose of the Great Sodus Bay Harbor Management Plan is to provide the vision and tools that will enable local governments to manage the activities on the surface waters of Sodus Bay and the adjacent shoreline in a comprehensive and coordinated manner. Such coordinated management will help avoid conflicts over water use and water access and encourage the safe use and enjoyment of the Bay by area residents and visitors. This will, in turn, provide economic benefits to the community. The Plan, in conjunction with other efforts underway, will also help protect the Sodus Bay water quality and fish and wildlife resources from degradation.

### **3.1.2 Benefit**

The benefits of developing and implementing a Harbor Management Plan include:

- Evaluating the current status of the Bay and developing a strategy to achieve comprehensive goals;
- Providing the ability to address harbor and nearshore issues that transcend local boundaries;
- Once adopted and approved, requiring state and federal adherence to the provisions of the Harbor Management Plan;
- Obtaining technical assistance from the Department of State in addressing harbor management issues;
- Enabling financial assistance for small-scale construction and land acquisition projects;
- Enabling research, design and other preconstruction activities that implement the Harbor Management Plan;

### **3.1.3 Plan Development Process**

The Harbor Management Plan development began with an identification of the Harbor Management Area. This includes the water surfaces and immediately surrounding lands that are or could be utilized to support such uses.

Following identification of the Harbor Management Area, a comprehensive Inventory and Analysis of existing conditions within the area was conducted. This includes all water use and access facilities, navigational features, natural and cultural resources, water surface use patterns, the type and timing of water surface use and its intensity, and all landside businesses and support facilities that enhance, or are enhanced by, the presence of the Bay. The inventory also includes a review of the existing regulatory controls, policies and plans regarding the Bay waters and immediately adjacent land areas.

Based upon the inventory of existing conditions, an identification and analysis of opportunities and issues was made. These include:

- Identification of any structures or facilities that interfere with existing navigation channels such as docks, shoals, floats or anchored or moored vessels;
- Issues regarding public health and safety, such as conflicts between recreational activities and vessel anchorage or mooring areas, the operation of vessels in or near swimming areas, shoreline erosion from boat wake and general boating congestion;
- Impacts of water surface use on water quality and the need to improve or maintain water quality for a range of desired uses, such as fishing, swimming, or domestic uses;
- Impacts of use on natural areas such as wetlands or significant coastal fish and wildlife habitats;

- Maintenance or provision of Bay infrastructure such as roadways, navigation channels, aids to navigation, bulkheads, boat ramps, docks, sewage treatment and vessel waste pumpout facilities;
- Any appropriate limits on public access to the Bay or public use of the Bay area;
- The demand for and supply of appropriate vessel support facilities, including sufficiently maintained navigation channels or basin depths;
- Identification of problems related to dredging and dredged material disposal;
- The need to protect important water-dependent uses in appropriate areas within the Bay;
- Identification of any adverse impacts on scenic quality and visual access to the Bay;
- Identification of existing non-water-dependent uses or zoning in areas appropriate for water-dependent uses;
- Identification of inappropriate land uses or zoning of wetland areas, bay surfaces or coastal hazard areas.

On the basis of the Inventory and Analysis a Water Use Plan was next prepared. The Water Use Plan addresses the allocation of space and appropriate use or combination of uses for all areas of the Bay and its adjacent waterfront lands. This includes identification of capital improvement projects, funding, and changes or additions to zoning or other existing regulatory structure necessary or desirable to achieve the goals and objectives of the Water Use Plan. Agencies responsible for each such activity are identified.

Upon completion of the Water Use Plan, the Harbor Management Plan was completed with the development of detailed recommendations for implementation. This includes goals and policies to guide future decision making, recommendations for new or revised regulations, if necessary, and recommendations for capital projects, if any, as well as a proposed source of funding for any such projects.

With completion of the Harbor Management Plan, each of the participating municipalities are free to adopt the Harbor Management Plan and any resulting regulations necessary for

its implementation. This is envisioned to include the adoption of amendments, as necessary, to the Village of Sodus Point Local Waterfront Revitalization Program reflecting the recommendations of the Harbor Management Plan.

### **3.1.4 Plan Development Oversight**

The development of the Harbor Management Plan is under the direction of the Great Sodus Bay Intermunicipal Committee, which includes representatives from the Village of Sodus Point, the Towns of Sodus and Huron, and Wayne County. Each step of the development has also been reviewed and is subject to input from a Harbor Management Plan Advisory Committee. This Advisory Committee includes representation from citizens groups, businesses and government agencies involved with Sodus Bay and its user groups.

In addition to the input from the Intermunicipal Committee and Advisory Committee, public information meetings have been held in each of the participating municipalities at key milestones. This includes at the time of completion of the draft Inventory and Analysis in August 2005 and following completion of the draft Harbor Management Plan in August 2006. Input from these public meetings has been utilized to finalize the documents. Finally, adoption of the Harbor Management Plan and any of the recommended changes to local codes will require separate Public Hearings by the local governing board with jurisdiction. Such input will further inform any final decisions made.

## **3.2 Harbor Location**

Great Sodus Bay is located on the south shore of Lake Ontario in Wayne County, New York. As shown in [Figure 1](#), the Bay is approximately midway between the urban

centers of Rochester, approximately 35 miles to the west, and Syracuse, approximately 40 miles to the east.

Great Sodus Bay is the largest enclosed embayment on the south shore of Lake Ontario with a surface area of approximately 3200 acres draining a watershed of over 46 square miles. The approximately 21 miles of Bay shoreline is almost completely developed with marinas, marine related businesses, seasonal and year-round homes, restaurants and shops. In the past, the Bay served as a busy commercial port. It is now extensively utilized for recreational boating, fishing and related tourism.

Three local municipalities border the Great Sodus Bay shoreline.

The Village of Sodus Point is located on the northwest portion of the Bay. It is the population and commercial center for the Bay, containing a well developed waterfront with several commercial marinas, restaurants and specialty shops serving the resident and visitor populations. The Village contains approximately 4.5 miles of shoreline on Sodus Bay and is adjacent to the Channel, a maintained and marked navigation channel connecting Lake Ontario with the Bay. Parallel stone jetties protect the Channel, extending over 1,000 feet into Lake Ontario. The west jetty has a navigation light at its lakeside terminus.

The Town of Sodus, which also contains the Village of Sodus Point, generally occupies the western shoreline of Sodus Bay. Outside of the Village, the Town contains approximately 2.2 miles of shoreline. The Town portion of the Bay shoreline is generally occupied with single family residences, with agricultural and wooded lands further upland. Charles Point, a single-family detached residential resort development on the western end of the large barrier bar separating the Bay from Lake Ontario, is also within the Town of Sodus.

The Town of Huron contains the majority of the Bay shoreline at 13.9 miles, including the shoreline of the three islands in the Town of Huron portion of the Bay. The Town of

Huron shoreline includes almost the entire northern and western Bay shores and extends along a significant portion of the southern shore. The Town of Huron includes most of the barrier bar separating the Bay from Lake Ontario (Crescent Beach) as well as three islands; LeRoy Island, Eagle Island and Newark Island. A large wetland/open water area south of the Bay Bridge is also within the Town of Huron. The Town of Huron Bay shoreline is also primarily developed with single family residences with several water-dependent and water-enhanced commercial developments at key locations. These are described in detail in a later section of this report.

### **3.3 Regional Setting**

Great Sodus Bay, with a surface area in excess of 3,050 acres, is the largest enclosed embayment on the US side of Lake Ontario. This size, combined with its protected Channel and deep water, has resulted in the Bay having a rich history as a Lake Ontario port. It, thus, represents a unique resource for both resident and transient recreation and tourism. While the surrounding areas are primarily rural and agriculturally dependent, Sodus Bay and the lands along its shoreline have developed as a vacation and seasonal resort in response to the presence of the Bay.

Despite its proximity to the urban centers of Rochester to the west and Syracuse to the east, the Sodus Bay area has maintained its rural and small Village scale. While highway access is good, with NYS Route 104 providing high speed access from the east and west and NYS Route 14 providing good access to the south, connecting with the NYS Thruway (Interstate 90) approximately 20 miles south of the Bay, the Bay area does not serve primarily as a bedroom community for commuters to nearby larger cities and towns. Instead, the communities around the Bay have developed as seasonal, water based vacation and second home markets with a small year-round resident population. In recent years many seasonal homes and cottages, especially on the shoreline, have been upgraded so they can accommodate year-round occupation. However, many of these are still

utilized as seasonal homes with occupants extending their residency to the fall and spring seasons while traveling or residing elsewhere during the winter.

Sodus Bay has a traditional, water based heritage and the local economy depends upon water based recreation for much of its activity. However, the Bay is finding an economic and recreational niche during the winter with ice fishing drawing many users over the coldest months. It is likely that winter use will continue to grow as the area receives abundant snowfall and the Bay provides an ideal setting for skiing, ice skating, snowmobiling and ice sailing in addition to the traditional ice fishing.

Given the above, it is likely that the Sodus Bay area will continue to function as a vacation and recreational asset for the region, drawing visitors and seasonal residents primarily from central and western New York while expanding its reach to visitors, especially fishermen and recreational boaters, from a much wider area.

### **3.4 Brief History**

Until the late 1700's, only Native Americans occupied the land surrounding Great Sodus Bay. They referred to the Bay as "Silvery Waters" and utilized it for fishing and transport.

European settlers discovered the Bay in the mid to late 1700's and started settlements to take advantage of the fishing and the surrounding good upland soils and hardwood forests. In 1794, Charles Williamson founded the Village of Sodus Point.

Early industry in the Bay was based on the presence of water. Commercial fishing, ice harvesting, boat building and repair, and the import and export of goods by ship made the Bay a busy Great Lake port. In the surrounding areas land was cleared for farming with sawmills and grist mills established on many of the entering streams. The open waters of the Bay made for easy transport of the lumber and grain.

As a key port on the US-Canadian border, Sodus Bay played an important role in the War of 1812. The Village of Sodus Point was nearly burned to the ground at one point when British ships anchored in the Bay and began to ransack the village for supplies. Residents rallied to the defense and two Sodus Point men lost their lives in the ensuing skirmish.

In 1872, the first railroad and coal trestle was built connecting Sodus Bay to the coal mines in Pennsylvania. From then to 1967, thousands of tons of coal were transported through the Sodus Point Coal Trestle. To accommodate the ships, the Bay and Channel to Lake Ontario were regularly dredged. The landmark structure, used to load the great ships, was destroyed by fire in the early 1970's.

With the closing of the coal trestle and a brewery/malt house near by, the economy of the Village of Sodus Point and the surrounding Bay became more dependent upon recreational boating, fishing, vacation homes and tourism. This pattern continues today.

### **3.5 Unique Features**

Great Sodus Bay has several unique and/or distinguishing features. Some of the features are found at other embayments on Lake Ontario, but no location along the Lake's south shore has all these features.

Great Sodus Bay is separated from Lake Ontario on the north by an approximately 7,500 foot long barrier bar. The barrier bar is attached to the mainland at the eastern end, but the attachment point is very steep and narrow and no roadway connection is present. Over most of its length, the barrier bar is less than five feet above the lake mean high water elevation and is very narrow with a width rarely exceeding 50 – 75 feet at any point. This portion of the bar is called Crescent Beach and it is developed in a single row of residential lots with frontage on both the Lake and Bay shorelines.

An elevated promontory is located at the far western end of the bar. This location, named Charles Point, is wide enough to support two rows of individual residential lots with one row fronting on Lake Ontario and the other fronting on Sodus Bay. The elevation of Charles Point rises to approximately 20 to 30 feet above the Lake mean high water elevation.

There is no roadway access to Charles Point and Crescent Beach. Residents and visitors must utilize boats to individual docks located on the properties being accessed.

Between Charles Point and the maintained navigation channel connecting the Bay to Lake Ontario (The Channel) is a man-made concrete and stone breakwall, approximately 1,725 feet in length, which runs from Charles Point to the inland terminus of the Channel's eastern jetty. This breakwall provides essential protection from Lake Ontario wave action for the northern portion of the Bay and the Sand Point area of the Village of Sodus Point.

The Sand Point section of the Village of Sodus Point is an elongated sand spit extending east from the mainland just south of the Channel leading to Lake Ontario. It is densely developed, containing the commercial core of the Village on its west end and desirable waterfront properties encircling its east end. It is also home to the Sodus Bay Yacht Club and several water dependent and water-enhanced businesses.

Sodus Bay is also home to three large islands; LeRoy, Eagle and Newark Islands. All are located within the Town of Huron. LeRoy Island can be accessed via a small bridge leading to the island from Lake Bluff Road on the eastern shoreline of the Bay. Both Eagle and Newark Islands can only be accessed via boat and contain no internal roadways for vehicles. These three islands, and especially the two with water access only, provide unique settings for seasonal cottages/homes similar to those found in the Thousand Islands area of the St. Lawrence River and not found anywhere else on the US Lake Ontario Shoreline.

Finally, Sodus Bay is in close proximity to a unique eroding high bluff shoreline on Lake Ontario. While such structures are located both east and west of the Bay, the most extensive and unique are found at the Chimney Bluffs State Park, located less than three miles east of the Bay outlet Channel. The presence of this State Park, and its associated undeveloped shoreline, adds to the portfolio of Great Sodus Bay as a recreational boating resource.

## **4.0 Harbor Management Plan Area**

The Harbor Management Area consists of the land and surface water areas to be considered and analyzed in the development of the Harbor Management Plan. The Great Sodus Bay Harbor Management Area is shown in [Figure 2](#).

In general, all navigable water areas of the Bay and its tributaries are included in the study area. In addition, upland adjacent lands are included whose use or development can influence the use of the surface waters. This includes developed and undeveloped lands that have the potential to provide access to the shoreline and those that can be utilized to provide services or support areas for water surface uses during part or all of the year.

A more detailed review of the area begins at the north end of the Bay at the Village of Sodus Point. Properties within the Village directly abutting the Bay shoreline and outlet channel to Lake Ontario (“The Channel”) are within the study area, including the entire “Sand Point”, the blocks south of Bay Street leading to the Bay shoreline and lands along both sides of Route 14 heading south out of the Village, including a significant stretch of First Creek and its associated wetlands. The study area boundary then generally follows Route 14 south to Red Mill Road. In this way, the high ground along Route 14 overlooking the Bay, including the Sodus Bay Heights Golf Club, is included in the study area. These high areas are included since they may afford opportunities for visual access to the Bay.

The study area boundary then follows Red Mill Road eastward to a point just west of Third Creek and its associated wetlands. The boundary goes south and then east from this point to encompass a large, undeveloped parcel of land containing Third Creek, its first western tributary and the woods and wetlands associated with it. At its intersection

with Shaker Tract Road, the HMP boundary turns south and follows the road to Ridge Road.

At Ridge Road, the boundary goes east to a point just west of the bridge over the southern end of the Bay. At this point, the boundary goes south to Route 104, east along Route 104, and then north again to cross Ridge Road east of the Bay Bridge. The configuration in this area is intended to encompass the entire NYS DEC Lake Shore Marshes State Wildlife Management Area including all its open water, wetland and wooded habitats.

Heading north on the east side of the Bay, the boundary intersects and runs along Lake Bluff Road to its intersection with Lummisville Road. It then goes west along Lummisville Road to Sloop Landing Road, then north again to Lake Bluff Road. The boundary then generally follows or parallels Lake Bluff Road north and east to the Lake Ontario shoreline. In places, the boundary is slightly east of Lake Bluff Road, capturing some land areas along the east side of the Road that are currently used as, or have the potential to provide, support areas for Bay users. Once reaching the Lake Ontario shoreline, the boundary goes west back to the Village of Sodus Point, encompassing the entire Crescent Beach/Charles Point barrier bar and The Channel to Lake Ontario.

## 5.0 Inventory and Analysis of Existing Conditions

### 5.1 Land Use

#### 5.1.1 Existing Land Uses

Existing land uses within the HMP Study Area are shown in [Figure 3](#).

The land areas within the Study Area are primarily in open space consisting of woods, agricultural lands, wetlands and one large not-for-profit recreational use, the Sodus Bay Heights Golf Club.

A “ring” of residential use exists along the entire shoreline with the exception of some commercial and park areas and at locations where wetlands directly abut the Bay waters. The residential uses are entirely developed in single family, primarily owner-occupied, homes and seasonal cottages located on individual lots. A direct inventory of homes directly abutting the Bay shoreline shows the following totals for each municipality and for the entire Bay:

Municipality	Number of Homes
Village of Sodus Point	197
Town of Sodus	42
Town of Huron	526
<b>Total</b>	<b>765</b>

In addition to the residential uses, commercial uses are located along the shoreline and in some non-waterfront locations within the Study Area. The commercial areas are primarily concentrated within the Village of Sodus Point with scattered additional commercial uses in the Town of Huron.

An inventory of all commercial uses within or immediately adjacent to the Study Area that are water dependent or water enhanced was conducted. The results are summarized in the table on the following page.

In general, commercial uses located within the Study Area, especially those directly on the shoreline, are appropriately water-dependent or water-enhanced uses. The water-dependent uses are primarily marinas and marine support facilities (bait and tackle, boat sales, boat rental, etc.) Most other commercial uses within the Study Area, and all that are located on the shoreline, are water-enhanced or are seasonal businesses that are dependent upon summer residents and visitors to the area.

On the basis of the inventory of existing commercial facilities, it is concluded that there are no inappropriately located industrial or commercial facilities in waterfront locations within the Study Area.



### **5.1.2 Existing Zoning**

Three municipalities border the shoreline of Sodus Bay. Each has a zoning ordinance, which includes the lands within the HMP Study Area. The zoning classifications and relevant provisions governing such lands are described separately for each municipality below.

#### **Village of Sodus Point**

The zoning of the HMP Study Area within the Village of Sodus Point is shown in [Figure 4a](#). It contains a mix of residential and commercial designations with a small area of industrial zoning in an upland area back from the shoreline to the west of Route 14. It is noted that the existing Village land uses are generally built out according to current zoning designations.

The existing zoning designations for the shoreline areas of the Village are primarily R (residential) and WC (Waterfront/Commercial) with some smaller shoreline areas in P (Public) and LCR (Limited Commercial/Residential) zoning. A general description of these zoning districts, as derived from the Village Zoning Ordinance, is as follows:

R (Residential): Conventional single-family housing at development densities consistent with existing development in the Village.

LCR (Limited Commercial/Residential): Allows multiple use of dwellings in areas on major thoroughfares along with various low-intensity uses such as small retail shops, crafts, professional offices, personal services and home occupations.

WC (Waterfront/Commercial): Allows for water-dependent, water-enhanced, professional, general retail, tourist accommodations and visitor service businesses. This

classification has special requirements for off-street parking, view protection, pedestrian circulation, dockage and architectural design.

P (Public/Institutional): Land to be used as parks, walkways and/or for public access.

Upland areas within the HMP Study Area include areas with two additional zoning designations; I (Industrial) and N (Natural Areas). A general description of these areas is as follows:

I (Industrial): Allowed uses include conventional processing, manufacturing, storage, repair of raw materials and fabricated items. Also allowed are recreational vehicle parks, boat storage, agriculture, research facilities, and several other similar uses.

N (Natural Areas): The designated N zoning districts generally coincide with the State-regulated wetland areas occurring within the Village. Any development within this zoning district requires approval by the Village Planning Board. The Village Zoning Ordinance is silent with respect to other use or design standards in this zone.

The Village of Sodus Point has a Docking and Mooring Law in effect, which is described in more detail in a later section of this document.

### **Town of Sodus**

As shown in [Figure 4b](#), all lands within the HMP Study Area within the Town of Sodus, but outside the Village of Sodus Point, are within the A (Agricultural) zoning district with the exception of one parcel immediately south of the Village that was recently rezoned to R-1 Residential. Given this zoning classification, the requirement for any new waterfront lot is that it be a minimum of two acres in size with a minimum 150 foot width on the waterfront.

Many developed lots within the shoreline area of the Town of Sodus do not meet the minimum lot size requirement and/or the minimum lot width requirement. These lots were subdivided and developed prior to the enactment of the current zoning requirements and are grandfathered under its provisions.

The Town of Sodus does not have a separate docking and mooring law.

### **Town of Huron**

Most of Sodus Bay shoreline in the Town of Huron is zoned RES (Resort) as shown in [Figure 4c](#).

A wide range of uses are permitted within the RES zoning district, with some requiring special permits that are issued by the Town Zoning Board of Appeals. The explicitly permitted uses include single family dwellings, cottages, camps, boathouses and docks. Uses permitted with a Special Use Permit include many commercial activities such as bars, taverns and restaurants, small and medium scale retail and wholesale operations, campgrounds and cottage colonies, motels and marinas.

The RES zoning requires a minimum one-acre lot size for all uses, a minimum 100-foot lot width, and a maximum 20% coverage of a lot by buildings. For Bay shoreline properties, a minimum 75-foot setback from the mean high water line is generally required. Exceptions to this may be granted by the Zoning Board of Appeals based upon conformity of the proposal with an apparent uniform setback of structures on immediately adjoining lots. In addition, boathouses may be permitted to be closer to the high water mark if they do not obstruct a neighbor's view.

The shoreline area in the western portion of the Town, along Ann Lee Drive and Sawmill Cove, is zoned R-15000 (Residential). A minimum 15,000 square foot lot size is permitted for dwellings having access to both public sewer and water, with all other

dwelling and uses requiring a one-acre minimum lot size. Since no areas of the Town of Huron on or near Sodus Bay have access to sanitary sewers, a one-acre minimum lot size is required for all uses under existing conditions.

Permitted uses in the R-15000 zone include single dwellings, guest houses and uses traditionally permitted in residential zones such as parks and churches. With a Special Permit from the Zoning Board of Appeals, permitted uses include boat docks and boat houses. The waterfront setback of 75 feet from the mean high water line, as well as the exceptions that may be granted by the Zoning Board of Appeals, is the same as under the RES zoning.

A small area on Lake Bluff Road both north and south of Hog Island and Leroy Island Road has a designated zoning of LC (Land Conservation). This designation, however, only applies to land that is owned by the State. The land so designated at this location is a state-regulated wetland.

A Docking and Mooring Law has recently been adopted by the Town of Huron. Details of the provisions of this ordinance are described in a later section of this report.

### **5.1.3 Local Land Use Plans**

The three municipalities bordering Sodus Bay have each engaged in the development of Comprehensive (or Master) Plans over the past fifteen years.

#### Village of Sodus Point

The Village of Sodus Point adopted its current Master Plan in April 1996. The Village also has an approved Local Waterfront Revitalization Program (LWRP).

The 1996 Village Master Plan specifically addressed several issues related to Sodus Bay, including waterfront development. It is recommended in the Plan that the Village enhance the waterfront by strategically locating and developing public piers and through the identification, protection, and promotion of public landings and view sites. The Plan also recommended that the Village provide needed services and amenities to support waterfront development, promote the wise use of all remaining developable lands near the waterfront, and maintain effective harbor management.

The LWRP details existing water dependent and water enhanced uses within the Village based upon past inventories of water use access and support facilities. The LWRP also identifies issues that may result from overuse of the Bay. These issues are:

- Interference with existing navigation channels by structures.
- Threats to public health and safety, such as those resulting from boating use conflicts and the operation of vessels in swimming or fishing areas.
- Impact on water quality.
- Degradation or loss of natural areas such as wetlands or other important fish and wildlife habitats.
- The need to protect important water dependent uses in appropriate areas of the harbor.
- The potential for the growth in dry dock boat storage facilities.

It is noted in the LWRP that these issues are being addressed in a comprehensive manner for the entire Bay by the Harbor Management Plan development.

The LWRP also includes recommendations for land and water uses within the Village as follows:

- Commercial land uses are recommended for the bay shoreline and near bay areas located roughly from Sand Point to First Creek. The LWRP notes that most of this area is already devoted to such uses, although there are some residential uses

- interspersed. The commercial uses along the shoreline are principally water-dependent and include docking and marina businesses. A concentration of restaurants on Sand Point is an exception to this as are several lodging, gas and grocery stores, boat yards and restaurants located further inland. Some of the inland locations may be appropriate for hotel and/or town house development.
- Private docks that exist in scattered locations along the bay shoreline will continue, pursuant to the 1986 Village Docks and Moorings Law, until such time as these sites may be redeveloped into water dependent commercial or recreational and public access uses.
  - Water enhanced uses, such as a restaurant, lodging facility or a store engaged in selling articles ancillary to water dependent recreation should be encouraged in the area bounded by the bay, the railroad tracks and Margaretta and Sentell Streets. Along the immediate shoreline, such uses would have next-highest priority, but not if they displace existing water dependent uses or prevent reasonably anticipated new water dependent uses.
  - Existing public recreation and access facilities along the Bay shoreline are proposed to be maintained and, where possible, enlarged and enhanced. The LWRP specifically recognizes this as appropriate for the following sites within the HMP Study Area: the Wayne County Park, the Oscar Fuerst Ball Field, Willow Park, the South Shore Drive Sodus Bay Heights public reservation parcels, and the Town of Sodus Harriman Park and launch ramp. The LWRP also identified future sites with potential for water access including the municipal parking lot and the right-of-way from Bay Street along the Bay shoreline to the County Park. This also includes street end right-of-ways.
  - Private recreation development in the form of camping areas are proposed to provide alternative overnight facilities for fisherman and boaters with tents or camper vehicles. Areas identified as suitable for camping include the wooded

- parcel west of Route 14 and around the wetland and track right-of-way between Margaretta Road and Sentell Street; and the area south of Margaretta Road to and including an undeveloped 25 acre parcel on the town line.
- The water uses proposed in the LWRP reflect existing development and uses of the water. This includes special recognition that the Federal special anchorage areas, occupying about 30 acres of water immediately south of Sand Point near the Sodus Bay Yacht Club, will continue to be used predominantly by sailboats that have deeper drafts and are less able to use some dock areas. The LWRP notes that expanded mooring facilities are appropriate and could be provided south of this area for approximately 500 feet and in a small area approximately 750-1000 feet east of the Town ramp and extending south of the docks at Arney's Marina for a distance of approximately 300 to 1000 feet. The LWRP recommends, however, that areas south of the Town ramp to the south side of the mouth of First Creek, as well as the area south of the wetlands at the mouth of the small creek entering the Bay between First and Second Creeks, should not be disturbed by either land or water use development to protect the Sodus Bay fish habitat.
  - The LWRP also recommends that public recreation and short term mooring continue in the large shallow sandbar located near the breakwater at the mouth of the bay, thereby continuing a traditional practice of use by boaters and swimmers during the summer season.

In support of public access and water use, the Village LWRP states that the Village of Sodus Point critically needs a public pier to accommodate transient boats of all sizes and made available for patrol and harbor support vessels such as those of the Sheriff, State Police and NYS Department of Environmental Conservation. The LWRP lists the following needs for any location proposed for such a public pier:

- It should be located in deep water and be large enough so as to be able to accommodate vessels of all sizes expected to frequent or visit the Bay.
- Be a permanent, non-removable structure, perhaps similar to public piers in Sackett's Harbor or Skaneateles Lake.
- Be located and configured so as to be considered the water side gateway into the community.
- Provide a place where the non-boating public will have the opportunity to walk out on the water, fish or view the bay, much as the outlet Channel western jetty surface does.
- The pier should be located and designed to be an integral part of the community with a sense of place.
- The pier should be large enough for community functions to take place in part or entirely on it.
- The pier should be lighted with appropriate period lighting.

In addition to the public pier, the Village LWRP also recommends the creation of a Scenic Byway and Greenway Trail for the Village. This is envisioned as a multi-modal link of recreational destinations with the historic Village center. Boat launches, marinas, fishing access and other water based activities could also be accessed from the proposed greenway. The greenway is proposed to run along the Bay shoreline adjacent to Route 14 in the southern portion of the Village from First Creek to Bay Street and again from the Village Park just south of Greig Street to the County Park. It would link with another proposed trail along the First Creek corridor and a proposed War of 1812 Interpretive Trail in the Village center. The LWRP includes a conceptual design and preliminary cost estimate for this Greenway.

Other projects named in the LWRP as being supported by the Village are a program to provide for the periodic maintenance dredging of the Channel, a sewer pipeline connection from the Village to Charles Point with the potential for future connections to other areas in the Towns of Sodus and Huron, and the replacement of “antiquated” sewage and water lines underlying the eastern end of Greig Street. This last project is

emphasized as a high priority project as the NYS Department of Transportation upgrade of this roadway to current standards awaits replacement of the utilities as a first step and the fact that all future development of the Village in this area is contingent upon the quality of the underground utilities.

### Town of Sodus

The Town of Sodus is in the process of preparing a new Comprehensive Plan, with the latest draft dated April 29, 2005. Under Future Land Uses, the shoreline of Sodus Bay contains areas designated as “Lakeshore Residential” and “Lakeshore”.

The draft Comprehensive Plan states that the “Lakeshore Residential” designation applies to areas of the shoreline that have already been subdivided and developed in individual lots. This designation is shown for the eastern most Bay shoreline area of the Town located along Briscoe Cove Road.

The “Lakeshore” designation is shown for areas of the Sodus Bay shoreline extending generally from the end of Briscoe Cove Road on the east to the Village line on the west. This area, while also developed in single family residences along the shoreline, generally contains lots that are large with significant water frontage. Thus, many may be subject to further subdivision.

The draft Comprehensive Plan notes that further residential development of these areas is appropriate provided the design of the development is sensitive to the potential for soil erosion and the protection of potential public amenities, such as views of the water. The draft Plan further recommends that the subdivision and site plan review process be utilized to set aside views and/or public access as part of any new development. This is most appropriate to areas of the Town directly along the Lake Ontario shoreline, but may apply to some special situations within the Sodus Bay shoreline as well.

Town of Huron

The Town of Huron Master Plan was last updated in 1992. The existing RES and R15000 zoning of the Sodus Bay shoreline areas of the Town was already in place at that time.

The 1992 Master Plan recognized that the shoreline areas were already densely developed in residential and commercial uses and, with the lack of sewers and public water, could not be further developed through subdivision into smaller lots. The Master Plan noted that the undeveloped portions of the RES zoning district could be subdivided and developed with lots of less than one acre if public water and sewer were provided. It was noted that the existing RES zoning district could also be expanded further inland, which would make the provision of public utilities and further development economically viable. The Future Land Use map for the Town shows such an extension of the RES zoning district further east from the existing eastern shoreline of the Bay.

The Town of Huron Master Plan also envisaged extension of public water and sewer service to almost the entire Bay shoreline area of the Town. This would be accomplished for sewage through the construction of two separate sewage collection lines, one serving the northern portion of the Bay along Lake Bluff Road and Leroy Island and areas further east along the Lake Ontario shoreline and a second serving the entire southern area of the Bay shoreline both east and west of the Bay Bridge. Increased water service, beyond that already in place for the Shaker Heights area, would be provided via connection to a central water main proposed along Ridge Road. The water connections would go north up Lake Bluff Road with branches east and north to serve the various land areas also served by the two proposed sewer lines. It is noted that these sewer and water projects have not yet been constructed, although funding has recently been secured for the water main extension along Ridge and Lake Bluff Road.

#### **5.1.4 Salient Issues Regarding Land Use**

Based upon a review of the existing land uses, existing zoning and existing land use plans for the HMP Study Area, the following has been found:

- In general, water dependent and water enhanced land uses are appropriately located in shoreline areas. Additional water enhanced land uses are located on inland parcels and generally are oriented toward serving Bay users from the permanent and visitor populations.
  
- With very few exceptions, all the developable areas of the Bay shoreline in the three municipalities are already densely developed. In addition, there is little opportunity for significant new growth through further subdivision in the Towns of Sodus and Huron due to the lack of public utilities.
  
- Recommendations and proposed projects in the master plans of the three communities generally deal with enhancing existing land use patterns rather than making large-scale changes. The proposed enhancements include expanded public water access facilities supporting both active and passive recreation, primarily within the Village of Sodus Point, and the provision of new or improved public sewer and water utilities to deal with existing problems and the potential for some modest development and/or re-development.

Given the above, it is concluded for purposes of this Harbor Management Plan that the existing large scale land use patterns now in place will continue into the future. Recommendations regarding Sodus Bay surface water management should be developed on this basis.

## **5.2 Water-Dependent and Water-Enhanced Facilities**

A complete inventory of all water related facilities, support services, and businesses within the HMP Study Area was conducted over the period from August 2004 through July 2005. This included all public and private water access facilities, all services and businesses providing direct support for Bay surface use, and all businesses and facilities that are enhanced by the presence of the Bay and the users of it. The results of this inventory, and more detail on the access or service provided at each location, are provided in this section.

### **5.2.1 Public Facilities for Access to the Waterfront**

There are several publicly accessible areas that provide access to the shoreline of Sodus Bay and are regularly utilized for that purpose. Some are specifically designed for such access, such as public parks, and others are ad-hoc or unofficial, but are used to the extent feasible within the confines of the space and access available. All public water access points are indicated in [Figure 5](#).

Among the most developed are the Wayne County Park adjacent to the Channel and Lake Ontario and the Town of Sodus Harriman Park on Route 14, both in the Village of Sodus Point.

The Wayne County Park provides a large parking area, two swimming beaches, one on Lake Ontario and one on Sodus Bay, access to the Channel west jetty, and a two-lane boat launch available prior to Memorial Day and after Labor Day. The boat launch at the County Park is not available during the months of June, July and August due to the inability to provide sufficient parking for vehicles with trailers in addition to those associated with visitors to the other Park attractions. The boat launch, when available, does not have a fee associated with its use. It is noted that the jetty is heavily utilized for fishing and for visual access to the Lake and Channel.

Wayne County has committed to improvements at this Sodus Point Park, which commenced in 2006. The improvements include a new bathhouse, curbing and striping to promote better pedestrian and vehicle circulation and parking, enhanced landscaping and an enhanced access and parking for the Channel jetty.

The Town of Sodus Harriman Park is located on Route 14 just north of First Creek. It contains a one-lane boat launch, launch stacking area and a sitting/view point on the east side of Route 14 and a parking area nominally sufficient for 38 vehicles with trailers on the west side of Route 14. Some fencing, a kiosk and other visual enhancements are in place. There is no protected or marked cross-walk across Route 14 from the parking area to the boat launch. This boat launch has no fee associated with its use and the park is unmanned. The concrete launch at this location is wide enough to support two launch lanes, but a dock is only present on one side of the launch, effectively limiting the use to one launch lane.

The level of use of this facility was spot checked at several times and monitored regularly over the course of one peak weekend Saturday and Sunday, July 2 & 3, 2005 and a second summer Sunday, August 7, 2005. The counts and observations are contained in the following table.

<b>Saturday 7-2-05</b>				
<b>Time</b>	<b>Vehicles w. trailers</b>	<b>Vehicles w/o trailers</b>	<b>parked on road</b>	<b>notes</b>
8:15 AM	20	4		
10:30 AM	21	7		
12:30	24	9		
2:30 PM	20	8		
3:45 PM	22	6		
6:15 PM	16	5	1	
<b>Sunday 7-3-05</b>				
<b>Time</b>	<b>Vehicles w. trailers</b>	<b>Vehicles w/o trailers</b>	<b>parked on road</b>	<b>notes</b>
8:15 AM	26	5		
10:30 AM	24	7		
12:15	39	10		4 waiting to launch

2:30 PM	38	10	5 with trailers + 2 w/o	4 waiting to launch
4:00 PM	47	13	10 with trailers + 8 w/o	
	<b>Sunday 8-7-05</b>			
<b>Time</b>	<b>Vehicles w. trailers</b>	<b>Vehicles w/o trailers</b>	<b>parked on road</b>	<b>notes</b>
8:30 AM	31	4		
10:15 AM	36	5		
2:30 PM	46	10	3 with trailers	vehicles parked in park on east side of Rte. 14 also – 2 with trailers + 1 w/o
				4 vehicles waiting to launch and 3 waiting to load extending out on Rte 14 and blocking traffic.
4:20 PM	38	12	5 with trailers	Vehicles parked in park on east side of Rte. 14 also – 4 with trailers + 1 w/o
6:15 PM	25	7	1 with trailer	One vehicle with trailer parked in park on east side of Rte. 14

It is noted that the nominal capacity of the parking lot at Harriman Park is 38 vehicles. The additional vehicles above this number were accommodated through the use of grassed areas, parking in vehicle drive aisles by individual users and the unhitching of trailers with vehicles parked along side. It was also noted that several vehicles without trailers utilized spaces sized for vehicles with trailers. As a result of the over capacity situation, a significant number of vehicles parked along both sides of the Route 14 frontage, primarily south from the launch. This parking resulted in an unsafe roadway condition, with pedestrians having to walk in the travel lanes and vehicles on the road having limited passage width. On the second Sunday monitored, vehicles with and without trailers were parking on grassed park areas on the east side of Route 14.

To summarize the observations, the use of Harriman Park is well within capacity for weekday periods and most weekends. However, the demand for boat launching causes this facility to be overloaded during the peak summer weekends in the afternoon when the weather is good. In addition, the lack of supervisory personnel results in the inefficient use of the existing launch and parking capacity.

Additional, but more limited, public access to the Bay shoreline is provided from parking areas at the Village of Sodus Point Oscar Fuerst and Willow Parks, both located on Greig Street near the Village commercial district. Both provide visual access to the Bay and,

with a short walk, access for fishing along the shoreline. These parks also provide ball fields and a playground that are not associated with water access use. The municipal parking area adjacent to Willow Park, on the south side of Greig Street, also provides winter access to the Bay with sufficient room for vehicles with trailers. The winter use of trailers is relatively new and coincides with the increased sale and use of All Terrain Vehicles (ATVs) in support of ice fishing.

In addition to the municipal parks, water access is provided to the public at several sites around the Bay. These are listed in geographic order, starting at the Village of Sodus Point and moving counter-clockwise around the Bay shoreline.

There are three streets in the Village of Sodus Point that lead south from Bay Street to dead end at the Bay shoreline. These street ends are currently unimproved and only provide limited parking along the road edges. One of these street ends, Ontario Street, was specifically recognized as a potentially important access point to the Bay in the 2001 Sodus Bay Waterfront Initiative<sup>2</sup>. As such, several conceptual designs and improvement recommendations were presented in the study. To date these improvements have not been funded or implemented.

A small fishing access site and roadside parking area is provided on Route 14 at First Creek in the Village of Sodus Point. This access point provides access to fishing in First Creek from both sides of Route 14. This area appears regularly, but lightly, utilized and can be improved to provide safer access, safer use and better connections to the adjacent Harriman Park and its parking area.

Another access site recognized as important in the Sodus Bay Waterfront Initiative is Saw Mill Cove. This is a large cove where Third Creek enters the Bay. It is located east of Thornton Point and west of Nicholas Point and Shaker Heights. Red Mill Road parallels the Cove shoreline in this area, separating the Bay waters from a large wetland

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<sup>2</sup> *Sodus Bay Waterfront Initiative*. Prepared by the SUNY ESF Council for Community Design Research for the Towns of Sodus and Huron and the Village of Sodus Point, December, 2001.

to the south through which Third Creek flows. This area is not officially designated for Bay access, but a small parking area is maintained on the south side of the road with unmarked space available for approximately 15 vehicles. The site is utilized in the spring, summer and fall months for shoreline fishing access and, to a much more limited extent, car top launching of canoes and kayaks. In the winter, the site provides access for ice fishing with both pedestrian and ATV/snowmobile access to the Bay ice cover. There is no formal or informal trail access to the wetland area to the south or to Third Creek. No support facilities for Bay use, such as restrooms or trash receptacles, are provided at Saw Mill Cove. While recognized as an important access point to the Bay in the 2001 Sodus Point Waterfront Initiative, no conceptual designs for improvements related to Bay access or use were developed. Instead, it was noted that there is limited right-of-way available for public improvements at this location.

Another informal access point is located at the end of Speigel Drive in the Town of Huron. The Speigel Drive Right-of-Way is unimproved and provides no support facilities. A limited area is available for parking and the opening to the Bay shoreline is large enough for both pedestrian and snowmobile/ATV access.

Public access is also provided in the NYS DEC Lake Shore Marshes Wildlife Management Area located south and just west of the Bay Bridge. This is a very large wetland/upland complex extending south to Route 104. It has a significant area of shallow open water associated with Sodus Creek and the wetland complex that surrounds it. An unimproved dirt access drive connects to the south frontage of Ridge Road just west of the Bay Bridge. At the end of the dirt drive is a small, unimproved parking area and a short trail leading to the Creek shoreline. This can presently be utilized for the car top launch of canoes and kayaks. With its unimproved status, and the lack of signage indicating a possible access point, this area is lightly utilized at present.

Moving further east, additional public fishing access is provided at the Bay Bridge on Ridge Road at the extreme south end of the Bay. This bridge was reconstructed over the fall/winter/spring of 2004 – 2005 and now has a protected pedestrian walkway on its

north side that is utilized for fishing. Limited parking is available for such use along the roadway shoulders at both ends of the bridge. Additional parking is available at the Bay Bridge Bait Shop on the west end of the bridge, but is generally restricted to customers of the bait shop and associated marina/boat launch.

The final public access point identified is provided at the Leroy Island Bridge in the northeast portion of the Bay. It contains a small NYS DEC parking area on the adjacent Hog Island. This Hog Island location, as well as nearby areas along Lake Bluff Road, are heavily utilized for winter ice fishing access. Such use is further described in a later section.

### **5.2.2 Water-Dependent Businesses, Private Yacht Clubs and Associated Services**

In addition to the public facilities providing access to Sodus Bay, there are a number of businesses and one private club that provide direct access and services for Bay users. Businesses that are directly located on the Bay shoreline and are dependent on this water access for a large portion of their business activity are termed water-dependent businesses. A total of 17 water-dependent businesses and one private club, the Sodus Bay Yacht Club, were identified on the Bay during the 2004-2005 inventory. Of these, 15 are were full operation for the 2005 season and providing boater services. These are primarily marinas providing dockage, boat launching, and with varying additional services provided.

All the water-dependent businesses and the private club are listed in the following table, along with their location and the number of seasonal and transient slips provided and, where applicable, the number of moorings being utilized.

Name	Location	Seasonal Slips	Moorings	Transient Slips
Arney's Marina	Route 14, Sodus Pt	100		10
Bay Bridge Sport Shop	Old Ridge Rd, Huron	60		3
Carey's Cove Marina	Greig St, Sodus Pt	30		20
Connelly's Cove	Lake Bluff Rd, Huron			30
Island Cove Marina and Leroy Island Bait Shop and Rentals	Leroy Island Rd, Huron		Under construction	
Davenport's Boat Livery & Marina	Resort Rd, Huron	30		10
Fowlers Marina	LeRoy Island Rd, Huron	100		0
Gilligans	Resort Rd, Huron		currently closed and for sale	
Island View Marina	Lake Bluff Rd, Huron	80		34
Katlynn Marine	Route 14, Sodus Pt	200		20
Krenzer's Marina	Greig St, Sodus Pt	100		
Oak Park Marina	Catchpole Shore Rd, Huron	232		
New Horizons Yacht Harbor	Route 14, Sodus Pt	165		15
Skipper's Landing	Lake Bluff Rd, Huron	20		20
Northwind Harbor	Route 14, Sodus Pt	23		
Sills Marine Construction	Ontario St, Sodus Pt		NA	
Sodus Bay Yacht Club	Irwin St, Sodus Pt	50	23	10
The Snuggery Marina	Route 14, Sodus Pt	18		1
<b>Totals</b>		<b>1208</b>	<b>23</b>	<b>173</b>

As can be seen, the 17 water-dependent businesses and 1 private club provide a total of 1208 seasonal boat slips, 173 transient slips and utilize 23 moorings. The only private (membership only) water-dependent facility on the Bay is the Sodus Bay Yacht Club, which is located on Irwin Street in the Village of Sodus Point. The Sodus Bay Yacht Club is the only not-for-profit currently operating on the Bay and providing services to resident and transient boaters.

It is noted that none of the existing marinas on the Bay currently offer dry rack storage for vessels and only one (Arney's Marina) offers dry storage on trailers for active season use. The Sodus Bay Yacht Club has dry rack storage for the small sailboats used for youth instruction and for dinghies. As is the case for most of the Lake Ontario harbors, dry rack and trailer storage at marinas is not presently significant.

The inventory included collection of data on the services provided by the water-dependent businesses and the private club. The table below lists the services and amenities available at each.

Name	Gas	Diesel	Pump Out	Toilet	Public Ramp	Private Ramp	Marine Repairs	Ship's Store	Bait & Tackle	Boat Rental	Public Restaurant
Arney's Marina	X		X	X	2*		X	X			
Bay Bridge Sport Shop	X			X	1				X	X	
Carey's Cove Marina	X			X	1				X	X	X
Connelly's Cove				X							X
Island Cove Marina and Leroy Island Bait Shop and Rentals									X	X	
Davenports Boat Livery & Marina	X			X					X	X	
Fowlers Marina	X		X	X	1		X	X			
Gilligans											
Island View Marina											
Katlynn Marine	X	X	X	X			X	X			
Krenzer's Marina	X		X	X			X	X			
Oak Park Marina	X		X	X				X			X
New Horizons Yacht Harbor			X	X		X					
Skipper's Landing				X							X
Northwind Harbor				X		X					
Sodus Bay Yacht Club**			X	X							
The Snuggery Marina				X							
<b>Totals</b>	<b>8</b>	<b>1</b>	<b>7</b>	<b>14</b>	<b>3 (5*)</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>4</b>

\* weekdays only

\*\* private not-for-profit

As indicated in the table, the Bay offers eight on-water locations to purchase gas and one for diesel, seven pump-outs, fourteen locations with public toilets, four locations offering marine repairs, and five with ship's stores. In addition, there are four locations with bait and tackle shops and four locations with boat rentals. This level of support service is very good, comparing favorably with other water bodies in central and western New York. The ability of the Bay to support this level of marine-related services is indicative of the popularity of the port with fishermen and recreational boaters.

### **5.2.3 Water-Enhanced Businesses and Facilities**

As in most shoreline communities, the area surrounding Sodus Bay has many businesses that, while not directly on the shoreline and not directly engaged in marine-related trade, are enhanced by their shoreline locations. Such businesses are termed water-enhanced.

As is the case for Sodus Bay, it is unlikely that a significant portion of these businesses would have developed and/or survived but for the presence of the Bay and the residents and visitors it has attracted.

The following table lists the water-enhanced businesses identified within or immediately adjacent to the HMP Study Area.

<b>Water Enhanced Businesses</b>	<b>Location</b>
Stephens Harborside Restaurant	Village of Sodus Point
O'Riley's Waterfront Bar and Grill	Village of Sodus Point
The Sand Bar	Village of Sodus Point
Captain Jack's Tavern	Village of Sodus Point
Cooper's Café	Village of Sodus Point
Great Lakes Yacht Works	Village of Sodus Point
Schirtz Grocery/Gas	Village of Sodus Point
Bill Kallusch Marine Repair	Village of Sodus Point
Sodus Bay Canvas Repair	Village of Sodus Point
Zoot's Restaurant	Village of Sodus Point
Hots Point (take-out restaurant)	Village of Sodus Point
Silver Waters Bed and Breakfast	Village of Sodus Point
Papa Joes Restaurant	Village of Sodus Point
Sodus Bay Trading Company	Village of Sodus Point
Sodus Point Lodge	Village of Sodus Point
Bay Haven Gift Shop	Village of Sodus Point
Gallery at the Point	Village of Sodus Point
Art Ertels Auto and Marine Repair	Village of Sodus Point
Bonnie Castle Bed and Breakfast	Town of Huron
Connelly's Cove Restaurant	Town of Huron
Shannon's Pub	Town of Huron

In addition to the businesses listed above, it is noted that several of the water-dependent businesses listed in the previous section also contain complementary water-enhanced businesses, primarily restaurants, which are operated in conjunction with other water dependent uses.

#### **5.2.4 Salient Issues Regarding Water Related Facilities**

Based upon the above inventory, as well as the results of the use survey discussed below, it is found that:

- With the exception of launch capacity, the number of water-related facilities and the level and types of services provided are adequate to meet the needs of boaters utilizing Great Sodus Bay as their home port and those arriving for short-term visits.
- There is a current shortage of publicly available boat launch capacity, and associated parking, to meet the existing peak summer weekend demand. This is especially true for the southern and eastern portions of the Bay, which have very limited launch capacity. This lack of launch capacity results in an overload of the existing launch facilities, sometimes resulting in an unsafe operating environment.
- The availability and location of the various boater services is not apparent upon entering the Bay by water from Lake Ontario. Some “gateway” to the Bay providing such information would be helpful and would enhance the use of the port by transient boaters.

### **5.3 Bay Surface Use**

A principal purpose of a Harbor Management Plan is to provide a mechanism to reduce any existing surface water use conflicts and avoid such future problems. In order to identify any existing problems, and the potential for future conflicts, the current water surface use patterns were observed and documented as part of the Inventory and Analysis of Existing Conditions. These observations included an inventory of all existing docks and moorings, an estimate of the size and make-up of the existing fleet of vessels using the Bay as a home port, observations of use patterns and movements, and boat traffic and activity counts during peak periods of demand.

The observations were made directly on the water by boat by the project consultant team, supplemented by landside observations from shoreline locations as necessary. This included direct counts of docks, moorings, vessels, homes and other structures as well as direct counts of vessel traffic, as detailed further in a later section.

The results of these observations and their analysis are presented in this section.

#### **5.3.1 Vessel Docking and Mooring Inventory**

An inventory of the number of private and commercial docks and moorings was conducted over the period from August 2004 through July 2005.

##### **5.3.1.1 Private Residential**

The inventory of private facilities was conducted by direct count from the water surface. Counts were made of the number of residences, docks, vessels, boathouses, moorings and swim platforms present.

It is noted that for the purposes of this inventory, docks were defined as structures extending out over the water with the ability to be used for the berthing of vessels. No distinction was made for the shape or configuration of the dock. The number of docks should not to be confused with the number of berths or slips provided. In many cases, more than one vessel berth can and is provided on a single dock.

It should also be noted that very small vessels, such as canoes, kayaks and windsurfers, were not included in the counts. This was due to the fact that these items are many times stored in enclosed spaces, garages or sheds, and an accurate count could not be obtained. Jet skis, however, were included as vessels as were small fishing and row boats if located in the water or on the shoreline.

<b>Municipality</b>	<b>homes</b>	<b>docks</b>	<b>vessels</b>	<b>boathouses</b>	<b>moorings</b>	<b>swim platforms</b>
<b>Village of Sodus Point</b>	189	187	214	27	9	3
<b>Town of Sodus</b>	64	58	61	2	7	2
<b>Town of Huron</b>	512	504	486	42	37	17
<b>Totals</b>	<b>765</b>	<b>749</b>	<b>761</b>	<b>71</b>	<b>53</b>	<b>22</b>

As can be seen, there are 765 individual residences on waterfront locations around the Bay with 749 docks. This residential base provides berthing for 761 vessels, including 53 on individual moorings. A total of 71 boathouses of various forms were found and 22 locations had swim platforms located in the water.

It is instructive to view the inventory results in terms of density of development along the Bay shoreline. The following table shows the density of private homes, docks and vessels housed per mile of shoreline within each of the three bordering municipalities. It is noted that these figures are on a gross basis and no adjustment is attempted for shoreline devoted to commercial use, undeveloped wetlands and/or roadways. As expected and appropriate, the highest densities occur within the Village of Sodus Point, with lesser densities in the Towns of Huron and Sodus. This is reflected in the average

spacing for each home, dock and vessel, as also shown in the table. It is noted that the average spacing in the following table reflects only the gross average obtained by taking the total shoreline length and dividing by the number of homes, docks or vessels. It does not reflect the actual lot sizes or any other specific geometric feature of the individual lots or homes.

<b>Average Density/mile of shoreline</b>	<b>homes</b>	<b>docks</b>	<b>vessels</b>
Village of Sodus Point	42.2	41.8	47.8
Town of Sodus	29.4	26.6	28.0
Town of Huron	36.9	36.3	35.0
<b>Bay Totals</b>	<b>37.3</b>	<b>36.5</b>	<b>37.1</b>

<b>Average Spacing (feet/facility)</b>	<b>homes</b>	<b>docks</b>	<b>vessels</b>
Village of Sodus Point	125.0	126.3	110.4
Town of Sodus	179.7	198.3	188.6
Town of Huron	143.1	145.4	150.8
<b>Bay Totals</b>	<b>141.7</b>	<b>144.7</b>	<b>142.5</b>

### 5.3.1.2 Commercial

The number of commercial and private club docks available on the Bay was also inventoried in the spring of 2005. The inventory was based upon results compiled by Cornell University<sup>3</sup> as part of an on-going study by the International Joint Commission with field verification with marina owners and spot checking with direct counts.

The results of this inventory are shown in the following table.

<b>Name</b>	<b>Location</b>	<b>Seasonal Slips</b>	<b>Moorings</b>	<b>Transient Slips</b>
Arney's Marina	Village of Sodus Point	100		10
Bay Bridge Sport Shop	Town of Huron	60		3
Carey's Cove Marina	Village of Sodus Point	30		20

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<sup>3</sup> *New York State Inventory of Great Lake's Marinas and Yacht Clubs – 2002*. Connelly, NA, KH Guerrero and TL Brown, HDRU Series No. 02-4, Department of Natural Resources, Cornell University, Ithaca, NY, November 2002.

Connelly's Cove	Town of Huron			30
Island Cove Marina and Leroy	Town of Huron		Under construction	
Island Bait Shop and Rentals				
Davenport's Boat Livery & Marina	Town of Huron	30		10
Fowlers Marina	Town of Huron	100		
Gilligans	Town of Huron		currently closed and for sale	
Island View Marina	Town of Huron	80		34
Katlynn Marine	Village of Sodus Point	200		20
Krenzer's Marina	Village of Sodus Point	100		
Oak Park Marina	Town of Huron	232		
New Horizons Yacht Harbor	Village of Sodus Point	165		15
Skipper's Landing	Town of Huron	20		20
Northwind Harbor	Village of Sodus Point	23		
Sodus Bay Yacht Club	Village of Sodus Point	50	23	10
The Snuggery Marina	Village of Sodus Point	18		1
<b>Totals</b>		<b>1208</b>	<b>23</b>	<b>173</b>

As can be seen, approximately 1158 seasonal and 163 transient slips are available on the Bay at commercial docking facilities and 50 seasonal docks, 10 transient slips and 23 moorings are utilized at the Sodus Bay Yacht Club.

### **5.3.2 Sodus Bay Home Fleet Make-Up**

On the basis of the inventory of docking and vessels conducted, it is possible to characterize the Sodus Bay fleet of resident vessels. For purposes of this inventory, the vessels were characterized as small, defined as less than 25 feet in length, or large and whether they were primarily sail or motor powered.

The fleet make-up is based upon the observation that approximately 85% of vessels berthed at private docks are small and that most are power boats except those moored off the shoreline. This was combined with direct observations of the fleet make-up at each of the commercial marinas to arrive at an overall resident fleet make-up. It is noted that for purposes of this inventory, jet skis are considered small power vessels.

The Sodus Bay resident fleet make-up is shown in the following table and in [Figure 6](#) with a break down by size, type of power and whether based in a commercial marina or privately docked.

**Sodus Bay Resident Fleet**

Housed At	<b>total</b>	<b>&lt; 25'</b>	<b>&gt; 25'</b>	<b>sail</b>	<b>power</b>
Commercial Marinas	1231	443	788	118	1113
Private Docks	770	655	116	53	717
<b>Fleet Totals</b>	<b>2001</b>	<b>1097</b>	<b>904</b>	<b>171</b>	<b>1830</b>

As can be seen, the fleet is almost evenly divided between large and small vessels. This is not unexpected given the ability to access Lake Ontario from the Bay. As also evident in the data, the fleet is primarily made up of power boats. This fleet make-up is a factor in determining whether and what types of water surface use regulations may be needed as the operating speeds and handling of power boats are significantly different than those of sail powered vessels.

### **5.3.3 Boating Use Patterns**

Boating use patterns on the Bay were determined through an examination of primary navigation channels, destinations and sources for movements and direct observations over the period from August 2004 through July 2005.

The primary vessel movement patterns are illustrated in [Figure 7](#). Also indicated in [Figure 7](#) are areas in the Bay that were observed regularly to be used for anchoring and for fishing, as well as the Federal mooring area located south of Sand Point. It should be noted that fishing and anchoring occur in all areas of the Bay, but the highlighted areas in [Figure 7](#) were found to be regularly and/or heavily utilized on a consistent basis.

As shown in [Figure 7](#), the primary vessel movement pathways all converge at a single point on the Bay located just east of the eastern terminus of Sand Point. This was observed to be an area where vessels of widely varying speeds encounter each other with cross traffic coming into the primary north-south movement from three different directions. This location is a high traffic area and is relatively restricted in size. Just north and west of this location, vessels enter a “no-wake” zone with a 5 mile per hour (mph) speed limit. As discussed in a later section of this report, the markings for this no-wake zone are not obvious.

Of particular note with respect to use patterns is the anchoring area located just south and west of the Channel entering from the Lake. This area is shallow with a sand bottom and is very popular for anchoring and swimming. Over 100 vessels have been observed anchored in this small area on peak weekend afternoons. As this area fills, a second anchoring area located immediately south of the breakwall, west of Charles Point, is utilized for the same purposes.

The other anchoring areas indicated in [Figure 7](#), located behind Newark Island and to the east of Thornton Point, are in deeper water and are utilized by larger vessels for protected anchorage. These areas are frequently utilized for overnight stays by transient vessels.

The fishing areas indicated in [Figure 7](#) are where fishermen are consistently found. Fishing occurs in other areas as well, but these generally shallow, near shore zones were almost always occupied by generally small fishing vessels.

One common Bay use not apparent in [Figure 7](#) is sail boat racing. These are organized by the Sodus Bay Yacht Club with some events catering to members only and others bringing visitors from other areas. As is common with sail racing, the actual event course is established on the day of the race based upon weather conditions. In fact, some races intended to be run on the Lake may be moved into the Bay, and vice-versa, depending upon the wind conditions forecast. When in the Bay, the course is usually established in

the area well south of Sand Point to Thornton Point. In this area, the racing does not interfere with any primary traffic movements. On at least one occasion, however, a sail race course was observed to be set up so boats had to traverse east almost to Newark Island, traversing across a primary fairway for Bay vessel movements.

### **5.3.4 Boating Traffic Levels**

Existing vessel use on Great Sodus Bay is based upon direct surveys conducted during the summers of 2004 and 2005.

It is noted that there is no general methodology for conducting boat traffic counts or determining the degree of congestion or saturation of use for water bodies. F-E-S Associates has developed and utilized a methodology in which the level of Bay use is obtained as a series of instantaneous snapshots over the course of the day. The use level at these discrete times can then be analyzed and evaluated.

The vessel counts on Great Sodus Bay were obtained during four peak weekend days and one typical summer weekday. The weekend day counts were conducted on Sunday, September 5, 2004; Saturday, July 2, 2005, Sunday July 3, 2005 and Sunday August 7, 2005. The first three dates were holiday (Labor Day and July Fourth) weekend days and the fourth a summer Sunday, all with hot weather ideal for boating. The weekday counts were conducted on Tuesday, June 28, 2005. School was out at this point and it was in the middle of an extended heat wave in Central and Western New York. Temperatures on that day were in the low nineties with calm winds. Given the dates and weather conditions, it is felt that the dates for which counts were obtained represent peak weekend and weekday summer conditions.

In addition to the dates when detailed counts were taken, the vessel traffic levels and use patterns on the Bay were checked and verified for consistency on at least ten other

occasions, weekend and weekday. The vessel counts obtained were found to be consistent with those other periods.

The detailed traffic counts were obtained over the course of the day at two hour intervals. At the beginning of each two hour period, a total count of all vessels on the Bay, and what activities they were engaged in, was obtained by sweeping the entire Bay, generally from north to south. The data so obtained represent instantaneous activity levels for the sampling times. It is felt that this is the most meaningful measure of Bay use in that it shows the "density" of vessels at any one time. In addition, this type of data lends itself well to the concepts of use as developed by the NYS Office of Parks, Recreation, and Historic Preservation, as discussed later in this section.

The Bay was broken into eight different sectors for the counts and subsequent analysis, as shown in [Figure 8](#). The sectors were chosen on the basis of the use patterns observed in the initial stages of the Study.

- Sector 1: The Channel connecting the Bay to Lake Ontario.
- Sector 2: Area bounded by a line from the east end of Sand Point to the inland terminus of the Channel west jetty.
- Sector 3: Area bounded by a line from the east end of Sand Point to Thornton Point.
- Sector 4: Central portion of the Bay west of the Islands and north of Nicholas Point.
- Sector 5: Southern section of the Bay from Nicholas Point to the Bay Bridge.
- Sector 6: Area bounded by Newark and Eagle Islands on the west, Crescent Beach on the north and LeRoy Island on the east.
- Sector 7: Narrow area between LeRoy Island and the mainland to the east, north of the LeRoy Island Road bridge.
- Sector 8: Area bounded by a line from the inland terminus of the Channel east jetty and the southeastern terminus of Charles Point.

The entire Bay count for all sectors was generally completed in 50 minutes or less depending on the level of activity and weather conditions. All vessels were counted

except those tied up at a permanent dock or permanent mooring. Each was also characterized by placement into different categories: power underway, power at anchor, sailing underway, sail at anchor, jet ski and row, canoe or kayak. For power vessels underway, a note was made if they were engaged in skiing or tubing and for anchored boats whether they were engaged in fishing.

The total number of vessels simultaneously utilizing the Bay versus hour of day is shown in [Figure 9](#) for the four weekend and one weekday measurement days. It should be noted that these counts do not show the total number of vessels which are using the Bay in total on any day, only the total number using the Bay simultaneously at a given time.

As expected the weekend use (9/5/04, 7/2/05, 7/3/05 and 8/7/05) is generally above the weekday date (6/28/05), although this is not true for all times and days. As also expected, the third of July holiday use, the date of fireworks in the Village, is significantly higher than during the other weekend days or the summer weekday counted.

To illustrate the distribution of vessels around the Bay, the average weekend vessel use by sector and time is shown in [Figure 10](#). As seen in [Figure 10](#), Sectors 3, 4 and 5 generally exhibit the maximum total number of vessels throughout the day with the exception of the afternoon hours when Sector 2 use exceeds all others. Sectors 3, 4, and 5 represent the bulk of the Bay open water and it is expected that a large number of vessels would be present in these locations. Sector 2 is the relatively small area just to the west of the Channel that contains the shallow sand bottom. The large number of vessels in that sector during the afternoon hours directly illustrates the use of this area for anchoring and swimming.

Interpretation of the Bay use inventory in terms of the "degree of saturation" or, analogous to motor vehicle studies, in terms of "level of service" is very difficult due to the lack of any standards by which vessel activity level can be evaluated. This is especially true for Great Sodus Bay which functions as both a body of water suitable for recreational use itself and as a launch and/or docking harbor for the use of Lake Ontario.

In order to get some benchmark evaluation of the degree of vessel traffic saturation in the Bay, use is made of recreational boating facility development standards prepared by the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP)<sup>4</sup>. These standards give guidance values for the amount of water surface area required for various vessel use activities. It should be noted that these planning standards are intended for use on enclosed waterbodies and, hence, are not directly applicable to Great Sodus Bay, which also serves as a launch and harbor for Lake Ontario.

The OPRHP standards as applied in this study are as follows:

power and sail underway	7 acres per vessel
water skiing (here including tubing and jet skiing)	17.5 acres per vessel
rowing and canoeing	1 acre per vessel
anchored and moored vessels	0.2 acre per vessel

In recognition of the fact that vessels located in Sectors 1 (the Channel), 2 and 8 are traveling in the “no-wake” zone, the required areas for both power/sail underway and jet skis underway was set to 1.5 acres per vessel. This represents an area one-hundred feet wide by six-hundred, sixty feet (one-eighth mile) long, which is thought to be a reasonable and safe operating clearance area for slow moving vessels.

Utilizing the OPRHP planning factors, as modified above for Sectors 1, 2 and 8, the total number of acres necessary to accommodate the observed vessel activity within each Great Sodus Bay sector was calculated. This was done for the maximum and average of the weekend days and for the weekday counts. The resulting total vessel demand acreage for each sector is then compared to the available surface area in each sector. The sector areas were determined by digitization of US Geological Survey base maps and found to be:

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<sup>4</sup> *New York Statewide Comprehensive Recreation Plan*. NYS Office Parks, Recreation, and Historic Preservation, Albany, NY, 1983.

<b>Sector</b>	<b>Acres</b>
1	16
2	67
3	655
4	1236
5	523
6	487
7	62
8	12
<b>Total</b>	<b>3058</b>

[Figure 11](#) shows the area demand within each sector as a function of time for the weekday counts. The plot shows the fraction of the available area, as a percentage, within each sector that is being utilized by operating vessels. As is evident from [Figure 11](#), the weekday use, even for a hot summer day, is well within the capacity of the Bay.

Figures [12](#) and [13](#) show the same type of data for the average of the four weekend days counted and for the peak counts obtained over the weekend days at each time of day, respectively. Note that the vertical scale in Figures [12](#) and [13](#) goes to 300% with the horizontal blue line at 100% indicating the theoretical maximum capacity.

Figures [12](#) and [13](#) illustrate what many people familiar with the Bay have experienced.

The bulk of the Bay area, encompassing Sectors 3, 4, 5 and 6, are generally within capacity under both average and peak weekend use.

The Channel to Lake Ontario (Sector 1) has heavy weekend traffic, exceeding the theoretical capacity for some hours. However, since the vessels generally move through the channel in only two directions, in or out of the Bay, and generally segregate by traveling on the right in each direction, the Channel does not experience delays or significant congestion that might affect safety.

Figures 12 and 13 also indicate that Sector 2 does not reach its capacity, even under peak conditions. However, this is due to the fact that the area contained in Sector 2 is much larger than the sand bar area in which most of the vessels anchor. This sand bar itself does reach capacity and this is reflected in the large numbers seen in Sector 8, which generally serves as an alternative anchoring and swimming area when the sand bar in Sector 2 is full. Under both peak and average weekend conditions, Sector 8 is at or above the theoretical capacity during the afternoon and late afternoon hours.

One surprising result is the large use observed in Sector 7. This is the narrow area contained between LeRoy Island and the mainland to the east. As seen in Figures 12 and 13, this area is over capacity under both the average and peak weekend periods, with this condition occurring throughout the day with the exception of the earliest morning measurement period. This result is due to the fact that this area is small and narrow combined with the relatively high traffic utilizing it at relatively high speeds.

The results of the use surveys are utilized to identify issues regarding Bay surface use that are contained at the end of this section.

### **5.3.5 Swimming**

The only marked and guarded swimming area in Great Sodus Bay is at the southern side of the Wayne County Park and west of the boat launch and Coast Guard Station. This area is within Sector 2, as identified for the Bay use inventory, which has a no-wake designation for vessel operation. This area is primarily used by families with small children during hot summer days. The area is well marked and, with shallow water, the presence of law enforcement nearby, and the no-wake designation, there is no evidence that conflicts have occurred between vessels and swimmers at this location.

With good water quality, swimming does occur in other areas of the Bay. This primarily occurs off boats anchored on the sand bar in Sector 2 or in Sector 8. Given the congestion in these areas and the lack of segregation of swimmers from boats, there is the potential for conflict and injury in these two areas.

Other areas utilized for swimming are located along the shoreline near docks and privately owned swim platforms. These areas are within 100 feet of the shore and, therefore, within the no-wake zone established under State Law. Given the adequate open areas available in the Bay, conflicts between boaters and swimmers near the shoreline have not been reported as significant.

### **5.3.6 Winter Use**

While the primary identity and use of Great Sodus Bay is as a water-based recreational asset, winter use of the Bay is a growing and seasonally important element. For purposes of this Study, winter use is defined as any use of the Bay surface during the time when ice is present and stable. The period of winter use varies from year to year in response to weather conditions, but generally entails approximately three months of use beginning in late December and extending through the end of March.

Current winter use is dominated by ice fishing. The ice fishing is supported by the growing use of all terrain vehicles (ATV's) and snowmobiles. With use of these vehicles, the ice fishermen are able to bring more equipment onto the ice, including portable shelters, extending the time they can spend during a single visit.

Other current and potential future uses are for cross-country skiing, snowmobiling (without fishing), ice skating, ice sailing, ice motorcycle racing and snowshoeing.

To assess the peak use of the Bay during the winter, a direct survey was conducted on a day expected to bring out many users. This is expected to occur on a weekend day with good ice and good weather. Given the vagaries of the winter weather, only one such weekend day was identified during the 2005 season, Saturday February 5, 2005. On this day, the ice was stable, afternoon temperatures peaked in the upper 20's, the sky was sunny with no cloud cover and the wind was light and out of the south.

The winter use survey consisted of direct counts of the number of fishermen, vehicles on the ice, support structures (ice shelters) and other users over the entire Bay. The counts were taken between the hours of 10:15 am and 4:30 pm, thought to represent the peak use period. In addition, notes were taken detailing the places where access to the ice is gained, the number of vehicles present and the locations where they are parked. In conjunction with the survey, a review was made of the support facilities present at all access points and parking areas such as restrooms and trash receptacles.

Winter surface use was observed to occur throughout the Bay, with the exception of the area north of Sand Point, for which the ice was not smooth and stable, thought to be due to wave action and resulting forces from Lake Ontario.

The following table contains the counts taken, listed by location of occurrence.

	<b>Fishermen</b>	<b>Vehicles (ATV and Snowmobile)</b>	<b>shelters</b>
Northwest – south of Sand Spit and east of Harriman Park to Thornton Point and Newark Island	112	17	30
Central - Saw Mill Cove to Thornton Point and Eagle Island	76	11	28
South – to Nicholas Point from Bay Bridge	37	5	12
East - from Lake Bluff Rd to Eagle Island	89	11	17
North from LeRoy Isl. Bridge	23	2	6
West from LeRoy Isl. To Newark Isl.	29	4	4
<b>Totals</b>	<b>366</b>	<b>50</b>	<b>97</b>

As can be seen, the observed winter use is well distributed over the entire Bay surface with the exception of the area north of Sand Point. It is noted that only ice fishing, and vehicle and individual movements in support of ice fishing, were observed on the ice during this weekend survey.

Primary access points to the ice were observed at several locations, generally where direct access could be obtained from public spaces or rights-of-way and where at least some parking is available.

The following table lists the primary access points and details the number of vehicles, and the number of those vehicles with trailers, observed within formal parking lots and along roadways.

<b>Location</b>	<b>Vehicles</b>	<b># w. Trailer</b>
Municipal Parking Lot (Village)	26	2
Harriman Park & Parking Lot (Village)	26	4
Red Mill Road at Saw Mill Cove (Huron)	81	15
Speigel Drive Right-of-Way	not counted	not counted
Bay Bridge Marina (Huron)	18	3
Davenport's Parking Lot	not counted	not counted
Lake Bluff Road (Huron)	22	5
Skipper's Landing Parking Lot (Huron)	14	3
Connelly's Cove Parking Lot (Huron)	24	
Eagle Island Parking Lot (Huron)	8	
Hog Island on LeRoy Is. Road	11	4
LeRoy Island on Road	7	2
<b>Total in Parking Lots</b>	<b>139</b>	<b>12</b>
<b>Total on Roads</b>	<b>98</b>	<b>26</b>
<b>Grand Total</b>	<b>237</b>	<b>38</b>

It is noted that both the Saw Mill Cove and Hog Island access points have small parking lots that were filled and additional vehicles parked on the roadways. Approximately 18 of the 81 vehicles at Saw Mill Cove and 5 of the 11 vehicles at Hog Island were within the designated parking areas at these locations. It is further noted that the parking areas at both locations are not designed to handle vehicles with trailers, a growing trend for winter use.

In terms of support facilities, only the municipal parking lot in the Village of Sodus Point and Harriman Park had portable restrooms and garbage receptacles available. The Bay Bridge Sport Shop was also open and could accept some trash. The other areas utilized for Bay winter access provided no support services.

### **5.3.7 Salient Issues Regarding Water Surface Use**

On the basis of the inventory of water surface use, the following conclusions were reached and issues identified:

- No vessel congestion or significant conflict problems are occurring on weekdays, even under the best of conditions
- It appears that access to the water (launches and fishing space) are adequate to meet weekday use demand even during peak summer weekday periods.
- Under peak summer weekend conditions, congestion is evident in the Channel and in the narrow portion of the Bay between LeRoy Island and the mainland shoreline.
- The sand bar area to the west of the Channel is heavily utilized for anchoring and swimming. This area tends to fill by mid-afternoon of peak weekend days with an overflow utilizing the area just south of the breakwall for the same purposes.
- Most open Bay areas function adequately now, even during peak weekend periods. However, further growth in traffic may result in some additional areas reaching capacity.
- There is an obvious conflict point for vessel traffic located just east of Sand Point. At this location vessels of varying speeds intersect cross-traffic from several directions in a relatively small area.
- On water markings for the no-wake zone located north of Sand Point are not obvious, especially for transient visitors to the Bay.
- Present launch capacity and support parking are inadequate to meet the demand under peak conditions. In addition, the lack of supervisory personnel at the only public

launch, Harriman Park, results in an inefficient use of the available parking and launch capacity.

- Winter use of the Bay is popular with over 350 fishermen observed utilizing the ice during one afternoon. Adequate parking and support services for winter use are available at two locations in the Village of Sodus Point. Other access points, especially at Saw Mill Cove and the Lake Bluff Road/LeRoy Island areas, are inadequate to meet the peak parking demands and offer no services to support the winter use. In some areas, individuals utilize private property to gain access to the ice.

## **5.4 Environmental Setting and Features**

### **5.4.1 Landforms**

Great Sodus Bay can be classified as a drowned river valley, as is typical for embayments on the south shore of Lake Ontario. The water surface area is approximately 3200 acres in size and is fed by five principal streams: First Creek, Second Creek, Third Creek, Sodus Creek (also know as Glenmark Creek) and Clark Creek draining a watershed of approximately 46 square miles. The centerline of the Bay generally tends south and southeast from Lake Ontario to its southern most point, approximately 4 miles south of Lake Ontario.

The landforms surrounding the Bay have features derived from the glacial actions that formed much of the landscape in central and western New York. These features consist of generally north-south oriented ridges separated by deep valleys containing streams flowing northward, eventually discharging to Lake Ontario. With differential glacial rebound, the south shore of Lake Ontario saw rising water levels, drowning the mouths of these streams and forming embayments. At the stream discharge point to the quieter

embayment waters, deposition of sediments resulted in the formation of large wetland complexes.

The principal stream feeding into Great Sodus Bay is Sodus Creek. A large wetland complex associated with this stream extends south from the Bay at Ridge Road a distance of approximately 1.3 miles, nearly to Route 104 to the south. Smaller, but still significant, wetlands extend upstream from the mouths of the other four feeder streams as well.

Three islands are located in the north eastern portion of the Bay and appear to be remnants of the north-south oriented ridges located on the southern shore. Two of the islands, Eagle and Newark, are only accessible by boat while a small bridge connects the third island, LeRoy, to the mainland on the eastern shoreline.

Sand movement along the south shore of Lake Ontario resulted in the formation of two distinct features of the Bay. These are a large barrier bar, called Crescent Beach, separating the Bay from the Lake along most of the Bay's northern boundary and a sand bar, called Sand Point, extending into the Bay from the northwestern shoreline.

A maintained navigation channel, termed the Channel, is located near the northeastern corner of the Bay adjacent to the Village of Sodus Point. The Channel is protected on both sides by sheet steel and stone jetties extending over 1,000 feet into the Lake. Along with the jetties, a concrete and stone breakwall connects the eastern jetty to the western terminus of the barrier bar at Charles Point. The jetties and breakwall protect the northern harbor area of the Village of Sodus Point and Sand Point from the wave action of Lake Ontario.

The Lake Ontario shoreline both east and west of Great Sodus Bay contains large, eroding bluffs. Some areas along the base of these bluffs have been partially protected with man made breakwalls and stone revetments. Between these bluffs is the approximately one mile long, Crescent Beach barrier bar. Charles Point is a remnant

bluff structure at the western end of the barrier bar. Crescent Beach and Charles Point are developed with individual lots and homes that are accessible only by boat.

#### **5.4.2 Water Depths, Navigation Channels and Dredging**

Water depths for boating use are determined by the elevation of the bottom combined with the elevation of the water surface. Both of these are generally measured and displayed relative to a fixed plane or datum. The datum used for the Great Lakes is the mean sea level as measured at Rimouski, Quebec, termed the International Great Lakes Datum 1985 (IGLD-85).

Bay bottom elevation contours, relative to IGLD-85, are shown in [Figure 14](#). These are based upon the latest National Oceanic and Atmospheric Administration (NOAA) soundings and charts. It is noted that a parallel planning effort on Bay water quality, being conducted for the Wayne County Water Quality Coordinating Committee, includes the preparation of a new, more detailed bathymetric mapping for the Bay.

As is evident in [Figure 14](#), the Bay has a deep basin running down its centerline in a northwest to southeast direction from the Channel to a location opposite Willigs Point, approximately four thousand feet north of the Bay Bridge. Based upon a low water elevation of 243.3 feet (IGLD-85) on Lake Ontario, this deep basin has a depth in excess of 20 feet throughout with a maximum depth in excess of forty feet. Shallower water occurs along the entire periphery of the Bay, in the southern basin south of Willigs Point, north and west of Sand Point in the Village of Sodus Point, and in the large area between Eagle and LeRoy Islands and the eastern shoreline of the Bay. Remnants of the dredged channel south of Sand Point leading to the former coal trestle location, now the New Horizons marina, are apparent in the bottom contours. This feature provides deep water access to several large marinas in the area.

Also evident in [Figure 14](#) is the maintained Channel providing access to the Bay from Lake Ontario. Maintenance of this navigation channel is critical to the functioning of the Bay as a port. Although constructed originally by the US Army Corps of Engineers as a Federal navigation project, the Corps of Engineers no longer maintains navigation channels regularly unless used for commercial shipping purposes. Thus, only the Genesee River in Monroe County and the Oswego River in Oswego County are regularly maintained by the Corps of Engineers at present. All the other Federal navigation projects, including the Great Sodus Bay Channel, are only dredged when a problem with water depth occurs or is imminent and where sufficient political pressure can be brought to find funding for the maintenance. The Great Sodus Bay Channel was last dredged in 2004. Regular maintenance dredging of this Channel at a frequency of approximately once every five years is desirable to assure proper functioning. More frequent dredging of the Channel may be required if larger vessels, such as research or tour boats, begin to access the Bay.

The other factor affecting navigation depths is the water surface elevation. The water surface elevation of Great Sodus Bay varies directly with that of Lake Ontario. The Lake Ontario water levels vary on three time scales. Short term changes, persisting on the order of hours and days, result from meteorological changes in winds and barometric pressure which can physically tilt the surface of the lake. The lake level also varies on an annual basis due to seasonal precipitation and temperature changes, generally peaking in June and with a minimum in December. Finally, the lake water level varies on a long term, approximately 10 to 20 year, basis due to persistent drought or over average precipitation conditions on the entire Great Lakes basin. The magnitude of the variation is generally 0.5 to 1.0 feet for the short term fluctuations, approximately 1.5 feet for the annual cycle, and 4 to 6 feet for the long term variations. On the basis of both the magnitude and persistence of the variations, it is found that the annual and long term fluctuations are the most important in terms of vessel use and the consequent need for dredging.

To assess the impact of the water level fluctuations on the adequacy of water depths in Great Sodus Bay, an analysis has been performed of the historic water level variations recorded on Lake Ontario. To remove the effect of short term fluctuations, monthly average water level data is utilized. Measurements from the Oswego, NY gauge provide the longest continuous record for Lake Ontario, extending from 1860 to the present. For this analysis, data through the end of 1998 was utilized providing a continuous monthly record of 139 years.

Based upon this 139 year record, three levels were calculated for each month of the year; the average and those on both the low and high sides of it with a return period of approximately ten years. These water surface elevations are shown in [Figure 15](#) as a function of month of the year. It is noted that the high and low levels indicated in [Figure 15](#) will have a probability of approximately 10% of occurring or being exceeded, on either the high or low end, for that month in any one year.

### **Water Depth Needs for Various Uses**

The water level variation and Bay depth information presented above can be used to ascertain the suitability of available water depths for various recreational boating needs. The water depth needs for recreational boating activities will vary with the type of use and the size of vessel.

Assuming that the nominal recreational boating season runs from approximately mid-April through the end of October in western New York, the minimum water level during the boating season is expected to occur during the fall months of September and October.

There are several recommendations regarding design depths for boating activities based upon safe vessel operation. These have been summarized in a 1994 American Society of Civil Engineers' guidebook<sup>5</sup>.

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<sup>5</sup> Planning and Design Guidelines for Small Craft Harbors. American Society of Civil Engineers, ASCE Manuals and Reports on Engineering Practice No. 50, A.S.C.E., New York, 1994.

A safety clearance, the depth below the bottom of the deepest draft vessel, is recommended by the US Army Corps of Engineers at 2 feet for soft bottoms (sand and mud) and 3 feet for hard bottoms. The corresponding Canadian government recommendation is 1.6 feet (0.5 m) for sandy bottoms and 2.4 feet (.75 m) for rock bottoms. The State of California<sup>6</sup> recommends 2 feet below the deepest vessel or 4 feet, whichever is greater, for interior channels serving recreational boating facilities.

For the Great Lakes, the State of Michigan<sup>7</sup> recommends a minimum bottom elevation at the end of recreational boat launches at 240.3 feet above sea level (IGLD-85) in Lake Ontario in order to provide a minimum 3 foot depth for trailered vessels below a mean low water elevation assumed at 243.3 feet (IGLD-85).

In addition to boating safety clearance, water depths must be considered in terms of water quality impacts of boating activities. Of concern is the potential for an increase in turbidity and the re-suspension of pollutant laden sediments if power boats are operated in shallow water. Any such impact will depend upon the engine power, the depth of the water, and the type of bottom sediments present. It has been found that turbulence from motor props will cause a re-suspension of bottom sediments when water depths are less than 30 inches or when the prop is within 12 inches of the bottom<sup>8</sup>. In addition, rooted aquatic vegetation will not develop in heavily used boat channels if props are generally within 12 inches of the bottom.

In general, power boats up to approximately 25 feet in length will draw approximately 18 to 24 inches of water. Larger power boats expected to utilize Great Sodus Bay for docking, generally 42 feet in length or less with some exceptions, will draw from 30 to 36 inches of water. Thus, to assure that props remain over 12 inches from the bottom it is

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<sup>6</sup> Layout and Design Guidelines for Small Craft Berthing Facilities. State of California Department of Boating & Waterways, Sacramento, CA, 1984.

<sup>7</sup> Design Guide for Boat Launch Facilities. State of Michigan Department of Natural Resources. Michigan DNR, Waterways Division, Ann Arbor, MI, Undated.

<sup>8</sup> Jackivicz, T.P. and L.H. Kuzminski. 1973. The effects of the interaction of outboard motors with the aquatic environment - A review, Environmental Research, 6: 436-454.

necessary to have a minimum of 36 inches (3 feet) of depth in areas to be utilized by small boats and a minimum of 48 inches (4 feet) of depth in areas to be utilized by larger power boats.

On the basis of the above factors and discussion, it is concluded that safe and environmentally sound recreational boating on Great Sodus Bay will require a minimum water depth of 3 feet for power vessels up to approximately 25 feet in length and a minimum of 4 feet for larger recreational power boats. Fixed keel sailboats, on the other hand, will require a minimum of approximately 8.0 feet for sailing and 6.5 feet for sailboat docking and mooring. It is assumed that a 25 foot length is the upper limit for vessels launched via trailer on a daily basis with larger vessels generally launched via hoist on a seasonal basis and stored in water for the boating season.

In light of the above minimum recommended depths, and the expected seasonal and long term water level variations, minimum bottom elevations for various use activities should be as follows on Great Sodus Bay based upon annual average and extreme (ten year return period) water levels:

Type of Vessel/Facility	Minimum Water Depth (feet)	Required Bottom Elevation (Annual Average Water Level Basis)	Required Bottom Elevation (Ten Year Extreme Water Level Basis)
Power Boats up to 25 ft and Launch Facilities	3.0	241.9 (IGLD-85)	240.8 (IGLD-85)
Larger Power Boats	4.0	240.9 (IGLD-85)	239.8 (IGLD-85)
Fixed Keel Sailboat Docking	6.5	238.4 (IGLD-85)	237.4 (IGLD-85)
Fixed Keel Sailboat Use	8.0	236.9 (IGLD-85)	235.9 (IGLD-85)

Comparison of the bottom elevations recommended for various uses with the bottom elevations occurring in Great Sodus Bay leads to the following conclusions:

- The deep central basin of Great Sodus Bay and the dredged Channel to Lake Ontario are well suited for all vessel use. Docking facilities located along the shoreline in these areas will generally provide adequate water depths for all power vessels with

the exception of cove areas. Fixed-keel sailboats may not be able to dock along some shoreline areas and are more suitably berthed with a mooring located near the shoreline.

- It is imperative that the Channel be maintained through regular dredging to provide access to the Bay for all resident vessels, for visitors and for vessels seeking a harbor of refuge. No funding mechanism is in place to assure this occurs.
  
- The area north of Sand Point and west of the Channel to the Lake does not have suitable depths for access by fixed-keel sailboats and may not have adequate depths for larger power boats during times of low water levels on Lake Ontario. Significant expansion of commercial marina facilities in this area, especially if anticipated to serve visiting vessels traveling the Great Lakes, could not occur without extensive dredging.
  
- The area south of the commercial area of Sand Point, the western end, has adequate depths now to provide access for all recreational vessels under most lake level conditions except for areas immediately adjacent to the shoreline. Due to previous dense development of this area for marinas, there are only one or two areas available for further use by commercial marina enterprises with shoreline docking. However, the two federally designated anchorage areas are not yet fully occupied and further expansion of these areas may be feasible to meet future needs. This area also has the potential to provide a docking or mooring area for much larger research vessels or tour boats, especially with limited dredging to rehabilitate the channel into the area formerly maintained to service the coal trestle site. In terms of water depths, the area south of Sand Point has the most potential for the economic expansion of Great Sodus Bay as a port serving the recreational and commercial fleet of the Great Lakes.
  
- Some areas with sufficient landside space to support commercial marine operations are present along the southern and eastern Bay shorelines. These include some properties with active or former commercial marinas, such as the site of the former

Gilligans restaurant near the Bay Bridge. However, the water depths leading to these sites and those close to the shoreline docking area are not suitable for such operations without extensive initial and regular maintenance dredging. Without such dredging, these areas will not be able to operate successfully, even if only small power boats are housed in them, during periods of low Lake Ontario water levels.

### **5.4.3 Water Quality**

It is noted that good water quality is the basis of all uses of Great Sodus Bay. There is no need for a Harbor Management Plan if water quality is such that recreational and fishing boats do not want to utilize the surface waters.

The Wayne County Soil and Water Conservation District, under the auspices of the Wayne County Water Quality Coordinating Committee (WQCC), has taken the lead in assessing water quality in Wayne County and offering strategies for dealing with identified problems.

Building upon past efforts to assess the Sodus Bay water quality, the WQCC has secured federal funding for the Great Sodus Embayment Resource Preservation and Watershed Enhancement Project. This on-going project is aimed at providing for both in-water and watershed measures to assess sources of pollution and identify and implement remedies. It is anticipated that the results of this effort will be utilized along with the results of this Harbor Management Plan for the comprehensive and coordinated management of both the Bay and its watershed areas.

Investigations of the Sodus Bay water quality have shown that the Bay is culturally eutrophic, often experiencing algal blooms, extensive macrophytic weed growth, and anoxic conditions in the deeper waters of the Bay. These conditions are the result of elevated levels of nutrients, principally phosphorus and nitrogen, introduced to the Bay waters principally from non-point sources.

The Bay waters have been designated as use Class B by the NYS DEC. The best usage of Class B waters are primary and secondary contact recreation and fishing. Class B waters should also be suitable for fish propagation and survival

Based upon the water quality measurements made to date, the Bay waters have been classified as “stressed” with respect to use impairments for bathing, aesthetics and boating. A stressed water body is defined as one in which degradation is occasionally evident and the intended uses are intermittently or marginally restricted. Clearly, the macrophytic weed growth and algal blooms intermittently impact swimming, boating use and aesthetics. In addition, the anoxic condition that develops in the deep waters of the Bay during some summer periods affect fish propagation and survival. An analysis of water quality trends in the Bay over the past decade indicates that this condition is stable, not improving or getting worse.

Phosphorus has been determined to be the key limiting nutrient for Sodus Bay. Studies have shown that the primary source of phosphorus is the input received from its tributaries. Of the tributaries, the east branch of Sodus Creek (Glenmark Creek) has been found to be the major contributor. Recent results have also indicated that the release of phosphorus from bay sediments during anoxic conditions can be the dominant source of nutrients during the dryer months when runoff and stream flow is minimal. Other suspected sources of nutrients are failed or inadequate septic systems and/or contamination by illegal discharge of sewage from boats. It has not been determined that boating use is a significant contributor of pollution to the Bay.

On-going efforts by the WQCC under the Great Sodus Embayment Resource Preservation and Watershed Enhancement Project are investigating means to limit non-point sources of pollution from the contributing watershed, limiting the release of phosphorus from the bay sediments, and manage weed growth in the Bay waters.

#### **5.4.4 Aquaculture and Maraculture**

No current aquacultural or maracultural activities, commercial or amateur, are occurring on Great Sodus Bay, nor are there any known current plans or proposals for such activities.

Intensive aquacultural activity is known to have the potential for adverse water quality impacts. This results from the introduction of large quantities of nutrients, especially nitrogen and phosphorus compounds, to water bodies when aquacultural production is present. It is noted in this regard that, as described in the previous section, water quality maintenance and improvement is an important public goal for Great Sodus Bay and limiting further introduction of nutrients, especially phosphorus compounds, has been identified as critical to this effort.

#### **5.4.5 Fish and Wildlife Habitats**

The entire Great Sodus Bay was designated as a Significant Coastal Fish and Wildlife habitat by the NYS DEC in 1987. The basis for this designation is the fact that the Bay, despite considerable development and human activity, still serves as a highly productive fish and wildlife habitat.

Significant Coastal Fish and Wildlife Habitats are evaluated, designated and mapped pursuant to the Waterfront Revitalization and Coastal Resources Act (Article 42). These designations are subsequently incorporated in the Coastal Management Program under authority provided by the Federal Coastal Zone Management Act. One specific policy under the Coastal Management Program is that: "Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats." State and federal government activities subject to review under the

Coastal Management Program must be shown to be consistent with this and other policies.

As part of its designation of the Bay as a Significant Coastal Fish and Wildlife habitat, the NYS DEC conducted a review of its properties. Based upon this review, it was found that Sodus Bay has outstanding habitat values for resident and Lake Ontario based fisheries resources. This is based upon the presence of the dense beds of aquatic vegetation, good water quality, sandy substrates and freshwater tributaries, which create highly favorable conditions for spawning and nursery use by many species.

Warmwater fishes found in the Bay and immediate surrounding areas include gizzard shad, brown bullhead, white perch, yellow perch, largemouth bass, pumpkinseed, bluegill, rock bass, crappie, and northern pike. Sodus Bay is a major concentration area for yellow perch in Lake Ontario. Concentrations of white sucker, smallmouth bass, and various salmonid species occur in Sodus Bay prior to and after spawning runs in the major tributaries.

Wetland areas bordering Sodus Bay contribute significantly to the productive fisheries and support a variety of wildlife species themselves. These wetlands serve as nesting and feeding areas for a variety of waterfowl and other marsh birds, including green-backed heron, great blue heron, mallard, wood duck, belted kingfisher, marsh wren, red-winged blackbird, and swamp sparrow.

Other wildlife species found around Sodus Bay include white-tailed deer, beaver, raccoon, mink, muskrat, green frog, northern leopard frog, and painted turtle.

The open waters of Sodus Bay are also important feeding and refuge areas for concentrations of waterfowl wintering along the Lake Ontario coast. Mid-winter aerial surveys of waterfowl abundance for the period 1976-1985 indicate average concentrations of approximately 250 birds in the bay each year (1,380 in peak year), including scaup, common goldeneye, mallard, mergansers, black duck, and Canada

goose. Waterfowl use of the area during winter is influenced by the extent of ice cover each year. Concentrations of many waterfowl species, as well as loons, grebes, gulls, terns, and occasional bald eagles (E) and osprey (T), also occur in Sodus Bay during spring and fall migrations (March - April and October - November, respectively).

According to the NYS DEC, no endangered or threatened species reside in the Bay or its immediately surrounding area. The presence of one species of special concern, the eastern spiny softshell turtle (*Apalone s. spinifera*) has been reported in the Bay.

#### **5.4.6 Wetlands**

As noted in the previous section, wetland areas bordering Great Sodus Bay are important components of the overall Bay ecosystem. They provide spawning and feeding areas for many species of fish in certain stages of their life cycle as well as feeding and nesting areas for waterfowl and other bird species.

Wetland areas within the HMP Study Area are shown in [Figure 16](#). These are indicated on the map as either state regulated or small wetlands.

With few exceptions, New York State regulates only wetland areas that are 12.4 acres or larger pursuant to the New York Freshwater Wetland Act (Article 24). These wetland areas are mapped and classified by the NYS DEC and a permit is required for most activities occurring within the wetland boundary or within a minimum 100-foot wide adjacent area. The state regulated wetland areas shown in [Figure 16](#) are those found on the official NYS DEC wetland maps.

Almost all wetland areas, including those under 12.4 acres in size, are also regulated by the US Army Corps of Engineers under Section 404 of the Clean Water Act. These wetland areas are not officially mapped, but a good indication is provided by the US

Department of Interior National Wetland Inventory (NWI) mapping. The smaller wetland areas shown in [Figure 16](#) are those indicated on the NWI maps supplemented by direct observations along the Bay periphery.

As indicated in [Figure 16](#), both state regulated and smaller wetland areas occur within the HMP Study Area. Almost all are located directly on the Bay shoreline or have a direct hydraulic connection to the Bay surface waters. This connection to the Bay allows for the use of the wetland areas by fish species. The wetlands are generally wide at the Bay shoreline and narrow as they extend upland along the principal Bay tributaries and their subtributaries.

Wetland areas occurring around the Bay are a combination of deep and shallow emergent marsh ecological communities, as defined under the New York Natural Heritage Program<sup>9</sup>. The deep emergent marsh community is present at the lower elevations giving way to the shallow emergent marsh community further upland from the Bay shoreline.

Deep emergent marsh communities occur in areas where the substrate is flooded by waters that are not subject to violent wave action and with water depths ranging from 6 inches to over 6 feet. The water levels may fluctuate seasonally, but the substrate is rarely dry, and there is usually standing water in the fall.

The most abundant emergent aquatic plants are cattails, wild rice, bur-weeds, pickerel weed, bulrushes, arrowhead, arrowleaf, rice cutgrass, bayonet rush, water horsetail and bluejoint grass. The most abundant floating-leaved aquatic plants are fragrant water lily, duckweeds, pondweeds, spatterdock, frog's-bit, watermeal, water-shield, and water-chestnut. The most abundant submerged aquatic plants are pondweeds, coontail, chara, water milfoils, pipewort, tapegrass, liverwort, naiad, water lobelia, waterweed, water stargrass, and bladderworts.

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<sup>9</sup> *Ecological Communities of New York State, Second Edition*. New York Natural Heritage Program, NYS DEC, 625 Broadway, 5<sup>th</sup> Floor, Albany, NY, January, 2002.

Shallow emergent marshes occur in areas that are permanently saturated and seasonally flooded with water depths ranging from 6 inches to just over 3 feet during flood stages. The water level in shallow emergent marshes usually drops by mid to late summer and the substrate is exposed for an extended period during an average year.

The most abundant herbaceous plants occurring in the shallow emergent marshes include bluejoint grass, cattails, sedges, marsh fern, manna grasses, spikerushes, bulrushes, three-way sedge, sweetflag, marsh St. John's-wort, arrowhead, goldenrods, eupatoriums, smartweeds, marsh bedstraw, jewelweed, loosestrifes. In disturbed areas, reed canary grass and/or purple loosestrife enter and may become abundant.

Sedges may be abundant in shallow emergent marshes, but are not usually dominant. Other plants characteristic of shallow emergent marshes include blue flag iris, sensitive fern, common skullcap, begger-ticks, water-horehounds, bur-weeds, swamp milkweed, water-hemlock, asters, marsh bellflower, water purslane, royal and cinnamon ferns, marsh cinquefoil, rushes, arrowhead, purple-stem angelica, water docks, turtlehead, water parsnip, and cardinal flower.

The upland limits of the shallow emergent marshes also contain scattered shrubs including rough alder, water willow, shrubby dogwoods, willows, meadow sweet, and buttonbush.

#### **5.4.7 Visual and Aesthetic Resources**

The general visual setting of Great Sodus Bay is that of a large lakeshore embayment with extensive shoreline development but relatively undeveloped woods and agricultural areas set back from the shoreline. Due to topographic relief, the wooded and agricultural areas form a backdrop for the Bay from most areas. There are also areas in which views of both the Bay and Lake Ontario are present.

Due to topographic relief, water areas of the Bay and Lake are visible from much of the densely developed Village of Sodus Point. The abundant marinas, moored vessels and marine related facilities give the Village the aesthetic setting of a sea port.

There are several important view points around the Bay that are publicly accessible. These are shown in [Figure 17](#) and identified by enumeration as detailed below. Several of these view points have been identified in the Village of Sodus Point Local Waterfront Revitalization Plan<sup>10</sup> (LWRP). These are supplemented here with additional view points found in the Town of Huron. It is noted that no other public viewpoints in the Town of Sodus, other than those in the Village, were identified.

Village of Sodus Point:

1. Wayne County Sodus Point Park

Offers panoramic views of the Bay and Lake Ontario. Views of the Bay are toward the south and include the business district of the Village, Charles Point, and Newark and LeRoy Islands.

2. Village of Sodus Point Willow Park

This is a small park located adjacent to a municipal parking lot on the south side of Greig Street. The southern portion of the park and the adjacent parking lot offers views of the inner harbor docking areas containing a variety of vessels.

3. Sand Point

This area of the Village is densely developed with both commercial and residential land uses. The buildings block much of the potential view from this area. However, views are possible from the public rights-of-way for pedestrians and those in vehicles between developed lots and on some street ends.

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<sup>10</sup> *Village of Sodus Point – Local Waterfront Revitalization Program*. Draft of 5/16/05, Village of Sodus Point, NY.

#### 4. Harriman Park

The area just south of the boat launch is a wooded promontory with a bench and other visual enhancements. This area offers a panoramic view of the Bay looking east including the entire docking and mooring area south of the Village and the wooded high ground on Newark Island, Eagle Island and Thornton Point as well as a portion of the southern Bay shoreline.

#### 5. The Sodus Bay Heights Golf Course

Due to its location on an elevated area, the open fairways and club house of this private club offer spectacular views of the Bay and Lake beyond. In turn, views from the Bay surface are enhanced by the presence of the open landscaped fairways.

### Town of Huron

#### 6. Saw Mill Cove

This is a location where the road right-of-way for Red Mill Road runs along the Bay shoreline. A small parking area is available on the south side of the road. Views from the northern shoulder of the road look north up the Bay with the Village, barrier bar of Crescent Beach and Charles Point and the wooded Newark and Eagle Islands visible across the expanse of water surface. From the south side of the road, a portion of the large wetland complex located along Third Creek is visible.

#### 7. Shaker Heights

Shaker Heights is a developed area on a prominent ridge culminating in Nicholas Point on the Bay. Shaker Tract Road runs along the top of the ridge line and offers intermittent views of the southern portion of the Bay between the developed lots and home sites. There are no parking or sitting areas along the ridge.

#### 8. Bay Bridge

The Bay Bridge crosses the extreme southern end of the Bay at Ridge Road. Small parking areas are available at both ends of the bridge and a protected pedestrian way is located along the northern side of the bridge. Views from the bridge are expansive to both the south and north. To the south, Sodus Creek is visible between extensive flats occupied by wetlands and bordered by woods. Views to the north include the southern portion of Bay surface water to approximately Willigs Point and the several marinas in this area.

#### 9. Lake Bluff Road

Between Ridge Road and Lummisville Road, a section of this road offers elevated views of the southern portion of the Bay with Shaker Heights in the background. Further north, this road travels along the Bay shoreline east of Eagle Island with open views from the western shoulder in many areas. Views from this area include the water areas between Eagle Island and the mainland, the open water to the south, and the Crescent Beach barrier bar as seen through a narrow gap.

#### 10. Hog Island and the LeRoy Island Bridge

A small parking area exists on Hog Island. From here, pedestrians can access the LeRoy Island bridge and adjacent shoreline areas. Views from here include the open water area separating LeRoy Island from the mainland, the open water areas of the Bay to the south, and the large wetland area located both north and south of Hog Island.

### **5.4.8 Salient Issues Regarding Environmental Conditions**

On the basis of the information contained in this section, the following issues were identified:

- It is imperative that the Channel be maintained through regular dredging to provide access to the Bay for all resident vessels, for visitors and for vessels seeking a harbor of refuge. No funding mechanism is in place to assure this occurs.
  
- The area north of Sand Point and west of the Channel to the Lake does not have suitable depths to allow for a significant expansion of commercial marina facilities. By contrast, the area south of the Village has adequate water depths and, hence, the most potential for the economic expansion of Great Sodus Bay as a port serving the recreational and commercial fleet of the Great Lakes. The two federally designated anchorage areas south of the Village are not yet fully occupied and further expansion of these areas may be feasible to meet future needs. This area also has the potential to provide a docking or mooring area for much larger research vessels or tour boats, especially with limited dredging to rehabilitate the channel formerly maintained to service the coal trestle site
  
- Some areas with sufficient landside space to support commercial marine operations are present along the southern and eastern Bay shorelines. However, the water depths in this area are not suitable for such operations without extensive initial and regular maintenance dredging.
  
- Good water quality is the basis of all uses of Great Sodus Bay. In a parallel effort, the Wayne County Water Quality Coordinating Committee is addressing water quality problems. It is noted that boating use has not been identified as a significant source of pollutants for the Bay.
  
- A number of wetland areas border the Bay shoreline and have a direct hydraulic connect with it. These wetland areas are important components of the overall Bay ecosystem. Their protection is vital for both water quality maintenance and for the fisheries and wildlife of the Bay.

- The visual and aesthetic setting of the Bay is important to both residents and visitors. There are several important Bay view points that are publicly accessible. These are distributed around the Bay offering a variety of views and perspectives. Most offer parking and protected pedestrian access. Few offer any other amenities, such as benches, signage or picnic tables.

## **5.5 Cultural and Social Setting**

### **5.5.1 Water and Sewer Services**

Public water supply is provided to only a small portion of the HMP Study Area and sanitary sewer services to an even smaller portion.

#### Village of Sodus Point

The entire Village of Sodus Point inside the HMP Study Area is served by both public water and sanitary sewage collection and treatment. The Village obtains its water supply from intakes located in Lake Ontario. The water is pumped to two storage tanks, one 250,000 gallons and the other 430,000 gallons, with distribution through a system of subsurface water pipes. The Village also supplies some areas of the Town of Sodus outside the HMP Study Area through a water main connection along Lake Road.

According to the Village LWRP, the condition of the water lines varies through the Village with some lines exceeding their anticipated service life and in need of replacement. The Sand Point area is one such location, with residents and businesses reporting low water pressure and the occasional accumulation of sediments. The Village replaces water line segments as funds become available.

The sanitary sewage collection system in the Village consists of approximately 7 miles of sewer line and 13 pump stations. This system transports the waste water to the Village sewage treatment plant located on Lake Road, west of the HMP Study Area. The reported capacity of the Village sewage treatment plant is 685,000 gallons per day. Discharge from the treatment plant is via an outfall structure in Lake Ontario.

#### Town of Sodus

With the exception of Charles Point, there is no public water supply or sanitary sewage service provided in the portion of the Town of Sodus in the HMP Study Area outside of the Village of Sodus Point. The Charles Point residents operate a private water supply system serving the residents of that area.

#### Town of Huron

In the Town of Huron, no areas within the HMP Study Area have public sanitary sewage collection and treatment. Two areas of the Town have private water supply systems serving multiple users.

The Shaker Heights area of the Town, including the entire shoreline, is served by a private system consisting of approximately 3.2 miles of water line and an elevated, 150,000 gallon storage tank. Water is derived from springs and ground pumping and has a reported capacity of 72,000 gallons per day.

The second private water supply system is owned and operated by the residents of Eagle Island. The supply is derived from the Bay via an intake located on the north side of the Island. The water is treated at the intake and distributed to the Island residents via a private piping system.

Providing public utilities, and especially sanitary sewage collection and treatment, has been identified as a priority for the Bay shoreline. Shoreline areas are difficult to service

with individual wells and septic systems. This is due to both the low-lying, wet nature of the locations and the density of the shoreline development. This is especially true for the Crescent Beach area of the Town, which is built on sandy soils that are just above the mean high water line of Lake Ontario.

The 1992 Town of Huron Master Plan included plans to bring both public water and sanitary sewage collection to almost the entire eastern and southern Bay shoreline of the Town. The Master Plan did not envision extending service to the Crescent Beach area. Funding for a portion of this system, bringing water lines along Ridge Road and up Lake Bluff Road to the Bayshore Road area, has been obtained and work is expected to be underway soon.

### **5.5.2 On-Water Law Enforcement**

On-water law enforcement is provided by local and US Coast Guard personnel, based at the Coast Guard Station and adjacent Sheriff's substation located adjacent to the Channel at the Wayne County Sodus Point Park.

In general, the Coast Guard concentrates on security, inspections, safety checks, and search and rescue, leaving enforcement of boating use regulation to the local and State agencies. The Coast Guard auxiliary assists the Coast Guard personnel on duty during peak periods.

The principal enforcement agency is the Wayne County Sheriff's office, which operates two patrol vessels out of the Park facility. Cut backs in funding to the Sheriff's office have resulted in a reduction of enforcement activities during some years to only a few peak traffic days during the boating season. Assistance to the Sheriff's office is sometimes provided by the NYS DEC police unit through its Region 8 office.

### **5.5.3 Historic and Archaeological Resources**

Great Sodus Bay, and the principal settlement of Sodus Point, has a long history of use dating back to the Native American Indians. The Village LWRP gives a history of the development of the area and an inventory of historic structures.

In general, the extant historic structures within the Village, both those listed on the National and State Register of Historic Places or potentially eligible for such listing, are located outside of the HMP Study Area in the northern portion of the Village. The only identified historic structure identified within the HMP Study Area is the schooner Lotus, which is moored in the Village off Harriman Park.

Of particular note for the Harbor Management Plan development is the fact that no historic ship wrecks are believed to be present in Great Sodus Bay or within the adjacent near shore areas of Lake Ontario.

No historic structures or known archaeological sites have been identified in the HMP Study Area outside the Village of Sodus Point. However, the NYS Office of Parks, Recreation and Historic Preservation (SHPO) has indicated that the Bay is considered a sensitive area for archaeological resources. Thus, the regulatory review of landside development activities should include a Phase I Cultural Resources Survey.

## **5.6 *Legal and Regulatory Controls***

### **5.6.1 Authority for Regulation of Structures and Uses**

In general, the authority for the regulation of structures and uses above the mean high water line in New York State is granted to the local municipalities. This is enacted locally by zoning and subdivision ordinances.

The authority for municipal regulation of structures and uses for in water areas is less clear. In general, municipal regulation within harbors and near shore areas has been limited to regulating vessel speed, anchoring, and mooring.

Section 46-a of the NYS Navigation Law (Article 42) allows for a city or village to (1) regulate the speed and operation of vessels, (2) restrict and regulate anchoring or mooring of vessel (It is noted that this includes the anchoring or mooring of vessels in use or occupied as living or sleeping quarters, providing time limits on duration of the stay of such vessels, requiring inspection and registration of such vessels when so used, and restricting and regulating garbage removal from said vessels), and (3) designating public anchorage areas and regulating their use, all to a distance of fifteen hundred feet from the shore. It is noted that such broad authority is not extended to Towns under this section.

Under special State enabling legislation, in the form of amendments to Article 42, specific municipalities are authorized to regulate structures such as docks and boathouses. Such legislation, found at Section 46-a(2) of Article 42, grants the Village of Sodus Point and the Town of Huron the authority for “the restriction and regulation of the manner of construction and location of boathouses, moorings and docks in any waters within or bounding the respective municipality to a distance of fifteen hundred feet from the shoreline”. As described in more detail below, the Village of Sodus Point and the Town of Huron have both assumed such authority through adoption of dock and mooring laws.

State and Federal Authority for the regulation of structures within navigable waters is more clear.

Federal authority rests with the US Army Corps of Engineers (COE) under Section 10 of the Rivers and Harbors Act of 1899 and under Section 404 of the Clean Water Act. Under Section 10, a permit is required for any structure or work that takes place in, under, or over navigable water, or any wetland adjacent to navigable waters. Under Section 404, a permit is required for activities which involve a discharge of dredged or fill material into a water of the United States including wetlands. Discharge activities

which will drain or flood wetlands or significantly disturb the soils of a wetland also require a permit under this section. Some Federal permits also require concurrence or consent from New York State agencies. In particular, Federal permits in the coastal zone, including all of Great Sodus Bay, require a concurrence from the NYS Department of State (DOS) that the project is consistent with New York coastal management policies and Federal Section 404 permits require the issuance of a Water Quality Certification by the NYS Department of Environmental Conservation (NYS DEC).

State regulatory authority rests principally with the NYS DEC pursuant to Article 15 (Use and Protection of Waters) and, in more limited circumstances, pursuant to Article 24 (Freshwater Wetlands) and Article 34 (Coastal Erosion Hazard Areas) of the Environmental Conservation Law. In addition, the NYS DEC has to issue a Water Quality Certification for all Federal activities occurring in State waters. Specific provisions of these regulations as they pertain to Great Sodus Bay are provided later in this section.

In addition to direct permit authority, the NYS DEC also consults with the NYS Department of State (DOS), the NYS Office of Parks, Recreation and Historic Preservation (SHPO) and the NYS Office of General Services (OGS) as part of its review of permit applications. Under some permit procedures, specific consent must be obtained from one or more of these agencies in order for the NYS DEC to issue a permit or, in the case of DOS, the DEC must ensure that its permitting or other actions comport with New York's Coastal Management Program.

### **5.6.2 Local Land Use Regulations**

Authority for the regulation of local land uses is based principally upon zoning ordinances and related site/subdivision reviews at the municipal level. The current zoning of the lands in the HMP Study Area, and zoning requirements for the three municipalities, is described in detail in a previous section of this report.

At present, there is no coordinated review or comprehensive management policies among the three municipalities for land or water use on the Bay. However, the broad goals developed as part of the 2001 Sodus Bay Waterfront Initiative<sup>11</sup> provide a starting point for developing such policies.

### **5.6.3 Regulation of Docks, Moorings and Other Structures**

As noted in an earlier section, there is overlapping Federal, State and local municipal authority to regulate docks, moorings and other similar structures on the waters of Great Sodus Bay. Federal and State jurisdiction apply to all areas of the Bay. In addition, the Village of Sodus Point and the Town of Huron have both been granted authority by special State legislation to regulate such structures to within 1500 feet of their respective shorelines and both have enacted such regulation.

The principal features and provisions of the regulation of docks, moorings and other structures by the three levels of government are described in this section.

#### Federal Regulation

The Federal government, through the Army Corps of Engineers (COE), regulates the placement of any structures, and any dredge or fill, in navigable waters and wetlands. In the present case, this includes the entire Sodus Bay, its tributaries, and the wetland areas associated with both. Under this regulation, a permit is required from the COE to place

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<sup>11</sup> *Sodus Bay Waterfront Initiative*. Prepared by the SUNY ESF Council for Community Design Research for the Towns of Sodus and Huron and the Village of Sodus Point, December, 2001

any dock, mooring, boat ramp or any other structure within or over the water of the Bay and its tributaries.

The COE has issued blanket permits, termed Nationwide Permits, for certain minor activities. Some of these have been supplemented and/or modified by the Buffalo District Office of the COE, which has jurisdiction over Great Sodus Bay for regulatory purposes. These modified versions are called Regional Permits.

The Nationwide and Regional Permits of primary relevance to activities on Great Sodus Bay are listed in the table on the following page along with their general provisions.

In addition to the general provisions, several of the permits require a pre-construction notification to the COE, a written verification from the COE that the permit is applicable to the proposed project and a concurrence from the NYS Department of State that the project is consistent with the NYS Coastal Zone Management policies.

<b>Number</b>	<b>General Provisions</b>
<b>Nationwide Permits</b>	
#9	<u>Structures in Anchorage Areas</u> : Allows floats, buoys, etc in designated Federal anchorage areas.
#10	<u>Moorings Buoys</u> : Allows non-commercial, single-boat mooring buoy installation.
#19	<u>Minor Dredging</u> : Allows up to 25 cubic yards of dredging. Not applicable where submerged aquatic beds exist or in wetlands.
#28	<u>Docking Facility Reconfiguration</u> : Allows for reconfiguration of docks, berths, etc. within authorized marina areas. No dredging, additional docks or slips, or expansion of any kind is included.
#35	<u>Maintenance Dredging</u> : Allows maintenance dredging of existing basins and channels to previously approved depths. Must use upland disposal for this permit to be valid.
#36	<u>Boat Ramps</u> : Allows up to 50 cubic feet of concrete, stone, rock or gravel to be put in forms or the placement of pre-cast concrete slabs or planks. Must be no more than 20 feet long and cannot be placed in wetlands.
<b>Regional Permits</b>	
87-000-1(2)	<u>Open Pile or Floating Docks, Decks, Hoists, etc.</u> : Total area not to exceed 1200 square feet, total length of all segments not to exceed 150 feet and cannot extend more than 100 feet from the shoreline. Must not be more than 8 feet wide. Decks, areas larger than 8 feet wide, can be included on such docks if total area of decks does not exceed 240 square feet. Requires a 10-foot setback from property lines. One swim platform, not connected to other structures and less than 200 square feet in size, is permitted per property owner.
79-000-3	<u>Boathouses</u> : Up to three bays for boat storage permitted. Requires a 10 foot setback from property lines. No living quarters or sanitary facilities permitted in the structure.
81-000-1	<u>Minor Dredging</u> : Limited to 200 cubic yards of material below the Ordinary High Water (OHW) elevation (247.3 feet IGLD-85)
81-000-4	<u>Boat Ramps</u> : Must not occupy more than 1200 square feet of bottom and must be less than 20 feet wide below the OHW elevation.
86-000-1	<u>Timber Crib Docks and Decks</u> : Structure must be of timber construction and filled with stone. One or more may be constructed as long as the total area does not exceed 1200 square feet, total length of all segments does not exceed 150 feet and none can extend more than 100 feet from the shoreline. Must not be more than 8 feet wide. Decks, areas larger than 8 feet wide, can be included at the end of the dock if total area does not exceed 200 square feet. Requires a 10-foot setback from property lines

### New York State Regulation

New York State, through the NYS DEC, has regulatory authority under Article 15 (Protection of Waters) for any disturbance of the bed or banks of Sodus Bay and its tributaries, including the installation of docks. This authority is in addition to, and is not replaced by, any municipal regulation of docks, moorings and similar structures. In

addition, the NYS DEC regulates a broad range of activities in mapped wetland areas (under Article 24) and mapped coastal hazard areas (under Article 34).

#### Article 15

The NYS DEC Article 15 permitting is governed by regulations found at 6 NYCRR Part 608. A permit is granted if it is determined that:

- (a) the proposal is reasonable and necessary;
- (b) the proposal will not endanger the health, safety or welfare of the people of the State of New York; and
- (c) the proposal will not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the state, including soil, forests, water, fish, shellfish, crustaceans and aquatic and land-related environment.

Part 608 provides exceptions. These are activities that are small enough that no permit is required. The exceptions are:

- (1) Structures for which a lease or other conveyance of interest authorizing the use and occupancy of underwater lands has been obtained from the Commissioner of General Services.
- (2) A docking facility providing dockage for five (5) or fewer boats and encompassing within its perimeter an area of less than four thousand (4,000) square feet. It is noted that the perimeter area includes a 10 foot width around the actual docks for occupancy by boats.
- (3) A mooring area providing mooring for fewer than ten (10) boats.
- (4) Temporary anchoring where a boat is not attached to an in-place or fixed mooring device.
- (5) Seasonal replacement or reinstallation of floating docks and other structures if existing prior to May 4, 1993, or for which a previous permit has been obtained.

- (6) The relocation, replacement, and/or rearrangement of floating docks, ramps, walkways and anchoring devices within the established perimeter of a docking facility or mooring area.
- (7) Ordinary maintenance and repair of structures such as repainting, redriving piles or replacing boards in docks. Maintenance and repair does not include substantial reconstruction of structures.

All structures that cause a disturbance of the Bay bottom or bank by more than the above thresholds require a permit under Article 15. Once again it is noted that the need for a NYS DEC permit is in addition to, and is not replaced by, any municipal regulation of docks and moorings.

#### Article 24

Article 24 regulation only applies to activities that are proposed for the mapped, State-Regulated wetland areas or within a 100-foot wide adjacent area. The mapped wetland areas are shown in [Figure 16](#) for Great Sodus Bay.

Permit issuance standards are contained in the NYS DEC regulations found at 6 NYCRR Part 663. They are more complicated than under Part 608 and depend to a large part on the properties of the wetland in question, the proposed activity, and whether it is proposed for the wetland itself or the adjacent area.

The table on the following page describes the regulatory provisions for some common activities related to water surface use:

<b>Activity</b>	<b>If in Wetland</b>	<b>If in Adjacent Area</b>
Individual recreational mooring	Exempt from regulation.	Exempt from regulation.
Ordinary maintenance of existing functional structures.	Exempt from regulation.	Exempt from regulation.
In-kind, in-place replacement of existing functional structures	No permit required. A letter of permission from the NYS DEC is required	No permit required. A letter of permission from the NYS DEC is required
Dredging	Requires permit. Is considered compatible with wetland viability if under 400 cubic meters (~500 cubic yards). Otherwise, considered incompatible and not likely to get a permit.	Requires permit. Is considered compatible with wetland viability if under 400 cubic meters (~500 cubic yards). Otherwise, considered normally compatible and somewhat likely to get a permit.
Docks, piers and other similar structures built on open works	Requires permit. Is considered compatible with wetland viability if under 20 square meters (~200 square feet) in size. Otherwise, considered incompatible and less likely to get a permit.	Requires permit. Is considered compatible with wetland viability if under 20 square meters (~200 square feet) in size. Otherwise, considered incompatible and less likely to get a permit.

### Article 34

An Article 34 (Coastal Erosion Hazard Areas) permit is required for a broad range of activities if they are proposed to occur within a State-designated and mapped Coastal Erosion Hazard Area. Within the HMP Study Area, this only includes the Crescent Beach and Charles Point areas.

Local municipalities have the option of assuming the regulatory program under Article 34. Both the Town of Sodus and the Town of Huron have opted to administer the Article 34 program in their respective towns. Despite this, the general provisions applicable to the Coastal Erosion Hazard Areas are detailed in this section since the regulatory program is a State initiative.

The regulations under Article 34 are found at 6 NYCRR Part 505. In general, the regulations prohibit most development, structures, roads, land clearing or grading, within defined features of the coastal zone.

In terms of surface water use, the applicable provision is that docks are prohibited in shoreline areas (Nearshore Areas and Beaches) unless less than 200 square feet in size and, even then, only with a permit. Other structures, boat houses, decks, etc, are prohibited.

Of further relevance to the Sodus Bay HMP is the fact that the entire Crescent Beach and Charles Point areas have been designated as Structural Hazard Areas. These are areas mapped as being threatened by active coastal erosion. Within Structural Hazard Areas, only movable structures may be constructed. Thus, permanent foundations for homes are no longer permitted on Crescent Beach or Charles Point. This restriction also applies to “major additions” to existing structures. A “major addition” is defined as an addition that results in a 25 percent or greater increase in the ground area coverage of a structure. Thus, any additions to homes in these areas will have to be up, rather than out, to be permitted.

#### Village of Sodus Point

The Docks and Moorings Law of the Village of Sodus Point, Chapter 86 of the Town General Code, was enacted in 1986 with substantial amendment in 1999.

The law provides for the establishment of a Docks and Mooring Inspector, the annual inspection of all docks and moorings in the Village, and the collection of an annual fee. The fee is currently set at \$3 per boathouse plus \$3 per linear foot of dock or pier present on a property.

Except for docks extending less than 60 feet from the shoreline and less than 60 feet in total length, a dock or mooring permit must be obtained by approval from the Village Zoning Board of Appeals (ZBA). Deicers require a permit from the Village ZBA if less than 300 feet from a public access site.

Specifications for docks in the Law call for a width of 2.5 to 8 feet and a 10 foot clearance from adjacent property lines. Additional width is obtained only through a Special Permit issued by the ZBA.

The number of docks permitted by right in a residential zone is one for the first 75 feet of lot width plus one additional for each additional 75 feet of lot width. For properties zoned for business or industrial use, up to 4 docks are permitted per lot. Additional docks may be allowed with a Special Use Permit from the ZBA.

Mooring buoys are permitted only in connection with a littoral parcel and must be within 20 feet of property line extensions and less than 100 feet from the shoreline. One mooring buoy is permitted per littoral parcel. No permit is required for mooring buoys within the federally designated special anchorage areas.

#### Town of Huron

The Town of Huron has also been granted authority to regulate structures within 1500 feet of shore on Great Sodus Bay. The Town adopted a Dock and Mooring Law in August 2005, first effective in September 2005. The provisions of this ordinance are described in this section.

For residential lots, a new dock, pier, berth, boat hoist or other structure requires a 10 foot setback from adjacent property lines and must be no higher than 5 feet above the mean high water level (247.3 feet – IGLD 85). The construction of a new boathouse, boat station, or boat accessory structure above or in connection with a dock or pier can only be constructed by appeal to the Town ZBA. The installation of a mooring is also only allowed by Appeal to the Town ZBA. The number of docks or piers permitted for each waterfront residential lot is not specified.

Existing docks, piers, boathouses and other similar structures are exempt from the new geometric requirements only if written verification is provided of the structure's

existence. In addition, such structures could be repaired or replaced in kind within 2 years of the ordinance effective date. After that, they must be brought into compliance with the new standards whenever repair or replacement costs exceed 50% of the total structure value or if altered or expanded.

The ordinance also specifically prohibits the separate rental of docks, piers, berths, boathouses, boat hoists or floating accommodations for living without a Special Permit. A Special Permit is also required for the anchorage or mooring of any houseboat, boat, barge or other floating accommodation for residential living if located within 1500 feet of the shoreline of the Town.

For non-residential properties in use or to be developed for commercial use, an annual inspection and compliance determination is required by the Town of all permanent structures. All new construction of docks, piers and similar structures require a Special Permit from the Town ZBA. On water structures require a 10 foot setback from adjacent property line extensions over the water and a maximum height of 5 feet above the mean high water line of elevation 247.3 feet (IGLD-85).

All existing commercial structures remain exempt from the new geometric requirements if written verification is provided to the Town within one year of the law's effective date and if not obstructing public access or constituting a hazard to safe navigation. Existing structures can be repaired or replaced in kind if done within one year of the effective date. After that, they must be brought into compliance if a repair or replacement cost exceeds 50% of the structure's value.

#### **5.6.4 Regulation of Dredging**

Any dredging activity requires permits from the NYS DEC pursuant to Article 15 and, if in Wetlands, Article 24 and from the US ACOE pursuant to Section 404 of the Clean Water Act. As part of the US ACOE review, a concurrence from the NYS DOS is

required that the proposed dredging activity is consistent with NYS coastal management policies and a Water Quality Certification is required from the NYS DEC ascertaining the dredging activity will not result in violations of Water Quality Standards.

Maintenance dredging of established navigation channels, such as the Sodus Bay outlet Channel, is generally permitted but still requires a permit application and review by both the NYS DEC and the US ACOE. Establishment of new, or re-establishment of former, dredged channels, generally requires a much more extensive review including substrate sampling and specific procedures for dredged material disposal.

### **5.6.5 Regulation of Water Surface Use**

As noted in an earlier section, the Village of Sodus Point has the authority to regulate vessel use and speed within fifteen hundred feet of its shoreline. The Village has not opted to exercise this authority to date.

Under the NYS Navigation Law, both general provisions regarding vessel operation and those specifically enacted for Sodus Bay are provided.

The general provisions, applicable to all water bodies in the State, include minimum requirements for equipment (life preservers, fire extinguishers, lighting, etc), piloting, and noise, among others. In terms of vessel operation, one provision is of particular relevance to Sodus Bay stating that “No vessel shall be operated within one hundred feet of the shore, a dock, pier, raft, float or an anchored or moored vessel at a speed exceeding five miles per hour...”.

In addition to the general provisions, Section 45-aaa of Article 42, the NYS Navigation Law, provides a special provision relating to speed on Sodus Bay. This section provides that no vessel shall be operated “in a manner or at a speed that causes a wake that unreasonably interferes with or endangers a dock, pier, raft, float, anchored or moored

vessel or swimmer but in no event at a speed exceeding five miles per hour” within a specifically described zone within the Bay. The no-wake zone includes the entire Channel and that portion of the Bay west of a line running from the eastern tip of Sand Point to a location near the western end of the breakwall, just east of the eastern Channel jetty. This Section goes on to direct the Wayne County Sheriff’s office to place buoy markers to delineate this no-wake zone for boaters.

It is noted that the buoy markers for this area are in place and, in general, boaters comply with the no-wake requirement. However, the existing buoys are small and difficult to spot for visiting boaters unless the boaters are specifically directed to look for them.

No other specific vessel use regulations or restrictions are in place on Great Sodus Bay.

### **5.6.6 Regulation of Underwater Land Uses**

The State of New York holds title, on behalf of the public, to lands submerged by navigable rivers, lakes and coastal waters unless specifically deeded to an adjacent upland owner. On Lake Ontario and its tributaries, the boundary between these "lands under water" and the privately owned upland is the elevation of the mean low water line designated as 243.3 feet (IGLD-85). Under state law, the New York State Office of General Services (OGS) is the agency designated to administer matters pertaining to these publicly owned lands.

According to tax maps, there are three parcels on Great Sodus Bay with deeded underwater lands. All three parcels are adjacent to upland properties located in the Village of Sodus Point. The parcels consist of approximately 5.0 acres at the New Horizons Marina, approximately 6.5 acres at Katlyn Marine and an area of unknown size at the Sills Marine Contractor site. The New Horizons and Katlyn Marine under water properties are taxed by the Town of Sodus. It is presumed that the Sills Marine under water land is taxed by the Village of Sodus Point as an extension of the upland parcel.

With the exception of these three parcels, all other lands below the mean low water elevation of 243.3 feet (IGLD-85) are under the ownership of New York State.

In New York State, the interest that a shoreline owner has in gaining access to navigable water has long been acknowledged and reflected in the laws regarding the administration of submerged lands. To secure that interest the riparian owner may be allowed to place a single dock upon publicly held land for private non-commercial use. The riparian owner enjoys the exclusive use of this dock against other private interests and also holds the right to apply to the NYS OGS for authorization to place additional installations upon submerged lands.

While the right of access cannot be extinguished by State action without compensation to the upland proprietor, this right cannot be enlarged by the upland owner without compensation to the State of New York. Where shore front proprietors wish to erect permanent or substantial installations on submerged land, authorization is required in the form of a lease or easement.

A lease or easement in underwater lands is a legal instrument that allows the shorefront proprietor to use underwater lands for a specific purpose. Through the provisions of the Public Lands Law, the New York State Legislature has delegated the authority to convey the right to use underwater lands to the Commissioner of General Services. The Public Lands Law, together with the policies adopted by the NYS Office of General Services (NYS OGS), is the administrative guidelines for the conveyance of leases and easements.

The NYS OGS Division of Land Utilization, Submerged Lands Program has been established to ensure that the conveyance of underwater lands administered by OGS yields the highest possible economic return to the public and complies with the provisions of the State Environmental Quality Review Act (SEQR). The Division staff reviews the regulatory notices of the US ACOE, the NYS DEC and NYS DOS to determine if proposed shoreline development will impact publicly owned submerged lands.

The proposed installation must also meet all local codes and ordinances. As part of the application for a lease or easement, an upland proprietor must notify the locality of his or her intention to apply for a conveyance of underwater land. An easement does not relieve the applicant of the responsibility for obtaining any regulatory permits required by NYS DEC and the USACE.

A lease or easement is different from regulatory permits that may be established to control density and regulate waterways. Although less than complete ownership, a lease or easement in underwater lands gives the upland owner a real property interest in the area on which a marine installation is located. This interest is assignable with the consent of the Commissioner of General Services.

### **5.6.7 Salient Issues Regarding Regulatory Controls**

Several issues have been identified with respect to the regulatory control of structures and use on Great Sodus Bay. These are summarized below.

- The overlapping, multiple levels of jurisdiction and regulatory control are the source of much confusion and irritation for Bay residents and businessmen. This is exacerbated by the lack of a central clearinghouse or agency from which concise information on the regulation, at all levels of government, applicable to any particular project can be obtained.
- The existing and proposed local regulation of docks, piers, moorings and other water based structures is inconsistent among the three municipalities located on the Bay.
- There is a need for better signage and continuing education of boaters regarding existing water surface use regulations. This should be targeted to both existing Bay

users and visitors. This outreach could be coupled with information on available services and their locations on the Bay.

- There is an inconsistent law enforcement presence on the Bay due to budgetary restrictions. This sometimes leads to vessel operations that are non-compliant with existing water surface use regulations.

## **6.0 Issues and Opportunities**

On the basis of the facts uncovered as part of this inventory of existing features, the following opportunities have been identified:

- Great Sodus Bay has the location and features to make it a world class recreational boating resource.
- The Bay has sufficient capacity for expanded use during non-peak periods. Thus, growth of weekday and week-long tourism during the summer and expanded winter activities can be accommodated with little further infrastructure improvements.
- The Bay has the location and features to support world class research, eco-tourism, and enhanced large vessel recreational use.

In addition to issues identified previously under each separate topic area, the following more general issues have been identified:

- Better boater education and navigational markings should be provided.
- Consideration should be given to the extension of the no wake zone to include the traffic conflict area off the east end of Sand Point.
- Better landside support for winter use, such as enhanced access, restrooms, parking, and trash receptacles, is needed.

- There is limited public launch capacity and launch area parking on the Bay to meet peak weekend demand. This limited capacity is further eroded by the fact that no supervision is provided at the existing public launch site.
  
- There is limited public access to the Bay and Bay shoreline other than for fishing and boating.
  
- There is a lack of a public “destination” with services for recreational boating.
  
- Public information meetings indicated that noise from vessels and associated land uses is an issue in several locations.

## **7.0 Objectives of the Plan**

This Plan builds upon several of the goals and objectives of the Sodus Bay Waterfront Initiative<sup>12</sup>, a joint effort by the Village of Sodus Point and the Towns of Huron and Sodus that was completed in 2001. In particular, this Harbor Management Plan advances the following goals and objectives from the 2001 initiative:

Goal: Establish stewardship of the Bay through shared management and resource allocation among public agencies and individuals.

Objectives:

Organize a bay management/preservation commission with representation from each of the three municipalities to coordinate resource management programs on the Bay. This group would serve as an advisory board to each of the municipalities to coordinate management studies, establish development requirements and participate in the review of development projects within the Sodus Bay watershed.

Provide technical assistance to facilitate and guide local bay management. An individual serving as Bay Manager could provide management assistance to Sodus Bay by promoting assessment and monitoring studies, guiding waterfront projects, initiating educational programs and providing answers to questions from residents and developers.

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<sup>12</sup> *Sodus Bay Waterfront Initiative*. Prepared by the SUNY ESF Council for Community Design Research for the Towns of Sodus and Huron and the Village of Sodus Point, December, 2001

Make local stewardship visible both within the three municipalities and to outside visitors. This can be done through local media coverage, celebrations, public recognition and promotional fliers and displays.

Relation to Harbor Management Plan:

The HMP recommends the expansion of the duties of the Intermunicipal Committee to include review and comment on large-scale development and docking facilities proposed within the Harbor Management Area.

The HMP recommends the establishment of a Harbor Master position, which would take on several of the duties envisioned under the Bay Manager objective.

The HMP recommends the creation of promotional and educational displays and fliers to promote the features of the Bay and educate the public regarding its use.

Goal: Protect and improve natural areas such as wetlands, stream channels and important dry-land areas.

Objectives:

Develop an Open Space Plan for the Bay. Create a process that coordinates open space planning and acquisition through the three municipalities. The plan produced by this process should identify and incorporate areas around the bay that are unsuitable for development, are highly sensitive to development impacts, provide scenic views of the bay or have high value for public use. This should also include areas currently designated for public access and recreation, and any developed pedestrian walkways/trails.

Identify significant and valued natural areas for preservation and development for public access. Consider the conservation value and educational potential of each identified site, its accessibility for public use, and development costs and acquisition strategies if it is not in public ownership. Based on the feasibility study prepare funding strategies for acquisition and development of the best-suited site.

Relation to Harbor Management Plan:

The HMP identifies areas having high public value for access to the Bay and for scenic views of the Bay and recommends improvements to enhance these features.

Goal: Provide public access to Bay resources and link compatible activities on and around the Bay to benefit both residents and visitors.

Objectives:

Study the potential to mark the bay entrance with a gateway/information station at Sodus Point. Conduct a planning/design feasibility study to examine the development of a public landing that would serve as an information center for visitors arriving in the bay by boat.

Improve existing public boat launches and develop plans for additional public landings. Some of the existing launch facilities need upgrading and new sites are desired to allow water access from the southern and eastern sides of the bay.

Relation to Harbor Management Plan:

The HMP recommends the creation of signage and other information sources to provide a gateway to the Bay and information about services available. The HMP recommends the establishment of a public landing and details desirable design and operational features of such a facility.

The HMP provides recommendations on the improvement of facilities and operation at the existing boat launch at Harriman Park identifies the need and potential location of a new boat launch.

Goal: Promote and manage quality development and land use patterns that enhance the historic and unique character of the Bay area while balancing the residential, economic, and ecological needs in order to foster a sense of community pride and identity.

Objectives:

Establish coordinated management practices to guide and review future development in the three municipalities. Criteria for development in the bay area should be consistent among the three municipalities. Environmental criteria, design guidelines, and incentive programs can be used to encourage development activities that protect the watershed and maintain the valued character of the area.

Relation to Harbor Management Plan:

The HMP recommends the expansion of the duties of the Intermunicipal Committee to include review and comment on large-scale development and docking facilities proposed within the Harbor Management Area.

The HMP recommends consistent standards for docking and mooring facilities in the three municipalities.

## **8.0 Plan Elements**

### **8.1 Summary Listing**

The Harbor Management Plan contains elements for implementation in nine general areas. These general areas are listed here, with further elaboration and specific action items contained in the following sections.

It is noted that the elements in this listing, and that in the following sections, are not in priority order. Instead they are separate areas that, depending upon funding and other constraints, may be implemented separately, sequentially in any order, or in parallel.

The primary areas for implementation actions in the Harbor Management Plan are as follows:

1. The development of guidance for the location and design of one or more public destinations.
2. The provision of adequate public launch capacity and/or supervision to meet peak weekend demand.
3. The provision of enhanced boater education and improvements to existing navigational markings.
4. The provision of improved landside support for winter use and the adoption of a uniform policy on the use of deicing equipment and ice marking.
5. The expansion and enhancement of public access to the Bay and Bay shoreline other than for fishing and boating.
6. The development of guidance for locations for new or expanded marine facilities.

7. The development of measures to assure that marine-related public infrastructure is maintained.
8. Implementation of uniform, minimum standards, on a Bay-wide basis, for marine shoreline and on-water structures in recognition of the common vision for the future among the three municipalities.
9. The identification of potential funding sources for all of the above.

## **8.2 Plan Elements and Action Items**

### **8.2.1 Guidance for the location and design of public destinations.**

#### **Action 1a: Public Pier**

The goal is to have a public pier at which vessels could tie up for short term visits to reach services and attractions. This will enhance the area for residents as well as make it more attractive as a destination and vacation spot.

Since the major concentration of desirable services is in the Village of Sodus Point, it is desirable that the public pier be located within the Village and close enough to the shops to allow walking from the pier to the Village business district. Another advantage would be the availability of public parking within the Village business district if an enhanced public pier is developed initially or evolves over time.

#### **Desirable Location/Design Attributes:**

Minimum Elements

- Close (walking distance) to shops and restaurants.
- Adequate water depths to accommodate a range of vessel sizes. Suggest a minimum of 4 feet relative to mean low water for at least a portion of the dock.
- Tie ups could be alongside or through the use of finger piers, depending upon location, width and water depths. A floating dock system or floating docks off a fixed pier should be utilized with room for a minimum of 10 vessels.
- Access to, or the provision of, public restroom facilities on the land side.
- Information board on the dock or an information kiosk to be located at the landside access point.

Approximate Cost: \$30,000 excluding site acquisition and landside support (restrooms).

#### Optional/Future Elements

- Centralize all or a portion of the law enforcement vessel docking at the public pier. This would help with management and provide an information source.
- Linked to permanent, fixed pier providing pedestrian “promenade”. This would be a wider platform (12-20 feet) with lights and rails, along the lines of a boardwalk. The floating docking platform could be connected to this by gangways at the sides or off the end. Such an arrangement may attractive to food vendor(s) that could seasonally locate on the pier or immediately adjacent to it.
- Provide adjacent paved parking area to accommodate approximately 30 vehicles.
- Provide some transient, overnight vessel slips with hookups, perhaps under the direction of a Harbormaster. An alternative or complementary action would be to provide moorings for use by transient boaters with a small shuttle vessel.

Approximate Cost: \$87,000 for pier plus docks plus \$39,000 for parking lot for total \$126,000, excluding restroom facilities.

**Action 1b: Public Access and Ownership at Crescent Beach**

This is a long-term project with the two-fold goal of having a public (state or local) park on the barrier bar that would be accessed only by boat while providing current property owners with a buyer of last resort in the event of a catastrophic flooding/erosion event.

The park is envisioned to be a natural, barrier bar setting, which would make it a unique destination on the south shore of Lake Ontario and would complement the existing beach/bluff attraction at the nearby Chimney Bluffs State Park. The only potential services or improvements are envisioned to be a landing with docks on the bay side and walking paths from the bay side to the Lake side. Depending upon size, additional pedestrian paths may be provided parallel to the shoreline on one side or the other and, with suitable demand, primitive restroom facilities.

Acquisition of land along the barrier bar for this purpose would be on a voluntary basis as properties become available. Initial efforts should be concentrated on only a portion of the bar until a critical mass of property is acquired for public use. It is best to first look to the lowest, narrowest section of the bar, which may be damaged and come up for sale during the next high water cycle for Lake Ontario.

The benefit to the existing property owners comes from the fact that they would have access to a ready buyer, no matter the condition of the property and the regulatory constraints upon it. In particular, it is not clear that the regulations implemented pursuant to the NYS Coastal Erosion Hazard Areas Act (Article 34) would permit owners to reconstruct homes located on the barrier bar, defined as a Structural Hazard Area, that are severely damaged by waves, flooding and/or erosion. In addition, the regulations require the owner to bear the cost of removal of all debris.

Besides having a park, the public benefit would extend to having an entity available to purchase damaged barrier bar properties and stabilize them from further damage or

complete loss. The barrier bar presently provides for the protection of the Bay and a significant breach might allow Lake Ontario waves to penetrate the Bay and potentially cause damage to other public and private properties on the Bay shoreline.

### **8.2.2 Adequate public launch capacity to meet peak demand.**

#### **Action 2a: Additional launch lanes.**

The Inventory and Analysis has indicated a demand for expanded public launch capacity on the Bay, especially for weekend periods.

Based upon a build-out analysis (see section 8.2.6), there is adequate excess capacity within the Bay to accommodate in excess of 200 additional vessels on the water, even during peak weekend periods. Reasonable assumptions regarding the potential for new and expanded residential docks indicate that less than 97 additional vessels could be expected to operate from residential docks under a full build out condition. Therefore, an additional approximately 100 vessels could be accommodated on the Bay from expanded launch capacity.

Given the present demand, and the potentially increased future demand, as well as the existing capacity, it is reasonable to examine how additional launch capacity can be provided.

Two options are proposed. The first option is to provide a new launch site in an area not currently adequately serviced. The second is to increase the capacity of the public launch at Harriman Park in the Village of Sodus Point. This second option is discussed under action 2b below.

Based upon the existing distribution of launch sites, and taking into account water conditions and winter use, it is recommended that a new public launch site be developed in the southeast portion of the Bay in the Town of Huron near the bay bridge. There are several vacant or underutilized sites in this area that could be acquired and developed as launch sites.

As a general guide, it can be assumed that at any point in time approximately 25 to 30 vessels are operating on the water surface per launch lane and that a well run launch can accommodate approximately 50 launches/retrievals per day per launch lane. Given these general numbers, a new, two-lane launch could easily be utilized at the southeast end of the Bay. Due to water depths, this area may be limited to relatively small vessels during low water periods. However, under most conditions, this area can accommodate most trailerable boats.

In general, it is desired to have 20-30 parking spaces per launch lane. With this, it is estimated that the total land area required to provide a new, two-lane launch would be less than 2 acres, depending upon the site shape and location. An order of magnitude cost estimate is \$500,000, excluding acquisition costs. As discussed under implementation, it is recommended that this facility be actively managed and that a fee be instituted for its use.

**Action 2b: Reduce peak hour congestion and provide increased capacity at the Harriman Park launch.**

Increasing the capacity of the existing Harriman Park launch would entail several elements as follows:

- upgrade the launch ramp and associated docks to provide two full launch lanes
- expand and improve the parking lot
- institute on-site management, at least for weekend periods
- upgrade the entrance to the ramp and install a control structure

- provide a marked and signed pedestrian crossing of Route 14

An additional desirable element is the installation of a restroom facility with running water.

As noted under implementation, it is likely that this level of improvement and management would be funded through a launch user fee, at least during peak demand periods.

### **8.2.3 Enhanced boater education and improvements to navigational markings.**

#### **Action 3a: Dissemination of information.**

There is an identified need to better inform boaters using the Bay on the local navigation rules, the location of the no-wake zone, and the locations and availability of services, including a public pier if that becomes a reality. This information need will expand as Sodus Bay grows as a destination for visitors.

Several methods have been identified for getting this information out. While printed pamphlets can be utilized and are cheap to produce, the cost and efficiency of distribution is relatively high compared to fixed location displays. On the other hand, fixed signs must be large and prominent to be visually accessible from entry points and can be costly to establish and maintain.

It is recommended that the primary method to be used on Sodus Bay is signage with a limited use of printed pamphlets. The signs should all have an identical look and format reflecting some sort of “branding” for the Bay as a destination. At least one, very large version of the sign should be posted on the west jetty of the channel, near the Coast Guard Station location. Other, smaller versions of the signs could be

incorporated into a kiosk, similar to that established at Harriman Park, which could also be utilized to post notices at marinas, launch ramps and at a public dock, when established.

The suggested format is a large, colored map of the Bay. On the map would be a prominent depiction of the no-wake zone as well as locations for services and facilities. The map key could contain space for brief advertising of services, the sale of which may be used to help fund the signs.

In addition to the signage, it is possible to use a low-power FM broadcast (LPFM). Signs announcing the availability of the broadcast could be posted at entries. The broadcast itself would be a looped announcement with Bay information. Donations may be utilized to fund a portion of the cost for this, even if in exchange for service information listings for boaters. The cost of establishing such a service can vary substantially depending upon the type and quality of equipment and the cost of constructing an antenna. A reasonable estimate of initial cost would be approximately \$10,000 with minimal operating expenses primarily associated with space for the broadcast equipment and electric power utilized.

### **Action 3b: Harbor Master**

Complementary to the information dissemination is to have a designated Harbor Master. The Harbor Master position will also advance the concept of a coordinated intergovernmental approach to better manage the water activities that take place on the Bay. This is anticipated as a paid position with the responsibility to be available to greet boaters entering the Bay or at the public dock, to provide information directly and through hand-outs, and to manage the public dock facility, public launches and, perhaps, to be the administrative officer for the docking and mooring ordinances of the municipalities.

This position is envisioned to be seasonal, May through September, if administration of the local docking and mooring laws is not part of the responsibilities. In this case, the following duties are anticipated for this position:

- Be a visible presence on the Bay particularly during peak boating times;
- Assist boaters and other visitors; conduct public relations and educational activities; arrange emergency assistance; offer guidance and information about local facilities, attractions, marinas, pump-out facilities, vessel repair, parts and equipment, recreation, restaurants and lodging; provide information about boating rules and regulations, including speed and wake restrictions;
- In conjunction with the hosting municipality, most likely the Village of Sodus Point, manage the operation of the public pier including allocation of dock space, collection of fees if fees are charged, and the display and dissemination of educational materials;
- Manage the operations at the public launch facilities during the boating season. This is to initially include Harriman Park and, if developed, the new proposed launch site in the Town of Huron. The Harbor Master will manage the part time help at the launch site, oversee and be responsible for the financial transactions at the facility, manage and promote the large event permit program and, under the oversight and approval authority of the Intermunicipal Committee and the municipality owning the launch, set rules for use of the launch site and associated park.
- While not authorized to issue tickets for violations, it is anticipated that the Harbor Master will work closely with the Wayne County Sheriff's office, the US Coast Guard, and the NYS DEC enforcement officials to assist in monitoring compliance with boating rules and the enforcement of speed and wake restrictions;
- Assist the participating agencies and jurisdictions in implementing the Harbor Management Plan and carrying out their responsibilities for the Bay;
- Meet at least twice annually with the Intermunicipal Committee, once in April or May and once in September or October;

- Conduct periodic surveys of boater types, times of peak activity and surface water usage;
- Help coordinate organized events to minimize conflicts among the various users of the Bay; and
- Prepare an annual report in the fall of each year for the Intermunicipal Committee detailing the Harbor Master activities during the boating, the operations at the launch site(s), the observations of Bay use, and identifying any issues regarding Bay use and associated docking and mooring facilities.

Should the municipalities decide to delegate responsibility for administration of the local docking and mooring laws to the Harbor Master, the position would extend to a full-time, twelve month paid position. In that case, the following additional duties should be included as part of the Harbor Master responsibilities:

- Administer the docking and mooring laws for the Village of Sodus Point and the Towns of Sodus (upon completion and adoption of a local law) and Huron including initial review of applications, attendance at Zoning and/or Planning Board meetings where dock or mooring applications are being considered, inspection and enforcement and all other duties as specified under each of the local laws or as specified in implementing legislation at the local level.
- Meet monthly with the Intermunicipal Committee and provide a summary report on docking and mooring permits and issues as they arise.

As future use of the Bay by transient boaters grows, the Harbor Master may also be charged with installation and operation of temporary moorings, including the collection of a nominal usage fee.

Initial and continuing operating costs for the establishment of a Harbor Master position can be high. For example, the estimated annual operating cost for a Harbor Master position in Irondequoit Bay, Monroe County, has been estimated at \$150,000 per year plus an additional \$150,000 start-up cost for a boat and related equipment.

This position, however, included a law enforcement component that is not envisioned as part of the Sodus Bay Harbor Master position.

A more detailed, but still approximate estimate of the cost of a part-time, seasonal Harbor Master position is presented in the following table:

<b>Costs</b>	One Launch Scenario	Two Launch Scenario
Harbor Master Salary	\$10,000	\$10,000
launch salaries (12 hr/day weekends plus 8 hr/day weekdays June, July and August @ \$10/hr)	\$9,120	\$18,240
vessel operation	\$5,000	\$5,000
<b>Total</b>	<b>\$24,120</b>	<b>\$33,240</b>
<b>Income</b>		
launch fees (50/day weekends + 15/day weekdays @ \$5)	\$12,125	\$24,250
permits (5 @ \$100.)	\$500	\$500
<b>Total</b>	<b>\$12,625</b>	<b>\$24,750</b>
<b>net</b>	<b>-\$11,495</b>	<b>-\$8,490</b>

As shown in the table, if seasonal it is estimated that the Harbor Master position for Sodus Bay will require approximately \$11,500 in annual funding beyond the income reasonably anticipated to be generated by charging a fee at a single launch site. This annual subsidy could drop by several thousand dollars if a second launch is developed and operated. These estimates include operating costs for a vessel, but not the initial capital cost for acquisition and fitting of the vessel.

### **Action 3c: Navigational Markings**

The 2 buoys designating the no-wake zone boundary are difficult to see and recognize. It is recommended that they be replaced with a continuous string of new buoys, four in all, that will better delineate the bounds visually.

As detailed under implementation, a preliminary cost estimate for this is approximately \$4,000.

**Action 3d: Regulation of Large Scale Events**

The purpose of this element is to reach out to organizers of large scale water events, such as fishing contests, to assure participants are aware of local regulations. A secondary outcome could be the provision of funds to help defray the costs of launch use and law enforcement during these events.

Several implementation strategies are examined under implementation.

**Action 3e: Channel Fog Horn**

During the course of the Plan development, several participants suggested that the fog horn that formerly operated at the Channel be replaced, repaired or re-activated. When operational, the fog horn provides a navigational aid and adds to the ambiance of the area as a harbor. Participants stressed, however, that the fog horn has to be properly operating so as not to become a nuisance.

**Action 3f: Pier Lighthouse**

Due to settling and shifting of the outlet jetty, the navigational beacon within the existing lighthouse at the end of the west pier requires periodic leveling and adjustment. As detailed under implementation, the responsibility for such maintenance rests with the US Coast Guard, which checks and adjusts as necessary at the beginning of each boating season and more often if problems are reported.

## **8.2.4 Support for winter use and the adoption of a uniform policy on deicing equipment.**

### **Action 4a: Access for Winter Use**

Winter use is a major activity on the Bay and has the potential for further economic and recreational development. However, the current access is inadequate to meet the demand under peak conditions and adequate services are not conveniently provided.

A key to enhancing winter use is in providing appropriate winter access locations, with support services, and to discourage the use of other, non-designated access points. It is believed that control of parking is the best way of encouraging participants to utilize designated access points.

On the basis of existing use patterns, it is recommended that four primary access points and two secondary access points be created and/or enhanced. These are:

- the municipal parking lot in the Village of Sodus Point
- Harriman park
- Saw Mill Cove (restricted use)
- new launch site near Bay bridge
- Lake Bluff Road at an existing restaurant or marina parking lot
- Hog Island (restricted use)

The primary access points would be plowed with a clear path to the ice surface. Trash receptacles and restroom facilities should be provided at these locations.

The restricted use areas (Saw Mill Cove and Hog Island) presently have small parking areas and no services. It is recommended that the parking be limited to the

available spaces with no parking allowed on the adjacent roadways. This will have to be rigorously enforced to be effective.

**Action 4b: Regulation of Certain Winter Activities**

No justification has been found for the regulation of winter activities. Generally, there is adequate space on the ice for all present and foreseeable future activity levels.

**Action 4c: Regulation of Deicing Equipment**

Deicing equipment can be regulated under the same authority (NYS Navigation Law) as that granted for the regulation of docks and moorings. At present, only the Village of Sodus Point regulates deicing equipment and does so under a provision of its Docking and Mooring Law.

Under the Village ordinance, deicing equipment requires a permit if operated within 300 feet of a public access point, with such public access points specifically listed in the code. In addition, all deicing equipment must be set to create an open water area of no more than 20 feet around structures being protected. Finally, all areas with deicing must be marked with specified signage and with a colored, blinking light during nighttime periods.

It is recommended that provisions for regulating deicing equipment be incorporated into the Town of Huron docking and mooring law and into the Town of Sodus docking and mooring law at the time one is developed. If the Town of Sodus does not adopt a docking and mooring law, these provisions may be able to be added to the Town Zoning Ordinance.

The proposed regulation would be identical to those in the Village code with the exception of the need for a blinking light, which has been found to detract from the aesthetics of the Bay during the winter season. Instead, nighttime visibility would be

assured through the use of reflectors, as specified in the implementation section of this report.

**Action 4d: Winter Law Enforcement**

As for summer conditions, the presence of law enforcement is a necessary element during peak winter activity periods. Such enforcement could encompass patrol and enforcement at the winter access points as well as patrol on the ice via snowmobile or ATV. The Wayne County Sheriff's office, which has authority for such patrols, has indicated that it has the ability and the equipment to conduct such patrols, but lacks a dedicated and assured funding stream for this. Thus, the implementation of this action hinges upon funding. Recommendations for such funding are outlined in the section under implementation.

**8.2.5 Expansion and enhancement of public access to the Bay and Bay shoreline.**

**Action 5a: Advancement of Existing Shoreline Access Recommendations**

Several public access recommendations have been developed as part of local planning documents including the Village of Sodus Point Local Waterfront Revitalization Plan and the Sodus Bay Waterfront Initiative. The recommendations are intended to enhance the use and enjoyment of the Bay resources and to provide connections between access points and other attractions.

The following access recommendations, originally developed as part of the Sodus Point LWRP and the Sodus Bay Waterfront Initiative, have been found to be important and complementary to the advancement of the goals of this Harbor Management Plan and are, thus, included herein.

Village of Sodus Point LWRP Recommendations

- War of 1812 Interpretive Trail pedestrian link to the Ontario Street right-of-way end at the Bay. This is proposed as a component of the overall improvements for the War of 1812 Interpretive Trail.
  
- Scenic By-Way Greenway Trail – Seaway Trail. This is a multi-use sidewalk/trail paralleling Route 14 from the Harriman Park area to the intersection of Route 14 and Bay Street. It will provide a safe walking surface with lighting for visitors and residents connecting parkland with the Village core along a scenic route providing views of the Bay and shoreline marina uses.
  
- Wickham Boulevard Greenway Trail. A wide, paved multi-use trail proposed to connect the Village owned parks on Greig Street and the County owned and operated Sodus Point Park. The trail is proposed to parallel Wickham Boulevard and to be constructed primarily within existing public right-of-way.

In addition to the above, the Village of Sodus Point LWRP recommends the development of a public pier within the Village, as also recommended in this Harbor Management Plan.

Sodus Bay Waterfront Initiative Recommendations

- Hog Island. The upland area is recommended for consideration as a Town park. This park would include a multi-use community building, picnic area, car-top launch and small boat storage building, a pedestrian boardwalk out into the LeRoy Island Cove, a nature walk, benches and parking for approximately 15 vehicles.

- DEC Lake Shore Marshes Wildlife Management Area. It is recommended that the municipalities work with the NYS DEC to assess the possibility of improved access for canoeing/kayaking, hiking and educational uses. No specific designs are suggested.
- Saw Mill Cove. The wetland where Third Creek crosses Red Mill Road was identified as a unique resource. It is recommended that the wetland and adjacent properties be considered for acquisition as opportunities arise in order to provide a wetland nature center. Bay shoreline access is not discussed and no design recommendations are presented.

The Sodus Bay Waterfront Initiative also includes recommendations for improvements to the Lake Ontario beach and Bay shoreline within the Village of Sodus Point that parallel those in the Village LWRP. It also includes a recommendation and design for improvements to Harriman Park, which are consistent with those recommended in this Harbor Management Plan in Section 8.2.2.

Potential funding mechanisms for the listed improvements are discussed in the section of this report on implementation.

#### **Action 5b: Additional Public Shoreline Access Locations**

In addition to the recommendations regarding public access points addressed under action 5a, several additional elements and access points have been identified. It is noted that access points for winter use are discussed under a separate item and, hence, only non-winter shoreline access is discussed here.

Based upon the inventory and analysis of existing conditions, it is found that several locations can be enhanced and promoted for pedestrian access to the Bay shoreline. The locations and recommended improvements are as follows:

First Creek at the Route 14 Bridge (Village of Sodus Point)

Improvements at this location are intended to be implemented with the eventual replacement of the existing Route 14 bridge over First Creek in the Village of Sodus Point. There are currently two bridges at this location, one carrying traffic and the other the deteriorating remnants of a previous, narrow concrete bridge. Fishing occurs off both structures.

Proposed improvements at this location consist of:

1. Add pedestrian walkways, separated from both the traffic lanes and bridge edge with guard rails, as part of the eventual replacement of the existing Route 14 bridge and removal of the older concrete structure.
2. Install pedestrian walkways on both the east and west sides of Route 14 connecting the bridge walkways to the east picnic/bench area and the west parking area of Harriman Park, respectively.

Costs for the recommended improvements can not be estimated at this time as the suggested improvements would be incorporated into the bridge replacement at the time that occurs.

Saw Mill Cove at Red Mill Road. (Town of Sodus)

Proposed improvements at this location consist of:

1. Paving and striping of the parking area (~20 vehicles).
2. Installation of decorative guardrail around the entire parking area, along the roadway shoulder on the north side of the road and over a short section on the west end of the parking area. The guard rail can be made of large timber posts with steel wire, if desired.

3. Installation of a raised cross-walk with pedestrian warning signage.
4. Construction of a stone-dust or wood-chip walkway between the shoreline and the guard rail.
5. Installation of a number of benches along the walkway on the north side of the road.
6. If winter use is to be encouraged at this location, a concrete ramp from the shoreline to the Bay surface to be aligned with the pedestrian crossing.
7. Portable restrooms and trash receptacles at either the east or west side of the parking area and at least one trash receptacle on the north side of the road along the walkway.
8. Appropriate signage.

Costs for the recommended improvements at this location are estimated at approximately \$40,000.

#### Stub end of Spiegel Drive (Town of Huron)

Proposed improvements at this location consist of:

1. Paving and striping of the parking area (~9 vehicles, angled).
2. Installation of decorative guardrail around the entire parking area with a approximately 10-foot wide opening at the top of bank at the Bay shoreline. The guard rail can be made of large timber posts with steel wire, if desired. If so, wheel stops should be provided at the front of each parking space.
3. Construction of a concrete ramp with adjacent steps from the parking area to the Bay surface.
7. Appropriate signage.

Costs for the recommended improvements at this location are estimated at approximately \$14,000.

Bay bridge (Town of Huron)

The bridge over the southern terminus of the Bay has recently been rebuilt by the NYS DOT. As part of the construction, a protected pedestrian walkway was constructed along the north side of the roadway. This pedestrian walkway provides access for fishing and is heavily utilized.

There is currently no public parking close to the Bay bridge and associated walkway. Parking is currently allowed and encouraged at the privately-owned Bay Bridge bait/tackle shop and marina, located at the west end of the bridge. There is inadequate right-of-way to provide public parking in other areas close to the Bridge.

It is recommended that additional, public parking be provided for pedestrian use of the Bridge walkway if a new public launch area is constructed on existing commercial properties located near the east end of the Bridge, as recommended under Action 2a. Costs for such parking should be included with the cost of providing the new launch.

NYS DEC Wildlife Management Area (south of Ridge Road and the Bay bridge)

Recommended improvements at this location are intended to provide enhanced access for pedestrians and the launching of car-top vessels. Further expansion of uses at this location, especially for winter use, may follow if the NYS DEC agrees. The recommended improvements for the short term are as follows.

1. Grading the roadway leading from Ridge Road to the parking area/launch site.
2. Installation of drainage improvements and a gravel or stone surface for the parking area.
3. Construction of an all-weather walkway and ramp from the parking area to the shore of the Creek to facilitate car-top launching of canoes, kayaks and similar vessels.

4. Appropriate signage.

Costs for the above improvements are estimated at approximately \$18,000.

Future improvements could include hiking/interpretive nature trails, an information kiosk, bird viewing stands and portable restroom facilities.

#### Hog Island and LeRoy Island Bridge

There is an existing parking area at this location. Recommended improvements consist of :

1. Paving and striping of the parking area (approximately 7 spaces).
2. Installation of decorative guardrails on three sides of the parking area.
3. Installation of a stone or wood chip sidewalk along the southern and western sides of the parking area.
4. Installation of several benches along the water front area and appropriate signage.
5. If improvements for winter use are desired, additional land located immediately west of the existing parking area will have to be acquired. Additional parking and a ramp to the bay shoreline could then be installed.

The cost of the above improvements is estimated at approximately \$14,000.

It is noted that the improvements and development suggested for this location in the Sodus Bay Waterfront Initiative are more extensive and would necessitate the acquisition of a large parcel of land located on the north side of the roadway at this location. While this Harbor Management Plan endorses the eventual development as recommended in the Sodus Bay Waterfront Initiative, the suggestions above would provide a first step in this direction that could be implemented at far less cost with no acquisition of private property.

Funding and other implementation issues regarding these improvements are discussed under implementation.

**Action 5c: Bay Viewpoints**

Important Bay viewpoints were identified as part of the Inventory and Analysis of existing conditions. It is recommended that these areas be designated as important viewpoints within the HMP. Several of the public access points identified under action 5a and 5b will provide for enhanced public access to these viewpoints.

In order to provide some protection for the viewsheds at these Bay viewpoints, it is recommended that the viewpoint be designated “visual resources of local significance” by the Towns and Village. With this designation, the visual impact to these areas must be explicitly evaluated during local planning reviews under the State Environmental Quality Review Act (SEQRA). In addition, any facilities regulated by the NYS DEC would require a visual impact assessment following the DEC Program Policy DEP-00-2 entitled “Assessing and Mitigating Visual Impacts”.

It is believed that this action, in conjunction with development review by the Great Sodus Bay Intermunicipal Committee (see action 8b) will be sufficient to provide a reasonable level of protection for the identified viewpoints and their viewsheds.

**8.2.6 Locations for new or expanded marine facilities.**

**Action 6a: Identify the potential for future growth in marine use.**

A build-out analysis has been completed to assess the degree to which new marine use could be accommodated on the Bay without compromising public safety and enjoyment. This estimate is based solely on capacity of the Bay to absorb further use and not on market projections for increased recreational boating.

The build-out analysis has two components. The first is an estimate of the “excess” capacity on the Bay under current conditions. The second is an estimate of the upper bound on the number of vessels that may be based on the Bay in conjunction with residential uses along the shoreline.

As part of the Inventory and Analysis, the utilized capacity of the Bay water surface was evaluated under existing conditions from the Bay traffic counts. The analysis was conducted under both average weekend and peak weekend conditions. For each period the vessels present were assigned an area, based upon use, which it was assumed to be needed to operate safely. These areas were based upon NYS Office of Parks and Recreation factors, somewhat modified to reflect the local situation. The Bay was broken into sectors for the analysis and the utilized areas summed for each sector. The resulting total area demand was then compared to the available bay area within each sector to assess the degree of saturation.

This analysis was extended for the build-out projection. For the central bay area, Sectors 3, 4, 5 and 6, the un-utilized areas were totaled for the average weekend and peak weekend hours. The number of vessels that could then be accommodated within these areas was determined. The determination utilized the same NYS Office of Parks and Recreation factors for required area and the vessel use distribution found under the existing conditions.

On this basis, it is found that the following number of additional vessels could be accommodated on the Bay under the stated assumptions:

<b>Period</b>	<b>at 50% saturation (50% of capacity)</b>	<b>at 75% saturation (75% of capacity)</b>
Average Summer Weekend	134	264
Peak Summer Weekend Conditions	101	232

Based upon these results, while recognizing the significant approximations incorporated, it is judged that the Bay can comfortably accommodate somewhere in the vicinity 200 additional vessels operating on the water during even the peak summer weekend.

The next step is to assess how much of this excess capacity could potentially be taken up by vessels based at residential properties located on the Bay shoreline. Based upon a review of the existing dock density, as well as that allowable under existing dock ordinances on the Bay and in other municipalities with waterfront controls, it is conservatively assumed that one dock with two vessel berths per 50 feet of shoreline would be used. This provides an extreme upper bound estimate for the number of new, residentially based vessels may be docked on the Bay in the future.

Under this assumed density, a total of 1,084 vessels could be docked at residential lots around the bay. Of this, approximately 761 vessels are currently docked. Therefore, it is estimated that approximately 323 additional, residentially based vessels could be docked on the Bay. The number of these that would be in use on the water surface during peak periods would likely be in the 10% to 20% range. Assuming 20% would be in use, approximately 65 vessels would be added to the Bay during the peak period.

Subtracting the 65 vessels from the 200 vessel excess capacity leaves a remaining capacity of approximately 135 vessels. This 135 vessel excess capacity could be taken up by marina expansion or an increase in visitor/transient vessels. If this is all within marinas, and we assume a peak hour utilization of 10% for marinas, it is concluded that the Bay could accommodate an additional 1,350 vessels docked or stored in commercial marinas.

This rough planning estimate is utilized to address the next items.

**Action 6b: Areas for Expanded Marine Use**

Given its location and features, Sodus Bay is uniquely positioned to host expanded, large scale commercial marine activities, as it did in the past. This includes potential research, marine commercial transport or expanded marina uses.

As discussed in detail in the Inventory and Analysis of existing conditions, water depths and landside support dictate that the shoreline area on the south and southwest side of the Village of Sodus Point is the most advantageous for such growth. The primary reason is the existence of deep water access, thanks to the remnants of the dredged channel that used to service the coal trestle in that area. It is also a reasonably sheltered area with good roadway access and undeveloped or under-developed land areas that could be used for marine expansion.

A good example of such use is the New Horizon Yacht Basin located on Route 14. This facility is a re-development of the docking area for the coal trestle, supplemented by support and ancillary facilities located away from the shoreline and across Route 14. There are several other facilities in this general vicinity that could similarly be developed to accommodate a variety of uses, including a large scale marine research station if such a facility is developed on the US side of Lake Ontario.

**Action 6c: Develop recommendations regarding landside support for marine facilities.**

The water area in the portion of the Village of Sodus Point identified as the most appropriate location for large scale expansion of marine related development (see Action 6b) is already extensively occupied with docks. In addition, the shoreline in this area has a generally concave configuration, resulting in restricted access to adjacent parcels when docking facilities are extended significant distances offshore. Given this, it is unlikely that significant new boating facilities can be developed in this area unless extensive use is made of offshore moorings and/or dry rack storage.

The use of dry rack storage may also become an issue within the Town of Huron. The most likely area for expansion of marine use in Huron will be on the extreme south end of the Bay on lands east and west of the Bay Bridge. Expansion of in water boat storage in this area is limited by presence of wetlands and shallow water. Thus, increased market demand in this area may have to be met with upland boat storage and a limited, dredged area for launching and retrieval.

Recommendations regarding the use of dry rack storage and associated landside support facilities are contained in this section.

Landside regulation of marine facilities falls under the respective zoning codes of the separate municipalities. Both the Village of Sodus Point and the Town of Huron zoning codes allow for commercial marine facilities along the Bay shoreline. Such uses are permitted within the Waterfront Commercial (WC) district in the Village of Sodus Point and within the Resort (RES) zoning district of the Town of Huron. Neither zoning code regulates the use dry rack storage.

Dimensional requirements for commercial marina operations within the Town of Huron RES zoning district include a height limit of 35 feet and a minimum 75-foot building setback from the shoreline. They do require a Special Permit from the Zoning Board of Appeals with somewhat generic standards regarding maintenance of the character of the neighborhood and protection of the public health and safety.

For the Village of Sodus Point, requirements for commercial marinas within the WC zoning district include a maximum height of 35 feet, a maximum lot coverage of 40% and a minimum setback from the shoreline (front setback) of 25 feet.

The existing requirements within both municipalities do not address the issues that are likely to arise with the use of dry rack storage, such as appropriate height and its relation to screening, parking ratios and adequate setback from the shoreline for large

commercial structures. To address these deficiencies, the following additional provisions are recommended for incorporation into the existing zoning ordinances to allow and encourage the use of dry rack storage while protecting adjacent land uses:

Definitions: **Dry Stack Boat Storage** – *Storage of boats in a vertical rack system, outdoors or within an enclosed or semi-enclosed building, providing storage of at least two layers of boats.*

Under District Uses:

*Dry stack boat storage permitted as*

*As a stand-alone warehouse use – permitted in IND (Industrial) zone in the Town of Huron and permitted in the I (Industrial) zone of the Village of Sodus Point.*

*As an accessory use to a marina – permitted in RES (Resort) zone of the Town of Huron and permitted in the WC (Waterfront Commercial) zone of the Village of Sodus Point.*

Parking Requirement:

*Minimum of one off-street parking space per four dry storage units required in addition to requirement for other on-site uses.*

Setbacks/Buffers:

*Setbacks for dry stack boat storage from any abutting residential property line shall be 2.75 times the height of the structure if enclosed or 2.75 times the height of the highest point of any stored vessels if unenclosed.*

*To protect the visual appearance of the shoreline, as viewed from the water and from adjacent upland areas, dry rack storage facilities should be set back from the water's edge a minimum distance of 400 feet.*

*Buffering and architectural treatment of any dry stack boat storage facility shall be such as to be consistent with the surrounding land uses and with adequate, nearly opaque, vegetative and other screening to minimize visual impacts of the facility and its operation. Architectural treatment and buffering shall be at the discretion of the ZBA in the Town of Huron under its authority to issue a Special Permit and with the Planning Board in the Village of Sodus Point under its authority to grant Site Plan approval.*

*Projects utilizing dry stack boat storage shall be designed so that the use of noise-generating equipment, such as forklifts, or activities, such as boat repairs, are located as far from adjacent residential property lines as feasible to lessen impacts to residents. In no case shall such activities occur within the required setback from any adjacent residential property line.*

It is believed that incorporation of the above recommended definitions and standards will allow for and encourage the use of dry rack storage while protecting the neighborhood within which they may occur.

### **8.2.7 Assure maintenance of marine-related public infrastructure.**

**Action 7a: Identify entity responsible for periodic dredging of the Channel.**

The construction of the Channel connecting Sodus Bay to Lake Ontario and its protecting jetties was done by the Federal government through the US Army Corps of Engineers. While the US Army Corps of Engineers has the formal responsibility for maintenance dredging of the Channel, funding for routine maintenance dredging of harbor entrance channels in the Great Lakes has been eliminated for all but harbors actively utilized for commercial shipping.

Under the current situation, the Corps of Engineers will contract to dredge recreational harbors, but only under pressure from Congressional offices, sometimes accompanied by dedicated funding. Thus, the maintenance dredging is done on an ad-hoc basis and is usually put off until there is a problem.

A study of dredging for small ports along the south shore of Lake Ontario was completed in 2000. The report, the Regional Dredging Management Plan, recommended the creation of a new entity to take on this responsibility. Funding for the maintenance dredging would come from a variety of sources, including a proposed add-on fee for boat registrations. The program proposed under this plan would also have the potential to contract for maintenance dredging of interior areas of Lake Ontario embayments, including entrance channels to marinas and boat launches, under separate contract.

This Harbor Management Plan endorses the approach of a regional dredging solution as proposed under the Regional Dredging Management Plan, or some variant thereof.

**Action 7b: Identify entity responsible for Maintenance of the Sea Wall.**

The US Army Corps of Engineers constructed the sea wall extending east from the Channel east jetty and has the formal responsibility for maintenance of this structure. This is done on an as-needed basis as reports of damage are received. The Corps of Engineers also has the authority to respond to emergency situations involving breaches in the sea wall that may result in public safety threats.

**Action 7c: Identify entity responsible for response to future breeches in Crescent Beach barrier bar.**

It is believed that no entity, public or private, is responsible for responding to potential future breeches in the Crescent Beach barrier bar that may threaten the safety of other areas of the Bay. Given this, it falls to local governments to adopt and implement policies to deal with this potential situation.

Article 34 of the Environmental Conservation Law, the Coastal Hazard Areas Act, regulates the re-building of structures that are damaged by storm events or erosion. Implementation of this law is under the jurisdiction of the Town of Huron. The entire Crescent Beach barrier bar is within a Structural Hazard Area, as defined under the regulations implementing the Act (6 NYCRR Part 505). The regulations also provide that only movable structures without permanent foundations are permitted within the Structural Hazard Area. All debris from the destruction of structures must be removed by the last owner of record of the property. The regulations are silent on issues surrounding the restoration of any of the land area that may be lost to erosion or storm damage. It is noted in this regard that title to the lands will revert to the State of New York if they are left inundated for a sufficient period of time.

It is unlikely that the local municipalities will have the resources available to restore land areas that may be washed away along the Crescent Beach barrier bar. They will most likely be fully occupied protecting and restoring public infrastructure that would also be damaged by weather events sufficient to cause such an event. Therefore, it is recommended that the fund recommended to be established for acquisition of lands along Crescent Beach (see Action1b) also be designated for use in restoration activities in the event of a catastrophic event that causes a breach in the barrier bar. The use of such funds for such restoration should only be authorized for properties for which title has been transferred to the State of New York or other public entity

charged with implementing the purchase plan. Such transfer could be by donation or purchase, but is not envisioned to be done by eminent domain.

### **8.2.8 Uniform standards for shoreline and on-water structures.**

#### **Action 8a: Identify and Recommend Key Features of A Uniform Ordinance**

As noted earlier, it is desirable to have uniform standards for docks, moorings and other in-water structures in the three municipalities bordering the Bay. At present, the Village of Sodus Point and the Town of Huron have docking and mooring laws while the Town of Sodus does not. Even for the two municipalities with such controls, the administrative procedures and dimensional requirements are quite different.

The standards contained in the existing docking and mooring laws for the Village of Sodus Point and the Town of Huron were also compared to existing uniform ordinances adopted as part of water body planning in other regional jurisdictions. This included the uniform ordinances enacted or proposed for Canandaigua Lake, Keuka Lake, Conesus Lake and Irondequoit Bay.

Based upon this review, and in consideration of the advancing the orderly development of the waterfronts of all three municipalities, it was determined that certain substantive standards should be uniform for the three Sodus bay municipalities while allowing for differences in administrative structure and implementation. The substantive areas should include specification of the number of docks and boat slips permitted based upon water frontage and land use, the minimum setback from property line extensions, the maximum length and surface area of structures, and regulation of boathouses and deicers.

The following substantive standards are recommended in each of these areas:

1. The **maximum number of docks and boat slips** per parcel is based upon length of water frontage and adjacent land use. In each case, a mooring may be substituted for a permitted boat slip on a one-for-one basis.

For Residential land uses:

Up to 25 feet:	1 boat slip, 1 dock
25.01 feet to 50 feet:	2 boat slips, 1 dock
50.01 feet to 100 feet:	3 boat slips, 1 dock
100.01 feet to 150 feet:	4 boat slips, 2 docks
150.01 feet to 200 feet:	5 boat slips, 2 docks.
> 200 feet	+1 slip per 50 feet + 1 dock per 100 feet

Non-Residential (Note that the maximum number of slips is subject to all other land use and zoning restrictions, including parking requirements.)

Yacht Clubs and Marinas:

Requires minimum 200 feet:	
200 feet to 250 feet:	total of 75 boat slips and/or moorings
> 250 feet	+20 slips and/or moorings per 50 feet

Restaurants:

Requires minimum 100 feet:	
100 feet to 150 feet:	up to 20 boat slips
150.01 feet to 200 feet	up to 30 boat slips
> 200 feet	+10 slips per 50 feet to maximum of 25% of the seating capacity

2. **Minimum setbacks** from property line extensions\*\* :

- 10 feet for residential uses abutting another residential use
- 30 feet for non-residential use property abutting a residential use property
- 15 feet for a non-residential use abutting another non-residential use

\*\* The minimum setbacks apply to the docking structures only and not to the vessels berthed at the docks. These setbacks also apply to moorings and should be based upon the closest point at which a moored vessel can be to the property line extension. Methods for determining property line extensions can vary among the municipalities, but should be consistent with methods recommended by the NYS Office of General Services.

### **3. Maximum dock lengths and surface areas.**

Each permitted dock associated with a residential lot shall not exceed a total of eight hundred (800) square feet, including walkways. For the purposes of this section, width is measured parallel to the mean high water line; length is measured perpendicular to the mean high water line.

- (i) The main walkway of a dock is the section extending from the mean high water line toward the navigable water of the Bay. The main walkway shall not exceed a maximum width of eight (8) feet as measured parallel to the mean high water line. The surface area of the portion of the main walkway that extends from the mean high water mark towards the navigable water of the Bay shall constitute no less than fifty (50) percent of the total surface area of the dock and associated structures.
- (ii) No part of the dock or associated structures and equipment shall extend beyond a line or curve drawn parallel to the mean high water mark at a distance of sixty (60) feet from the mean high water line toward the navigable water of the Bay.

- (iii) If the water depth is less than three (3) feet as measured from the mean low water level at the "sixty (60) feet line" referenced in (ii), the maximum length of the dock may be extended to reach the under water elevation level of 240.3 feet IGLD 85 (established by a mean low water elevation of 243.3 feet minus 3.0 feet)). Under no circumstances may any part of the dock or associated structures extend beyond a line drawn 100 feet from the mean high water line nor may the total surface area exceed eight hundred (800) square feet.
- (iv) The use of fingers, "T" or "L" shaped appendages are permitted in any configuration from the main walkway of the dock to form boat slip spaces. Such appendages must be set out in the water a minimum of 20 feet where the main dock walkway meets the mean high water line. The total surface area of all such appendages shall not exceed 300 square feet per dock.
- (v) For properties entitled to two or more docks, up to two of the permitted docks may be combined into a single dock with a total surface area not to exceed 1,200 square feet, with appendages having a total area not exceeding 450 square feet, and meeting all other dimensional and setback requirements.

#### **4. Boathouses.**

Not permitted. See section on "non-conforming structures" regarding existing boathouses.

#### **5. Deicers.**

Requires a permit. Allowed if setback is at least 300 feet from public access areas. Open water around structures limited to 20 feet. Day signage and

nighttime visibility required. Nighttime visibility to be provided through the use of red reflectors meeting US DOT requirements.

## **6. Pre-Existing Non-Conforming Structures**

Pre-existing, non-conforming structures subject to regulation under the above provisions are grandfathered and may remain in use until such time the structure is damaged beyond 50% of the replacement cost or otherwise becomes unusable. At such time the facility shall be made to conform with the adopted Docking and Mooring Law provisions.

### **Action 8b: Establish Intermunicipal Committee Review Mechanism**

It is recommended that the intermunicipal agreement establishing the Great Sodus Bay Watershed Intermunicipal Committee be modified by the participating municipalities to provide authority to the Committee to provide review comments to the municipalities regarding land use decisions proposed within the Sodus Bay Harbor Management Area. Such review comments would provide a regional, bay-wide perspective to the local officials to help inform their decision making.

As part of this review authority, the Intermunicipal Committee would commit to meeting on at least a monthly basis in order to provide responsive reviews to the municipalities and the municipalities would commit to not issuing approvals for actions subject to referral until review comments are received, subject to a thirty day maximum from receipt of the referral by the County Planning Department. It would be the responsibility of the County Planning Department to coordinate the scheduling of the Intermunicipal Committee meetings, assembling agendas and application materials, preparing minutes and transmitting review comments back to the municipalities.

It is recommended that any proposal land use, construction or development requiring either site plan approval, subdivision approval, the issuance of a special permit or a waiver or variance from any of the substantive requirements listed above under a local docking and mooring ordinance be referred to the Intermunicipal Committee for review and comment. All such referrals would follow the identical procedures as currently utilized for referrals to the County Planning Department under Section 239-m of the NYS Town Law. Review comments to the municipalities would be provided within thirty days of receipt of a referral.

## **9.0 Implementation Techniques**

This section contains a description of the techniques that can be utilized to implement the plan elements and associated action items detailed in Section 8. It is noted that the plan elements are not in any order of priority and many can and should be advanced in parallel. It is also noted that some elements can be implemented immediately, requiring only municipal action and not involving the expenditure of significant funds. Other plan elements will be more long-range, with some requiring additional detailed planning and design and the commitment of significant capital funding that may only become available on an intermittent basis. Still other plan elements will require on-going, continuing public funding for personnel, operations and maintenance. Dedicated funding sources for these elements will need to be developed and assured before implementation.

Since funding is central to many of the plan elements and can be utilized as a unifying theme for implementation, a separate section is devoted solely to this issue. Potential funding sources are identified and some funding models are presented.

### ***9.1 Guidance for the location and design of public destinations.***

#### **Action 1a: Public Pier**

Implementation will require action by local government for the acquisition and development of a public pier. Since a public pier is most likely to be located in the Village of Sodus Point, the Village is the most likely entity to implement this action.

One time capital funding for site acquisition and initial development could be locally funded but is more likely to come from one of the potential external sources listed in Section 9.9.

Operational funding and maintenance will be a local responsibility. These costs may be at least partially offset through a nominal fee for overnight docking at the pier, voluntary business contributions in recognition of the potential for increased sales resulting from the presence of the pier, the sale of advertising on the pier, nominal rentals for dock and office space for marine law enforcement agencies, and/or the operation of commercial enterprises on the pier via permit or lease.

**Action 1b: Public Access and Ownership at Crescent Beach**

This is a long-term action that will require State agency action, perhaps accompanied by state legislation, with funding from external sources.

The first steps will be study and decision by the NYS Office of Parks, perhaps in conjunction with the NYS DEC and NYS Department of State, confirming the state-wide, as well as local, benefits of the proposal. As part of this decision making, one of the existing agencies (most likely the NYS Office of Parks) would have to be designated to lead the implementation.

The next step would be the establishment of a dedicated fund for acquisition of lands as they become available and for eventual construction of any improvements and maintenance of the park land. This would likely require state legislative action directing funds to this purpose over a long period of time.

It is noted in this regard that the State of New York has proposed the implementation of as yet unspecified measures to mitigate adverse impacts related to coastal damages and damages to recreational boating that are likely to result from alternative water level management plans for Lake Ontario that are under active consideration by the

International Joint Commission (IJC). A positive step in this direction might be to establish policies and procedures for public acquisition of at-risk shoreline properties from willing sellers. The Crescent Beach bar could be one of the first such areas.

## **9.2 Adequate public launch capacity to meet peak demand.**

### **Action 2a: Additional launch lanes.**

The provision of an additional launch site at the southern end of the Bay would require local action by the Town of Huron, perhaps in cooperation with Wayne County. It is most likely to be implemented with external capital funding and with locally-derived operational funding. Capital funding could be from one of the sources listed in Section 9.9. Operational and maintenance funding is recommended to be derived from user fees associated with the operation of the launch ramp and parking as well as from other facilities under the supervision of a Harbor Master. A more detailed description of this operational funding model is contained in Section 9.9.

### **Action 2b: Reduce peak hour congestion and provide increased capacity at the Harriman Park launch.**

Implementation of the proposed capital and operational improvements at Harriman Park will require local action by the Town of Sodus, perhaps in conjunction with the Village of Sodus Point.

It is recommended that construction of the proposed park upgrades be funded with external capital funding from one of the sources listed in Section 9.9. Operational and maintenance funding is recommended to be derived from user fees associated with the operation of the launch ramp and parking as well as from other facilities

under the supervision of a Harbor Master. A more detailed description of this operational funding model is contained in Section 9.9.

### **9.3 *Enhanced boater education and improvements to navigational markings.***

#### **Action 3a: Dissemination of information.**

It is recommended that the development, distribution, installation and maintenance of informational signage and brochures be delegated to a willing private, voluntary organization under the supervision of the Great Sodus Bay Watershed Intermunicipal Committee or the future Harbor Master. Suggestions for appropriate organizations include the Coast Guard Auxiliary, the local Chamber of Commerce, or citizens groups such as Save Our Sodus (SOS), the Great Sodus Bay Association, or similar entity.

Initial and operational funding should be derived from advertising in the form of listings for goods and services that can be placed on the signage and in informational brochures. The intent is to have a uniform look to all signage and brochures with services in the form of a directory keyed to map location. Signage would be placed at the Bay entrance channel, the future public pier and at all public launches. Brochures would be placed in kiosks located at all public launches and at participating marinas and businesses.

If desired in the future, the same entity could also sponsor a low-power FM radio broadcast (termed an LPFM station). Licenses to broadcast at a maximum 100 watts are available from the Federal Communications Commission to non-profit educational, public safety and transportation entities. Details on applying for such licensure can be found at the FCC web site at: <http://www.fcc.gov/mb/audio/lpfm/>. Such broadcasts have the potential to reach a 3-5 mile radius. Thus, it is suggested

that this eventually be operated out of the public pier (depending upon its location), with initial operation from the Lighthouse museum site or a site within the County Park at the Bay entrance channel. The signage at the Bay entrance and public launches would announce the frequency and direct visitors to the broadcast. The broadcast could alternate informational announcements with a directory of available services. Funding would be via donations, most likely from local businesses.

**Action 3b: Harbor Master**

Initiation of a Harbor Master position will require a cooperative effort by the three municipalities and, perhaps, Wayne County. It is recommended that this position be created within the Village of Sodus Point government or under the County government administration, within the public works department, the planning department or the Sheriff's office. Actions by the municipalities would be required to guarantee at least a portion of the operational funding for this position and, in the event that the Harbor Master administers the municipal docking ordinances, to grant such authority to the Harbor Master.

It is proposed that funding for capital start up costs for this position be obtained from external sources, as listed in the section under Funding. As also detailed under Funding, it is intended that at least some of the operational costs for this position be met through user fees/contributions. However, the municipalities and the County may need to provide some base level of guaranteed support in the event that user fees do not fully fund the position. In addition, if the position entails administration of the municipal docking and mooring ordinances, some base level of funding from the municipalities will be required.

**Action 3c: Navigational Markings**

Implementation of the improved navigation markings will require purchase of the new markers by the County, with annual installation being provided by the County

Sheriff's office as is done now. This action involves a small capital expense, estimated at approximately \$4,000. This should be funded through an allocation to the Wayne County Sheriff's office budget. Alternatives include external donations for equipment purchase and subsequent donation to the Sheriff's office or inclusion of the new markers in grant applications for capital expenses associated with other proposed actions under this Harbor Management Plan..

### **Action 3d: Regulation of Large Scale Events**

Implementation will require authorization by the operators of the public launches on the Bay. This includes Wayne County for the Sodus Point Park launch when open, the Town of Sodus for Harriman Park and the County or the Town of Huron in the event a new launch is developed at the south end of the Bay.. It is recommended that that this activity be included as a responsibility of the Harbor Master and would be funded solely by user fees associated with permitting and/or launch fees.

The goal of this action is to make sure that boaters utilizing the Bay for large scale organized events receive educational materials outlining the local navigation rules and common courtesy. To this end, it is recommended that a permit be required for any organized event that results in the use of one or more of the public launches for ten or more boats. These will primarily be fishing tournaments but may also include kayak, small sailboat, jet ski, or canoe races/tours as those uses mature on the Bay. It is recommended that this permit have a nominal fee associated with it based upon the number of boats expected. This could be calculated on the basis of 75% of the nominal public fee for using the launch.

With the permit, the organizing entity would receive tags or coupons allowing entrants to utilize the launch and parking area. Along with the tags/coupons, the organizing entity would be required as a condition of the permit to distribute an educational brochure to all entrants. This brochure would show the location of no-wake zones, remind the user of safe boating practices and offer any other educational

information as desired by the Harbor Master and Intermunicipal Committee. Production of this brochure could be underwritten by the sale of advertisement for services by local businesses in a portion of the brochure.

**Action 3e: Channel Fog Horn**

Implementation of this action requires a simple application to and approval by the US Coast Guard for a privately maintained navigational marker. Initial and maintenance funding would have to be through private donations or from user fees from port operations. It is recommended that donations for this be solicited from the local yacht club, marinas and civic groups representing cottage owners and residents such as Save Our Sodus and the Sodus Bay Improvement Association. Purchase, installation and maintenance of the fog horn could then be turned over the Harbor Master.

**Action 3f: Pier Lighthouse**

Maintenance of the pier lighthouse is the responsibility of the US Coast Guard. The Coast Guard schedules maintenance visits at once per year at the beginning of the boating season. The only action that may be required is to notify the Coast Guard if operational problems are observed during the boating season. This could be an assigned responsibility of the Harbor Master. No further implementation actions or funding is necessary.

***9.4 Support for winter use and the adoption of a uniform policy on deicing equipment.***

**Action 4a: Access for Winter Use**

Improvements for winter access will require action by the three municipalities, perhaps in cooperation with Wayne County, to provide or obtain capital funding for the improvements to parking and access as detailed under Action 5b.

Operations and maintenance of these facilities will continue to be provided by the municipalities and County under their normal DPW operations, as it is now.

**Action 4b: Regulation of Certain Winter Activities**

No justification has been found for the regulation of winter activities. No implementation or funding mechanisms necessary.

**Action 4c: Regulation of Deicing Equipment**

Implementation will require the passage of resolutions in the Village of Sodus Point and the Town of Huron to amend their existing docking and mooring ordinances consistent with the recommendations. Action by the Town of Sodus can be done as part of the adoption of a new docking and mooring ordinance, through an amendment of its existing zoning ordinance, or as a new ordinance just dealing with deicing equipment on Sodus Bay.

**Action 4d: Winter Law Enforcement**

Operational funding is the only necessary element. This is discussed in the section under Funding.

***9.5 Expansion and enhancement of public access to the Bay and Bay shoreline.***

**Action 5a: Advancement of Existing Shoreline Access Recommendations**

With one exception, implementation of the various access recommendations developed as part of the Sodus Point LWRP and the Sodus Bay Waterfront Initiative, generally require external capital funding with operational costs borne by the municipalities. Capital funding is necessary for improvements and, in limited circumstances, for right-of-way acquisition.

The exception to this general case is the recommendations regarding the NYS DEC Lake Shore Marshes Wildlife Management Area. Here, the municipalities and County should work with the NYS DEC to clarify the improvements that will be permitted and to obtain external funding for such improvements. Operation and maintenance would most likely fall to the NYS DEC, as it does now.

**Action 5b: Additional Public Shoreline Access Locations**

Same as Action 5a.

**Action 5c: Bay Viewpoints**

Protection of important Bay vistas will require individual action of the three municipalities, most likely as amendments to their respective Zoning ordinances or as part of the extension and modification of the Intermunicipal Agreement related to action item 8b. Improvements to Bay access locations, see Actions 5a and 5b, will build public support for such regulation.

***9.6 Locations for new or expanded marine facilities.***

**Action 6a: Identify the potential for future growth in marine use.**

This action item has been completed, as detailed in Section 8.2.6. The results indicate that boating activities can be expanded to accommodate an additional 1,350 vessels docked or stored in commercial marinas.

**Action 6b: Areas for Expanded Marine Use**

Completed, as detailed in Section 8.2.6.

**Action 6c: Develop recommendations regarding landside support for marine facilities.**

Implementation of the recommendations will require individual actions by the Village of Sodus Point and the Town of Huron to amend their Zoning Ordinances to include the suggested provisions regarding landside support for marine facilities.

**9.7 Assure maintenance of marine-related public infrastructure.**

**Action 7a: Identify entity responsible for periodic dredging of the Channel.**

Continuation of the existing US Army Corps of Engineers responsibility requires no further implementation actions. However, this would result in a continuation of the present, unacceptable condition.

As an alternative, this Harbor Management Plan endorses the approach of a regional dredging solution as proposed under the Regional Dredging Management Plan (RDMP), or some variant thereof. Implementation of such a plan can be achieved through several models, as detailed within the RDMP. It will require a cooperative effort of all the County governments along the Lake Ontario shoreline. Depending

upon the implementation model utilized, it may also require new legislation by the State.

**Action 7b: Identify entity responsible for Maintenance of the Sea Wall.**

The US Army Corps of Engineers has the responsibility for maintenance of this structure. No further implementation actions are necessary.

**Action 7c: Identify entity responsible for response to future breeches in Crescent Beach barrier bar.**

There is no agency with clear authority or responsibility to handle, on an emergency or permanent basis, a breach to the Crescent Beach barrier bar due to high water and/or storm conditions. As detailed under action 1b, it is recommended that the initiation of a fund for land purchase at the Crescent Beach by the State of New York also authorize use of some of the funds for restoration purposes. This will require no further implementation action beyond that specified under action 1b.

***9.8 Uniform standards for shoreline and on-water structures.***

**Action 8a: Identify and Recommend Key Features of a Uniform Ordinance**

Key uniform substantive features for docking and mooring ordinances have been identified, as detailed in Section 8.2.8. Implementation of the recommended requirements requires amendment of the existing Village of Sodus Point and Town of Huron docking and mooring ordinances. Adoption of such an ordinance by the Town of Sodus would first require the granting of authority to regulate vessels and structures in the Bay to the Town of Sodus. This would require amendment of Section 46-a.(2) of Article 46 of the New York State Navigation Law to include the

Town of Sodus. This would require action by the NYS legislature to amend the Law with the signature of the Governor.

**Action 8b: Establish Intermunicipal Committee Review Mechanism**

Implementation would require the modification of the intermunicipal agreement establishing the Great Sodus Bay Watershed Intermunicipal Committee. The modifications would provide authority to the Committee to provide review comments to the municipalities, as detailed in Section 8.2.8. This new intermunicipal agreement would have to be adopted by resolution in the three participating municipalities. In addition, the Wayne County Planning Department would have to indicate agreement to coordinate the committee work.

## **9.9 Funding**

A number of elements discussed in the Harbor Management Plan require one time or long term funding, with few anticipated to be covered by the existing regular expenditures of government agencies. For this reason, a general discussion of funding mechanisms has been added that can be adapted to meet one or more of the identified needs.

Potential funding mechanisms are different for one time, capital intensive improvements and continuing, long term expenditures for operations and maintenance. Thus, the Harbor Management Plan elements requiring funding are first segregated into two categories; those requiring one time funding and those requiring continuous funding.

Elements requiring one-time funding, if adopted for implementation, are as follows:

- Development of a public pier.

- Development of a second public destination along Crescent Beach.
- Expansion and improvements at the Harriman Park launch.
- Establishment of a new, two lane launch site on the south side of the Bay.
- Purchase of a set of new no-wake zone navigational markers.
- Kiosks and/or signage for boater education/information.
- Expanded public shoreline access facilities as per existing planning documents and other areas around the Bay.
- Improvements for winter use access.
- Radio transmission equipment for boater education/information.

Elements requiring continuing funding, if adopted for implementation, are as follows:

- Operation and maintenance of a public pier.
- Funding of Harbor Master position and related expenses.
- Maintenance and update of information signage, pamphlets and other boater education/information materials.
- Operation and management of Harriman Park launch and second launch site, if developed.
- Management and operation of an event permit system.
- Summer and winter law enforcement specifically focused on the Bay surface areas and landside access points.
- Town and Village expenses for implementation and enforcement of docking and mooring law.
- County expenses for a continuing Intermunicipal Committee with authority for development advisory review.

A hierarchy of funding sources could be tapped to provide the one time funding for capital and marine infrastructure improvements. These include:

- Grant Programs such as those administered by the NYS Department of State (DOS) and the Office of Parks, Recreation and Historic Preservation (OPRHP)

under the Environmental Protection Fund. These are generally matching funds granted to preserve, rehabilitate, restore or acquire lands, waters or structures for park, recreation, conservation or preservation purposes.

- One time Congressional appropriations or NYS Assembly/Senate “member items”. These are generally for one-time, high visibility expenditures meeting a community need.
- Bonding directly by local governments, perhaps utilizing a Section 190 Harbor Improvement District for repayment.

Funding sources that could provide support for items needing continuous expenditures:

- General municipal and/or County tax revenues (general fund).
- User fees for launch sites, public pier docking and, as demand grows, transient-use moorings.
- User fee assessed on a per dock basis for commercial and/or residential docks.
- Section 190 Harbor Improvement Districts set up within each municipality.

## **Figures**

- [Figure 1. Sodus Bay Location Map](#)
- [Figure 2. Harbor Management Area Map](#)
- [Figure 3. Existing Land Uses](#)
- [Figure 4a. Existing Zoning-Village of Sodus Point](#)
- [Figure 4b. Existing Zoning-Town of Sodus](#)
- [Figure 4c. Existing Zoning-Town of Huron](#)
- [Figure 5. Public and Private Water Access Locations](#)
- [Figure 6. Sodus Bay Home Fleet](#)
- [Figure 7. Primary Movement and Anchoring Patterns](#)
- [Figure 8. Bay Surface Use Sectors](#)
- [Figure 9. Bay Total Use by Time of Day](#)
- [Figure 10. Weekend Average Use by Sector and Time](#)
- [Figure 11. Bay Use Demand – Weekday](#)
- [Figure 12. Bay Use Demand – Average Weekend](#)
- [Figure 13. Bay Use Demand – Peak Weekend](#)
- [Figure 14. Bay Bottom Elevations](#)
- [Figure 15. Mean and Ten-Year Return Water Levels](#)
- [Figure 16. Wetland Areas](#)
- [Figure 17. Important View Points](#)

**Appendices**

**Appendix A**  
**Bay Access Improvements**  
**Sketches and Cost Estimates**

### **Estimated Costs for Bay Access Improvements**

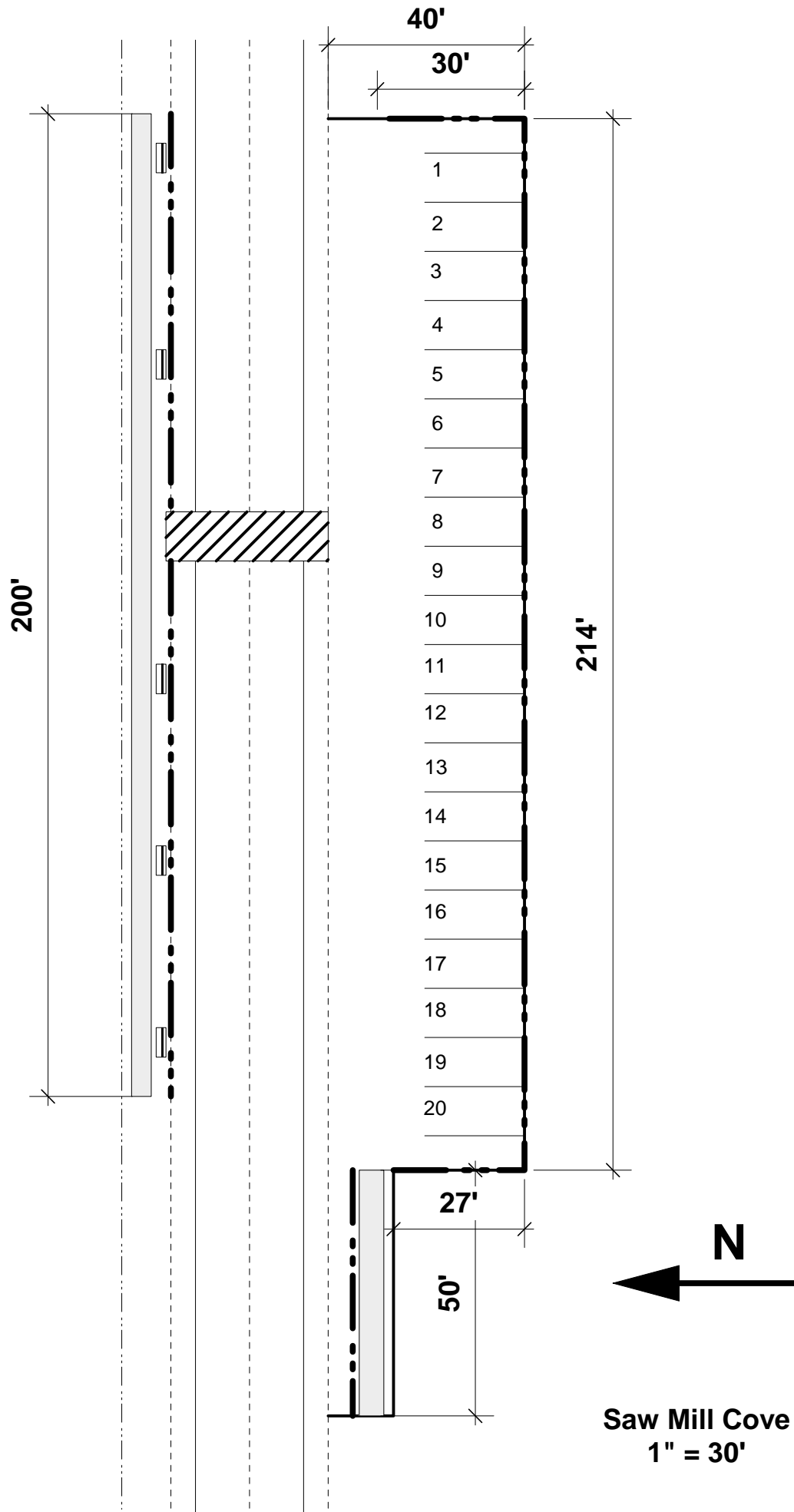
Saw Mill Cove	\$39,906
Spiegel Drive Stub End	\$13,954
DEC Wildlife Refuge	\$17,674
LeRoy Island Road	\$14,019

## Unit Cost Figures for Sodus Access Improvement Estimates

<b>Item</b>	<b>Cost Basis</b>	<b>Unit Cost</b>
Asphalt Paving and Striping	SF	\$2.82
Decorative Guard Rail/Bollards with Cable	LF	\$6.70
Stone Dust Walk	LF	\$1.12
Raised Cross Walk w. Signage	lump sum	\$5,000.00
Benches	ea	\$1,150.00
Bay Access Steps	LF	\$40.50
Bay Access Ramp	LF	\$35.00

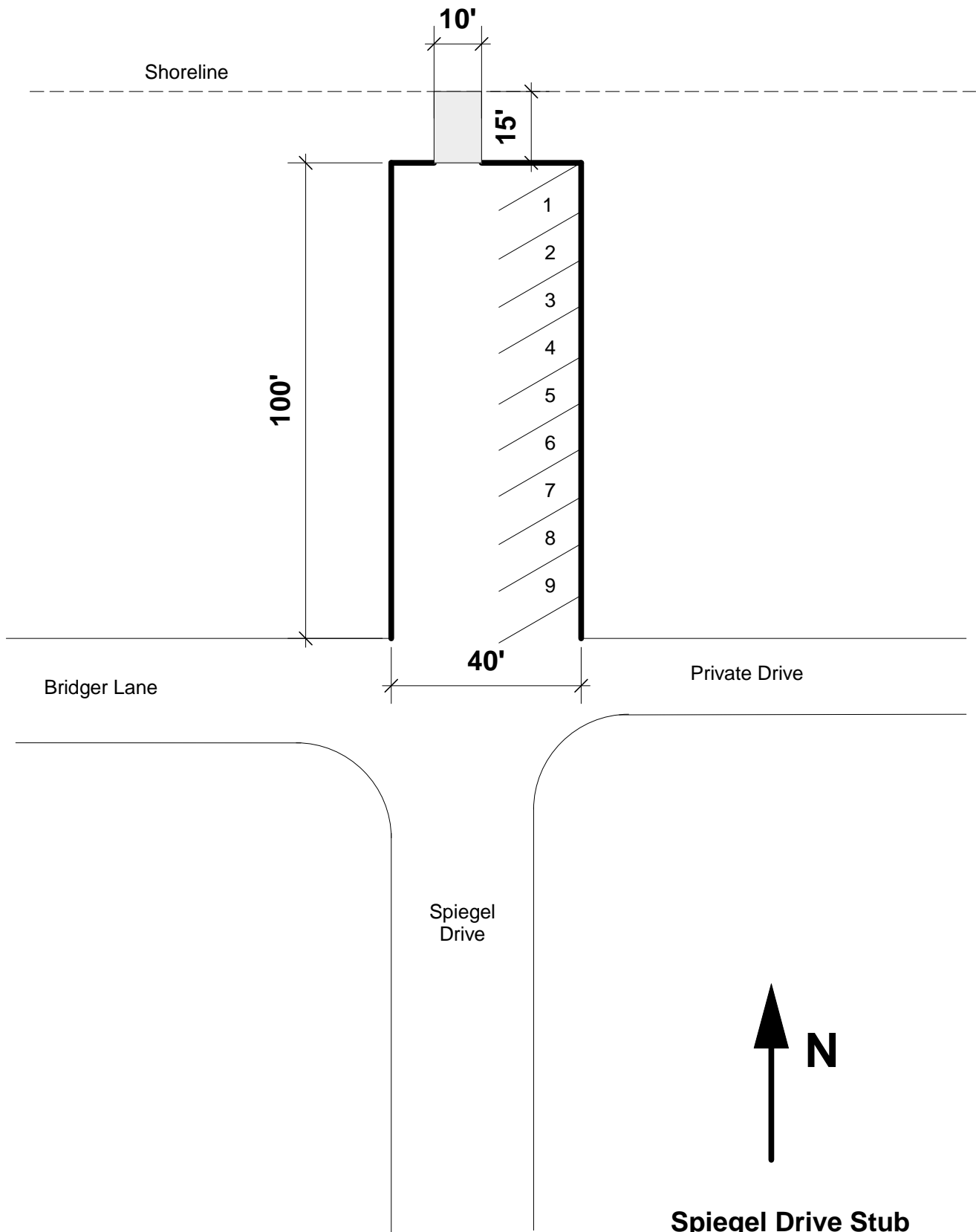
## Saw Mill Cove

Item	Cost Basis	Unit Cost	Amount	Cost
Paved Parking	SF	\$2.82	8,600	\$24,252
Decorative Guard Rail/Bollards with Cable	LF	\$6.70	521	\$3,491
Stone Dust Walk	LF	\$1.12	250	\$281
Raised Cross Walk w. Signage	lump sum	\$5,000.00	1	\$5,000
Benches	ea	\$1,150.00	5	\$5,750
Bay Access Steps	LF	\$40.50	15	\$608
Bay Access Ramp	LF	\$35.00	15	\$525
Total				\$39,906



## Spiegel Drive Stub

Item	Cost Basis	Unit Cost	Amount	Cost
Paved Parking	SF	\$2.82	4,000	\$11,280
Decorative Guard Rail/Bollards with Cable	LF	\$6.70	230	\$1,541
Stone Dust Walk	LF	\$1.12	0	\$0
Raised Cross Walk w. Signage	lump sum	\$5,000.00	0	\$0
Benches	ea	\$1,150.00	0	\$0
Bay Access Steps	LF	\$40.50	15	\$608
Bay Access Ramp	LF	\$35.00	15	\$525
Total				\$13,954



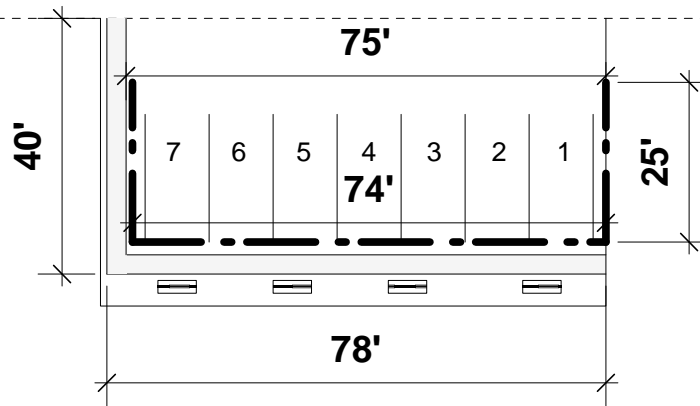
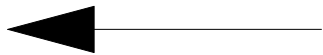
**NYS DEC Wildlife Management Area**

Item	Cost Basis	Unit Cost	Amount	Cost
Grade access road	LF	\$1.12	3,326	\$3,733
Drainage imp. and gravel/stone parking area	SF	\$2.82	4,800	\$13,536
Walkway to launch	LF	\$1.12	325	\$365
Launch	LF	\$40.50	1	\$41
Total				\$17,674

## Leroy Island Approach/Hog Island

Item	Cost Basis	Unit Cost	Amount	Cost
Paved Parking	SF	\$2.82	3,000	\$8,460
Decorative Guard Rail/Bollards with Cable	LF	\$6.70	124	\$831
Stone Dust Walk	LF	\$1.12	114	\$128
Benches	ea	\$1,150.00	4	\$4,600
Total				\$14,019

To Bridge and LeRoy Island



Leroy Island Bridge Approach  
Hog Island  
1" = 30'