SHPO Correspondence



Commissioner

ANDREW M. CUOMO

ROSE HARVEY

Governor

October 6, 2016

Mr. Steve Eckler O'Brien & Gere 333 West Washington St Syracuse, NY 13202

Re: DOH

> Proposed Utica Hospital Utica, Oneida County, NY

16PR06600

Dear Mr. Eckler:

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

Based on available information, your project is located in an archaeologically sensitive area. Because of the size of the proposed project, the hypothesized intersection of the Erie and Chenango Canals within your project area, the presence of a previously identified archaeological site (06540.001655), and the potential for cultural resource deposits to be intact within the subject parcels, OPRHP recommends that a Phase IA Archaeological Survey is warranted for all portions of the project that will involve ground disturbance. A Phase IA survey is a literature search and sensitivity study, designed to systematically assess the significance of, and overall sensitivity for cultural resources within your project area's Area of Potential Effect (APE). This study will subsequently be used to make recommendations regarding whether or not any further, subsurface investigations are warranted.

If you consider portions of the project area to be disturbed, documentation of the disturbance will need to be reviewed by OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition. Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that

Mr. Steve Eckler October 6, 2016 Page 2.

accurately record previous disturbances, or current soil borings that verify past disruptions to the land. It should also be noted that the previous demolition of historic buildings does not negate the presence of Historic or even Precontact archaeological sites in the yards of these now absent structures.

The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archaeologist should be retained to undertake the Phase I survey. Many archaeological consulting firms advertise their availability in the yellow pages. The services of qualified archaeologists can also be obtained by contacting local, regional, or statewide professional archaeological organizations. Archaeology surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archaeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Michael Lucas and he can be reached at (518) 486-2015. Section 233 permits are not required for projects on private land.

If further correspondence is required regarding this project, please refer to the project number (PR) noted above. If you have any questions, I can be reached at 518-268-2218 or via email at Josalyn.Ferguson@parks.ny.gov.

Sincerely,

Josalyn Ferguson (B.A., M.A.)

Historic Preservation Specialist/Archaeology

via e-mail only



ANDREW M. CUOMO

Governor

ROSE HARVEY

Commissioner

June 18, 2018

Mr. Steve Eckler O'Brien & Gere 333 West Washington St Syracuse, NY 13202

Re: DOH

Proposed Utica Hospital/Mohawk Valley Health Systems

Utica, Oneida County, NY

16PR06600

Dear Mr. Eckler:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the report prepared by Panamerican Consultants, Inc. entitled "Phase IA Archaeological Investigation for the Proposed Mohawk Valley Health System Utica Hospital, City of Utica, Oneida County, New York" (Hanley et al. April 2016), in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and it's implementing regulations (6NYCRR Part 617).

Based upon information available to our office and the review of the above-mentioned report, the OPRHP offers the following recommendations:

- 1. We concur with the recommendation that the 442 Lafayette Street Historic Site (USN 06540.001655/NYSM 12153) be subject to a Phase II Site Examination.
- 2. We further recommend Phase IB subsurface testing be conducted in relation to the following:
 - a. Due to the potential of sections of the Chenango Canal and associated Huntington Basin remaining intact within the project's Area of Potential Effect (APE) (possibly deeply), we recommend testing within the following parcel addresses:
 - i. Chenango Canal: 318-333 Oriskany St., 402 Oriskany St., 514-524 Lafayette St., 506 Columbia St., and depending on the degree of disturbance related to recent arterial construction, possibly 509 Lafayette St.;

...2

Mr. Steve Eckler

- ii. *Huntington Basin:* 401 & 402 State St., and the section of State Street between these addresses;
- b. 437 Lafayette Street;
- c. 458 Columbia Street;
- d. Witzenberer Building, 460-464 State Street;
- e. 450-454 State Street. A foundation associated with a structure on this property was previously partially exposed during some sidewalk related impacts.

The OPRHP welcomes the opportunity to discuss the proposed archaeological investigations prior to fieldwork with the appropriate cultural resource firm, and provide additional information about our concerns for potential archaeological resources at these locations.

Finally, please verify all state and/or federal agencies involved in this project, from which permits, permissions and/or funding are being sought, and provide the OPRHP with the appropriate contact names and addresses, including email, for each involved agency.

If further correspondence is required regarding this project, please refer to the project number (PR) noted above. If you have any questions, I can be reached at 518-268-2218 or via email at Josalyn.Ferguson@parks.ny.gov.

Sincerely,

Josalyn Ferguson (B.A., M.A.)

Historic Preservation Specialist/Archaeology

via e-mail only

- c.c. Brian Thomas, City of Utica
- c.c. Chirsty Rosenbarker, O'Brien & Gere
- c.c. Christine Longiaru, Panamerican Consultants
- c.c. Robert Hanley, Panamerican Consultations
- c.c. Charles Vandrei, DEC

ANDREW M. CUOMO Governor ROSE HARVEY
Commissioner

July 17, 2018

Mr. Steve Eckler O'Brien & Gere 333 West Washington St Syracuse, NY 13202 (via email)

Re: <u>DOH/DEC/SEQRA</u>

Proposed Utica Hospital/Mohawk Valley Health Systems/New Construction Columbia St., Oriskany St. W., State St. and Broadway (vic), Utica, Oneida County 16PR06600

Dear Mr. Eckler:

Thank you for your ongoing consultation with the Division for Historic Preservation regarding this undertaking. We continue to review the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Archaeological resources.

Most recently we have received and reviewed the Phase IA Architectural Inventory Report prepared by Panamerican Consultants (May 2018). Based upon this review, we have determined that your project area includes a portion of the Downtown Genesee Street Historic District, which is listed in the New York State and National Registers of Historic Places. The project area also includes 10 other buildings, which have been found by this office to be eligible for inclusion in the registers. A full list of the identified resources is appended to this letter.

At this time, we are also evaluating information that is being provided from the ongoing archaeological investigations at the project area. Additional comments regarding potential impacts to archaeological sites will be provided once all archaeological investigations are completed.

In reviewing the recently submitted project materials, it appears that at least 2 contributing buildings within the listed historic district and 10 eligible historic resources may be demolished as part of this undertaking. Based on these proposed demolitions we have determined that the project as designed will have an Adverse Impact on historic resource as defined in 9 NYCRR Part 428.7(a)(b)(c).

As a result of this determination, we would request that the project sponsor undertake an assessment of alternatives that might avoid or lessen the adverse impacts associated with the proposed demolition of historic buildings. This assessment should include an exploration of alternatives that might:

- Save in place and adaptively repurpose some of the historic structures.
- Relocate one or more key buildings out of the project area for adaptive reuse.

If you should have any questions regarding my comments, I can be reached at (518) 268-2166 or john.bonafide@parks.ny.gov.

Sincerely,

John A. Bonafide

Director,

Technical Preservation Services Bureau Agency Historic Preservation Officer

att: Historic Resources List

cc: NY CRIS Contact List

List of Historic Resources

SHPO USN	Address	Property Name	Determination of Eligibility
06540.002010	301 Columbia Street	Brick Commercial	Date of construction: c. 1900; storefront remodeled c. 1970. Description: A four-story brick commercial block of
	NR Listed in the Downtown Genesee		rectangular plan and with a flat roof, seven bays wide on Columbia Street and nine bays long on its Broadway face The Columbia Street elevation is subdivided into three broad bays by pilasters; this treatment returns along part of
	Street Historic District		the Broadway façade. The first-floor storefront was remodeled (c. 1970) and presently consists of large brick piers
			flanking a recessed entrance and display windows set within anodized aluminum panels. The upper floors have
			undivided double-hung sash with brick arched lintels with double keystones. Sills connect the windows and are interrupted by the pilasters. A stamped metal neoclassical cornice with dentils extends along both street fronts of
			the building. History: In 1907 this structure was occupied by A. W. Blackburn.
06540.002095	326-334 Columbia Street	Haberer Building	The Haberer Building is eligible for the State and National Registers of Historic Places under Criterion A as
			examples of the continuing commercial development of the city of Utica at the end of the nineteenth century. They are also eliqible under Criterion C, Architecture, as examples of late-nineteenthcentury large Romanesque
			Revival commercial buildings at the western edge of the city's commercial district. The Haberer Building was
			constructed with four commercial storefronts with a center entrance and three stories of non-commercial uses
			above. It is attributed to Utica architect Frederick Hamilton Gouge, who was born in 1845 in rural Oneida County. Gouge received a bachelor of arts degree from Hamilton College in 1870 and spent one year working in civil
			engineering before joining William H. Miller, an architect in Ithaca, New York. He moved to Utica in 1876 and
			established his architecture practice there and remained in Utica until his death in 1927. The building is constructed
			in the Romanesque Revival style executed in brick, and is four stories in height. The façade is divided into five bays separated by three-story brick pilasters. The center bay has a single window with a stone lintel on the second
			story, a brick-arched window on the third, and a flat-arched window with brick vouissoirs on the fourth. Above that
			is a slightly raised parapet that may have lost brick finials at the tops of the pilasters. Symmetrical bays of paired
			windows flank the center with round-arched windows on the second story, segmentally-arched windows with brick voussoirs on the third, and flat-arched windows with brick voussoirs on the fourth. Above the fourth-story windows
			is corbelled brick in each of the bays. The storefronts have been altered but the remainder of the façade is
			substantially intact. The eastern elevation has no opening son the first story but five windows on each of the upper
			stories. Although deteriorated, the building retains integrity of design, materials, and craftsmanship. Sources:
			1. Henry J. Cookinham (1912). History of Oneida County, New York: From 1700 to the present time of some of its prominent men and
			pioneers. The S. J. Clarke Publishing Company. 2. Daniel E. Wager (1896). "Oneida County, New York Biographies From Our County and Its People, Part III: Family Sketches". The Boston
			Historical Company. p. 136.
06540.002096	336 Columbia Street	Jones Building	The Jones Building was constructed as a three-bay mixed-use building with one commercial storefront and three
			stories of non-commercial uses above in a style similar to the Haberer Building. Although there is no information about commercial tenants, it also was constructed in the Romanesque Revival style executed in brick, and is four
			stories in height. The façade is divided into three bays with a single window in each bay. The second story has
			round-arched windows connected by terra cotta decoration and stone keystones; third and fourth-story windows
			have segmental arches with stone keystones and in the center bay of the top story is a corbelled brick frame. Within that frame is a stone panel with the lettering "JONES", and a slightly raised parapet wall with brick corbelling
			that matches the remainder of the parapet. The first-story storefront is currently boarded up but appears to contain
			few if any historic features. Although deteriorated, the building retains integrity of design, materials and craftsmanship. Sources:
			1. Henry J. Cookinham (1912). History of Oneida County, New York: From 1700 to the present time of some of its prominent men and
			pioneers. The S. J. Clarke Publishing Company. 2. Daniel E. Wager (1896). "Oneida County, New York Biographies From Our County and Its People, Part III: Family Sketches". The Boston
			Historical Company. p. 136.
06540.002011	401 Columbia Street	Brick Commercial	Date of construction: c. 1900; c. 1910; c. 1920; early 21st century alterations. Description: A four story brick
000 101002011	NR Listed in the	Briok Commondia	commercial block, of rectangular plan with a flat roof. The Columbia Street elevation is divided into six bays, each
	Downtown Genesee		having paired sash set between brick pilasters. This treatment extends, in modified form, along three bays of the Cornelia Street elevation. The pilasters are faced with stone at the first-floor level, below a narrow-bracketed
	Street Historic District		entablature with cornice. Between the first floor pilasters, original storefronts have been infilled with brick and fixed
			sash windows. The majority of the upper-story windows in the building have been replaced with smaller metal-
			frame sash, or are boarded over; however, the original openings are visible and restorable. Windows have simple
			I metal lintels and stone sills. An entablature, consisting of a stone architrave with large dentils, a brick frieze and a
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06540.002107 06540.000101	460-464 Columbia Street 300 Lafayette Street	Former Utica & Mohawk	modillioned cornice, extends along the full length of both street elevations. The west half of the building constitutes an early addition and replicates all of the details found in the earlier portion of the building. A three-bay wide addition constructed at the south end of the building c. 1920 also replicates the detailing of the c. 1900 portion of the building. The Witzenberger Building is eligible for the State and National Registers of Historic Places under Criterion C, Architecture, as an example of a late-nineteenth-century brick commercial/residential building that retains its upper stories and the basic layout of the first-story storefront configuration with the center door providing access to the residential floors above. This 3.5-story brick two-part commercial mixed-use building has two storefronts and a center entrance to the upper stories. The south façade is divided into three bays, with a glass-block window in the center bay (above the center entrance door) and three windows in the flanking symmetrical bays. The first story bay divisions are marked by rusticated stone blocks and modified storefronts. Second-story windows have segmentally-arched windows with brick voussoirs and stone sills. Third-story windows have stone lintels and sills, above which is a corbelled brick cornice with a name panel spelling "WITZENBERGER" above the center bay. The top story has a gabled parapet with a square window and flanking that, above the wider bays, are single dormers punctuating a mansard roof. The west wall is blank where an earlier building stood, and the rea wall has three brick stories with a mix of windows and doors in each half of the building. Four tall chimneys puncture the roofline.
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06540.001489 06540.001490 06540.001491	440 Lafayette Street 442 Lafayette Street 444 Lafayette Street	L. Snyder House S. Isele House C & A Eichmeyer House	an older brick structure with a modern sheet-metal front borders the building on the east. The west elevation is similar to the east except for the presence of a porch (partially altered) where the main block intersects the rear. There is a detached 2-story, 2-bay-wide outbuilding (carriage house) with double-leaf wood panel (3) and glass (8 lights) doors, hay door, and corrugated metal exterior siding on the southwest corner of the property. Despite its deterioration, the building retains a high degree of architectural integrity. The adjacent brick buildings at 440, 442 and 444 Lafayette Street are eligible for the National Register of Historic Places under Criterion C, Architecture, as rare survivors of canal-era residential buildings from the earliest period of Utica's development along the Erie Canal and the lateral Chenango Canal. The three simple Greek Revival-inspired buildings are situated just a short distance east of the Chenango Canal (now covered by the arterial highway of NY Routes 5, 8 and 12) and one block south of Oriskany Street, the former location of the Erie Canal. The Chenango Canal opened in 1837 and connected the Erie Canal one block northwest of this location with the Susquehanna River at Binghamton, nearly 100 miles to the south. The canals ushered in a period of great prosperity in Utica that saw significant residential, commercial and industrial development adjacent to the canals. They are surviving residential buildings in a neighborhood that later evolved to become the western edge of the
06540.002119	437 Lafayette Street		437 Lafayette Street in Utica, Oneida County, is eligible for the State and National Registers under Criterion C, architecture, as a substantially intact Italianate style residence from the middle of the nineteenth century. It is located in an area just west of downtown Utica near the site of the junction of the former Erie and Chenango Canals, which brought unprecedented prosperity to Utica, causing a boom in both industrial and residential development in the city. Once one of the most common residential building types in Utica, today this is the only remaining Italianate residential building in the immediate vicinity. The brick building is two-and-one-half stories tall on a low stone basement. The façade is divided into two bays with a double-door entry in the west bay with pilasters supporting a bracketed hood and a three-sided bay window in the east bay with brick segmentally arched windows with keystones. Above the second story are flat-headed windows situated immediately beneath the wood bracketed cornice. The wood bracketed cornice continues along the east elevation of the main block and behind that is a lower two-story block that does not include the half-story at the front. Window configurations are the same as on the front except that the brick arches do not include keystones. A large industrial building that appears to be
06540.02114	333 Lafayette Street	Childs Building	The first story of the Lafayette Street elevation was altered, probably around the time the building ceased to serve its original function. First-floor windows on the Lafayette Street elevation were eliminated but their historic voussoirs were left in place; second story windows remain intact. On the Broadway elevation, first-floor windows have been infilled, but their openings remain; on the second floor, windows remain intact. The brick pilasters serve to visually separate the office function from the garage function on both Lafayette and Broadway elevations. West of the corner office along Lafayette Street is a colossal one-story garage with pilasters dividing the long Lafayette Street elevation into sections: the section closest to the office is approximately the same width, as is the western section, but the western section has been divided in half by another pilaster. Garage opening heights have been changed, but the original rhythm of the openings and façade divisions has not. At the far west is a one-story garage visible on the Sanborn Insurance Map of 1950. Hidden behind the tall parapet wall of the Lafayette Street elevation are three gabled roofs set adjacent to each other. This wing is only visible on the Broadway side where a wide bracketed overhang runs the length of this wing along the street. There are three large windows along the Broadway elevation and garage doors on the north (rear). The brick gables are terminated with heavy terra cotta parapet caps. The roof appears to have once contained skylights that have since been roofed over. The original post-and-beam construction of the open garage area remained intact as late as the 1970s. Despite exterior alteration, 300-306 Lafayette may be the only remaining building in Utica that illustrates the history of electrical street railway service in the city. Childs Building (Charles H. Childs & Co. Building) 333 Lafayette St 1909 The Childs Building is eligible for the State and National Registers of Historic Places under Criterion A as an example

06540.001555	509 Lafayette Street	Utica Turn Hall/Utica	The former Turnverein Hall is eliqible for the National and State Registers of Historic Places under Criterion A,
		Turnverein	Social History, for its association with the history of German immigration to Utica in the second half of the
		ranivoroni	nineteenth century. It is also eligible under Criterion C, Architecture, as a rare example of the rundbogenstil
			(German Romanesque) in Utica. It was built in 1894 by the German-American community as a gymnasium and
			social hall. "The Turnverein movement was the most important secular organization in German immigrant
			communities in the United States. It was founded by Friedrich Ludwig Jahn and involved a systematic approach to
			gymnastics intended to prepare Germans physically and mentally to combat the conquering French. The Turnplatz,
			or gymnastic field, included places for long jumping, high jumping, pole vaulting, as well as gymnastic equipment
			such as the balance beam, horse, ladders and parallel bars. The Utica Turnverien was established in 1854 and
			Turner societies in New York State formed the Amerikanischer Turnerbund, or American Gymnastic Union in the
			1860s. The Utica Turnverein was formally reorganized in 1882 and in 1894 the membership constructed this Turn-
			Halle. These clubs built spacious halls that functioned as centers of nineteenth-century community life, housing
			gymnasiums, bowling alleys, ballrooms, theaters, and saloons. Most Turnvereins also had benevolent, intellectual,
			and social goals, including caring for the needy, establishing schools, and providing entertainment. Turner
			societies were proponents [of] German language instruction and physical education in public schools as well as
			function as German-American social clubs." Source: DOT Survey (PIN 2134.41), NY 5/8/12 arterial, 2008. This
			building served the as Utica Turnverein until 1922, and by 1925, it was being used as an auto and truck body shop.
			The brick building is a one-and-one-half-story, front-gabled building originally used as a gymnasium. It rests on a
			cut stone foundation and the roof is asphalt. The rundbogenstil became popular in Germany in the second quarter
			of the nineteenth century and in the middle of the nineteenth century in the United States, likely for its historical
			associations. The gable end (north) has a tri-partite window located above the central double doors which are
			flanked by two small round windows. The east façade has five large windows in bays marked by brick pilasters. A
			modern brick warehouse has been added to the west and south sides of the building.

AUG 3 0 2018

ANDREW M. CUOMO Governor ROSE HARVEY Commissioner

August 27, 2018

Sir/Madam Resource Center For Independent Living 409 Columbia St Attn: Zvia McCormick Utica, NY 13502

Re: Downtown Genesee Street Historic District 401-407 Columbia St Utica NY 13502 Oneida County

Dear Sir/Madam:

I am pleased to inform you that the above referenced property was listed <u>August 24, 2018</u> on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. In addition, owners of income producing properties may qualify for federal and/or state income tax benefits. Homeowners in qualifying census tracts may qualify for state income tax benefits for approved work. Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic preservation matching grants.

If you would like more information about any of these programs, please contact your field representative, in this case, Kath LaFrank, at the *Division for Historic Preservation* (518) 268-2165. The Division maintains a continuing interest in all registered properties and will be happy to answer any questions you may have.

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation and

Deputy State Historic Preservation Officer



OBG | There's a way

August 16, 2018

Mr. John A. Bonafide, Director

New York State Office of Parks, Recreation & Historic Preservation Division of Historic Preservation, Technical Preservation Services Bureau P.O. Box 189 Waterford, NY 12188-0189

RE: DOH/DEC/SEQRA – Proposed Utica Hospital/MVHS/New Construction (16 PR06600)

Mohawk Valley Health System – Integrated Health Campus

FILE: 30780/67677

Dear Mr. Bonafide:

Thank you for your correspondence dated July 17th in support of our on-going, project-related consultation with the Division of Historic Preservation. The information provided in your correspondence relative to the Phase IA Architectural Inventory Report, as well as the prior correspondence relative to the Phase IA Archaeological Investigation¹, help establish an important baseline from which to assess potential impacts as we move forward with project planning, including compliance with the State Environmental Quality Review Act (SEQRA).²

As you may be aware, the Mohawk Valley Health System (MVHS) is coordinating with local and state decision-makers and stakeholders to consolidate multiple, existing, licensed health care facilities into an integrated system of care, within the largest population center in Oneida County; an objective which is consistent with the New York State Department of Health (NYSDOH)-approved Certificate of Need.

Consequently, MVHS, in conjunction with its community partners, is seeking to construct the Integrated Health Campus (IHC) within the specified downtown location — 25± acres of property in an area of Utica that is designated as a Federal "Historically Underutilized Business" ("HUB") Zone.³ While the primary project objective is to provide improved healthcare to the residents of the Mohawk Valley region, a secondary objective is to leverage this transformative once-in-a-lifetime project to become a catalyst for ongoing and future economic development of the region. The Oneida County Health Care Facility Transformation Program, a law enacted by the New York State Legislature in 2015, provides capital funding (\$300 million) "in support of projects located in the largest population center in Oneida County that consolidate multiple licensed health care facilities into an integrated system of care."

³ HUBZone means a historically underutilized business zone, which is an area located within one or more: (1) Qualified census tracts; (2) Qualified non-metropolitan counties; (3) Lands within the external boundaries of an Indian reservation; (4) Qualified base closure areas; (5) Re-designated areas; or (6) Qualified disaster areas.







¹ Correspondence dated June 18, 2018 from Josalyn Ferguson, Historic Preservation Specialist/Archaeology.

² The Utica City Planning Board, as SEQRA Lead Agency, is performing a coordinated SEQRA review including preparation of an Environmental Impact Statement (EIS).

Implementing the project within the proposed downtown project area requires consolidation of properties within the project footprint under MVHS ownership. Consequently, MVHS is working with its community partners to acquire parcels through negotiations with existing property owners, with positive results. While MVHS continues to negotiate with remaining property owners, it is understood that full control of the project area may require the use of eminent domain.

In conformance with SEQRA requirements, we continue to evaluate project-related impacts associated with implementation of the project, including potential impacts on cultural and historic resources. The need to provide your office with additional information to facilitate compliance with the National and State Historic Preservation Acts is also understood.

We are currently assessing potential project-related impacts on cultural resources and evaluating potential project changes and/or mitigation to minimize or eliminate those impacts. It is our intent to provide you with our findings so that we can continue our dialogue toward impact resolution. It is our understanding that such resolution will be codified in a "Letter of Resolution" (LOR), agreed upon by involved parties, and addressing significant adverse impacts and a consensus-based mitigation plan. We also understand that development of the LOR will be based on our compilation and provision, and your subsequent review, of information relative to those considerations.

The type of information your office is requesting on targeted properties will require on-site evaluations, which are currently limited by the Team's inability to access all the sites within the project footprint. While MVHS continues its efforts to obtain full site control, it is important to note that eminent domain procedures cannot be initiated until the City of Utica Planning Board, as SEQRA Lead Agency, has completed its coordinated SEQRA efforts (*i.e.*, issuance of SEQRA Findings).

We are reaching out to you in response to your recent phone conversation with our cultural resource consultant, Mike Cinquino (Panamerican Consultants, Inc.), to identify and obtain consensus on a path forward to obtain an acceptable LOR; a process that accounts for the current site accessibility restrictions, the need to provide for an adequate SEQRA review, and which accounts for a balancing of needs between cultural resource sensitivities and regional healthcare objectives. For the purposes of SEQRA, we would like to work toward a written "preagreement" with your office relative to an acceptable path forward.

We are available to meet with you in person or by conference call at your convenience. Please advise. I can be reached at (315) 956-6421 or steve.eckler@obg.com. Thanks for your continued diligence on this important regional project.

Very truly yours, O'BRIEN & GERE ENGINEERS, INC.

Steven M. Eckler

Senior Managing Scientist

cc: Sharon Palmer - MVHS
Mike Cinquino - Panamerican

Eric Lints – Hammes Mike Solak - Hammes Paul Romano – OBG

