

# **NYMTC DRAFT 2011-2015 TIP Public Comments**

## ***Comment 1.***

*Eric Michelson, Huntington Station, NY*

Is there an artist's rendering or more details of the three projects below?

- A. NYSDOT 004218  
INTER  
IMPROVE NY110 SOUTHBOUND @ NY25, NY25 NY110 TO NEW YORK AVE; CONSTRUCT ONE-WAY NEW ROAD TO ALLOW FOR WESTBOUND LEFT TURNS; EASTBOUND LEFT TURNS WILL BE DIVERTED TO NEW YORK AVE, HUNTINGTON TOWN, SUFFOLK COUNTY.
  
- B. NYSDOT 011256  
RECON  
NY110 REC I495 TO ARROWOOD. SPLIT FROM 051641. RECONSTRUCT NY110 FROM I495 NORTH SERVICE ROAD TO ARLINGTON ROAD AND MELVILLE MALL TO ARROWOOD IN HUNTINGTON TOWN, SUFFOLK COUNTY.
  
- C. SUFFOLK CO. SC5168  
R&P  
RECONSTRUCTION OF CR11/DEPOT ROAD AND FAIRGROUND AVE TO IMPROVE SAFETY AND EASE CONGESTION

## ***Response 1.***

- A. NYSDOT 004218 – Renderings and full project level details are not provided as part of the Transportation Improvement Program. However, Plans, Project Specification and Estimates (PS&E) are available once design phase of work has been completed. Please contact the sponsors immediately prior to the construction phase being shown. As part of our process, additional detail information for proposed project can be requested directly from the project sponsor.
  
  - B. **NYSDOT 011256** Same as Response A.
  
  - C. **SUFFOLK CO. SC5168** – Project Design has not started on SC5168, thus there are no conceptual designs to show the public at this time. Once Preliminary Design starts there will be additional details available.
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**Comment 2.**

*Eric Michelson, Huntington Station, NY*

Sidewalks are sorely needed. Will this project include bike lanes on both sides?

SUFFOLK CO. 075971

RECON

REHABILITATE CR11, PULASKI ROAD (OAKWOOD ROAD - DEPOT ROAD) TO INCLUDE RESURFACING AND INSTALLATION OF DRAINAGE AND SIDEWALK WHERE NEEDED IN THE TOWN OF HUNTINGTON (Formerly PIN: SC5168)

**Response 2.**

The funding for this project was committed in Federal Fiscal Year (FFY) 2010 and it is under construction. The project will not have a dedicated bicycle lane, but will include a shoulder (varying width, minimum 4 foot). A sidewalk will be built on one side of the road.

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**Comment 3.**

*Eric Michelson, Huntington Station, NY*

I use the park-and-ride daily. Will there be strict enforcement of public urination, loitering and wrong way driving within the facility?

NYS DOT 022874

STUDY

PARK & RIDE SECURITY SURVEILLANCE

Nassau and Suffolk Counties

**Response 3.**

This project is intended to provide a security firm to patrol all of the park-and-ride lots in Nassau and Suffolk counties.

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**Comment 4.**

*Eric Michelson, Huntington Station, NY*

This is a very small stretch. What's the improvement? Will there be bike lanes to improve access and egress to/from the new Canon HQ?

NYS DOT 022938

RECON

IMPROVE OPERATION OF 1495 SERVICE ROADS FROM WALT WHITMAN RD TO NY 110,  
HUNTINGTON TOWN, [AND] SUFFOLK COUNTY.

***Response 4.***

There will be no bike lanes added to the service roads at this location but an additional lane will be added between the on ramp at Walt Whitman Road and NY110 as well as auxiliary turning lanes to provide for the improved access to the Canon site and Walt Whitman Road.

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***Comment 5.***

*Eric Michelson, Huntington Station, NY*

What is this? What's the plan?

NYS DOT

080659

TRANSIT

SUFFOLK EXPRESS COMMUTER BUS SERVICE

***Response 5.***

This project is funded annually with state and federal sources for express bus service that utilizes the Long Island Expressway High-Occupancy Vehicle (HOV) Lane. The service operates from central Suffolk County to Hauppauge Industrial Park and it has been funded for the past 10 years.

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***Comment 6.***

*Eric Michelson, Huntington Station, NY*

Are these two below the same project duplicated? Both have the same cost.

A. NYS DOT 093413

SAFETY

UPGRADE TRAFFIC SIGNAL SYSTEM / RAILROAD GRADE CROSSING WARNING SYSTEM AT  
PULASKI ROAD

- B. NYSDOT 093415  
SAFETY  
UPGRADE TRAFFIC SIGNAL SYSTEM/ RAILROAD GRADE CROSSING WARNING SYSTEM AT  
PULASKI RD.

***Response 6.***

The description for 093413 was incorrect and has been corrected in the TIP. The corrected description is "UPGRADE TRAFFIC SIGNAL SYSTEM/ RAILROAD GRADE CROSSING WARNING SYSTEM AT SECOND ST IN ISLIP TOWN," Suffolk County. However, both the costs are the same.

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***Comment 7.***

*Eric Michelson, Huntington Station, NY*

I'm a strong supporter of safe sidewalks and roadways for pedestrians. This one I question as a potential waste of \$86,000? What intersections? What improvements are needed? Where within the village? The village doesn't need a state subsidy to paint new lines on Main Street.

- A. LOCAL 0T2359  
SAFETY  
PEDESTRAIN CROSSWALK IMPROVEMENTS AT VARIOUS INTERSECTIONS IN THE VILLAGE OF  
NORTHPORT.HPP #3232, NY 576
  
- B. Rockville Center is in Nassau County  
LOCAL 0T2458  
MOBIL  
VILLAGE OF ROCKVILLE CENTER PROPOSED RESTORATION OF MAPLE AVE INCLUDES  
DRIVEWAY  
APRON, ROADWAY SURFACING, CURBING, HANDICAP RAMPS, DRAINAGE STRUCTURE, TREE  
PITS ETC...

***Response 7.***

- A. **LOCAL 0T2359** – This project was included in the last transportation act passed by Congress, identified by its High Priority Project Number (HPP#), which was included within the project description.
  - B. **LOCAL 0T2458** – Thank you for noting the error. It has been corrected in our records.
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### ***Comment 8.***

*Ted Mills, Managing Member, US Rail of New York*

Thank you for the continuing opportunity to comment on the DRAFT 2011-2015 TIP. We appreciate the opportunity we were afforded to introduce the concept of a public / private cooperative rail clearance initiative in our June 8, 2011 letter, and to present at the June 9, 2011 PFAC Meeting on the Brookhaven Rail Terminal (BRT) and East of the Hudson freight rail issues.

Based on the response to our initial Nassau Suffolk TIP Coordinating Council (NS/TCC) comments as well as the constructive engagement we have had with NYMTC and other local and regional officials, we are at this point commenting specifically to request that the narrative portion of TIP include additional statements on the goal of increasing freight rail East of the Hudson and the ongoing development of the Brookhaven Rail Terminal (BRT). We recognize that adding this brief but important material to the narrative portion of the TIP is more appropriate at this point than seeking to include any underlying clearance or road access projects in the actual TIP project listings.

In our initial April 19, 2011 submission to the NS/TCC, USRNY proposed similar narrative material be added to the introductory portion of the TIP following the discussion of the LITRIM facility. In this letter, we formally renew that comment for NYMTC's consideration. As we stated in our NS/TCC comments and affirm here, directly addressing the goal of increasing freight rail East of the Hudson, and highlighting the potential and progress at the BRT site towards that goal, would be an important addition to the TIP. With such an addition, we believe the TIP will better reflect the critical place that increasing freight rail East of Hudson has in our strategic transportation and economic goals as a region. We also believe the TIP will be better aligned with other regional plans and initiatives, including the NYMTC Regional Freight Plan and NYMTC Freight Village Study. Further, including this material in the TIP can be important in attracting and qualifying for a range of public and private resources to advance these initiatives and achieve the shared goals of greater freight rail capacity East of the Hudson.

Below are the two paragraphs we are proposing to add to the TIP:

Increasing freight rail capacity East of the Hudson is a critical goal for the NYMTC Region. Currently, less than one percent of all freight transported to and from Long Island moves by rail. The Brookhaven Rail Terminal (BRT), a multi-modal rail-to-truck facility under development by U.S. Rail New York, LLC (USRNY), represents an important step towards this goal.

Construction and installation of track and other rail infrastructure is currently underway on a 28 acre site that is strategically located between the Long Island Expressway on the north, Long Island Railroad on the south and County Road 101 on the west. Within 18 months of opening, the BRT is estimated to receive in excess of 10,000 railcar loads, reducing local tractor trailer trips on and off Long Island by 100,000 trips per year.

USRNY is actively exploring public-private partnership opportunities to address the existing clearance, weight or other limitations that pose a significant barrier to increasing freight rail East of the Hudson.

Accomplishing this clearance improvement program will allow more modern and efficient freight equipment to access East of the Hudson and the Ronkonkoma to Riverhead corridor, making it economically viable to ship a wide range of additional commodities by freight rail.

We appreciate your consideration and look forward to working with NYMTC on this matter. Please note that we have attached updated June 2011 photographs of the construction progress at the site for your reference.

### ***Response 8.***

NYMTC's Regional Freight Plan outlines its approach to multi-modal goods movement ([http://www.nymtc.org/files/Regional\\_Freight\\_Plan/RFPfinal.pdf](http://www.nymtc.org/files/Regional_Freight_Plan/RFPfinal.pdf)). Additionally, New York State, in 2009, released its New York State Rail Plan (<https://www.nysdot.gov/divisions/policy-and-strategy/planning-bureau/state-rail-plan>), which articulates the State's vision, goals, and objectives for the intercity passenger and freight system. It is a blueprint designed to guide future New York State rail transportation investment strategies, and the plan pin points both the fiscal and physical realities in improving service in the region with condition's reports on the systems rail within the state providing the weight and clearance restrictions currently experienced on the network.

The TIP is a program of improvement projects which enables federal funding. These improvements cover various transportation modes and facilities, including roadways and bridges, bicycle and pedestrian facilities, transit equipment and services, safety improvements and demand management programs. The planning for this complex program of projects is developed through the Regional Transportation Plan with freight-related policies covered in its

Regional Freight Plan element. NYMTC has begun the process of developing its next Regional Freight Plan. Your comment will be considered as part of this development process.

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## ***Comments 9.***

*Friends of Peekskill Hollow Road, 185 Lake Drive, Lake Peekskill*

In the design plan [for PIN #: 8757.48 Peekskill Hollow Road Design Project], community planning and local cohesion are named as goals of this project, and indeed the stated goals of NYMTC are to enhance and improve the community. Yet this project is designed with a major increase in lanes at the very small hamlet of Oregon Corners, damaging businesses, damaging walkability, increasing danger from already poorly designed parking, and further damaging already stressed viewsheds.

The community would like a change in the traffic pattern at Oregon Corners, and a rehabilitation of the bridge, but we do not want to be overwhelmed by a project that is too large for the area, and serves no discernable purpose.

The three questions already asked:

Have there been any changes in the project plan?

Right of way acquisition is no longer on the schedule. Only 2 of the identified parcels have been authorized for purchase. Are "takings" still planned for this project?

One bridge on the road is not included in the plan, yet modifications have been planned, without showing those plans to the public. You have a general listing for bridge modifications 881152, listed as rehab and repair. Is the Peekskill Hollow Road Bridge just below the school included in that listing? Is the Oscawana Lake Road Bridge at Oregon Corners included in that listing or on the Peekskill Hollow Road project plan?

Your website uses the slogan, "A Shared Vision for a Shared Future," yet this project was planned to evade public input as much as possible. Years ago, the county highway department held what they called "informational meetings" to inform the public of their project. They invited public input at that point, but have not asked for any since. There has been significant public opposition to this project since it was first presented. I am providing the minutes from the County Legislature's Physical Services meeting, at which many residents expressed their dismay at the project plan. Indeed this was the largest single issue meeting the county has ever had. They were upset with the way that the county has proceeded in spite of the Putnam Valley community and the way that they have expended money, a lot of money, without taxpayer support for the project.

In order to have a "Shared Vision," there would have to be some interest in input from the community. Instead this project has been foisted upon the community, and their continued

comments have been unwelcome. In Mr. Gorton's recent response to our ad hoc committee, he said that all of our concerns have been addressed in the original plan during the NEPA process. But that is not the case.

Environmental review has always been a serious issue for this intersection, and indeed the full project runs along two streams. These concerns simply have not been adequately addressed.

The specific objections are still numerous.

The Town of Putnam Valley has a 2007 Comprehensive Plan that recommends a separate Master Plan for Oregon Corners, including the two communities and counties that form the corners, the City of Peekskill which uses the Peekskill Hollow Creek for its water supply, the community, and the businesses at the corners. The county used public money to create a plan that they then tried to inflict on the community. They did not invite any public input. Business owners did not respond well. No one in government has tried to create a real Master Plan for the Corners, and the County has been unwilling to consider working with the community on a plan.

This PHR project includes 4 and 5 lanes at the Corners. This would destroy any possibility of improving walkability at the intersection, and would damage existing businesses, some of which have been struggling with this economy. Why would the state and county expend public funds to destroy businesses? This expansion would destroy any possibility for a meaningful Master Plan.

Your listing states that storm drainage will be upgraded, but in the plan, storm water drains directly into the Peekskill Hollow Creek. Improvements in drainage are a popular concept, but there have been advances in stormwater drains since this project was designed. Due to the sensitivity of the waterway and its use as drinking water, as well as increasing MS4 requirements, we are sure that all would agree that stormwater should not be directly dumped into the stream.

From Wednesday's meeting, it seems clear that this issue can still be addressed as the plan moves forward.

Also due to the sensitivity of the streams, it has been suggested repeatedly that pervious surfaces be used for any shoulders. Added pavement increases runoff and increases winter salt. The design plan indicates that there would be no change, but clearly adding pavement, and adding a snow lane, adds more salt to the area.

There was a road project on a steep road that intersects Peekskill Hollow Road. The developer was required, as part of his plat approval, to improve the drainage on Peekskill Hollow Road at that intersection. The County Engineer determined that this was not necessary. So if a private developer was not required to improve the drainage, then exactly what drainage improvements should be required with public funds?

There is a Town Sewer District located at the Oregon Corners intersection. There have been no statistics provided for the amount of sewerage that goes through that district, the capacity of the sewer, or the impact of this project on this district.

As mentioned before, there has been a huge wall hastily constructed, at taxpayer expense, at Oregon Corners. The wall narrowed the width of the stream. This wall was not there when the plan was developed. What impact will it have on the plan? What corrective steps will be taken to correct the environmental impact of the wall?

While parking is not included in this plan, the problems with parking at the Oregon Corners businesses have been recorded by the County Highway Department, and this plan impacts the parking. One property owner added parking spaces to his property, even though it is on county right of way. How can a plan be constructed that impacts parking, without considering that impact? The County has identified accidents when there was a lower density in that parking configuration. It must be worse now.

In the multiple lanes proposed at Oregon Corners, one lane is specified as a snow lane. The County has consistently oversalted its roadways and has been unresponsive to requests that it alter this practice. Wells have been contaminated. This is an environmentally sensitive junction of two waterways. If salt along with snow are dumped into this corner, it will be disastrous. It is also unreasonable to store excess snow at this intersection. The high piles of snow this past winter are illustrative of that point.

Your project summary states that you will be adding shoulders. There has been long and vocal opposition to widening the road, and in political speak, we have been told, that the road is not being widened. But it is clear that widening the shoulders is widening the road. We have been told by law enforcement that widening increases the speed of travel on the road, and we know that the appearance of the road will be altered irreparably if the shoulders are widened. Traffic already travels too fast on the road, and we prefer the traffic calming effects of two lanes, curves, and very small shoulders.

The initial excuse for promoting this project was a fatal accident that occurred outside of the project area. That is incomprehensible. The curve at Lovers Lane has been slated for straightening for no reason that anyone can explain. There has been no evidence of accidents. There is a bridge on Lovers Lane that is out of commission, yet there is no money for its repair, while there is money for an unnecessary road project.

Mr. Gorton has stated that all environmental questions have already been answered, and that the irregularities in the SEQR process are irrelevant. But the NYS DOT did require that the County supply a negative declaration of environmental significance as part of their approval process. Therefore, it should matter that the [negative declaration] was issued before the design report was complete.

This community has tried so hard to protect the road, and limit this project that they have put forward a county historic designation, and are trying to impose a weight limit. Still, there has been no change in the project plan.

If you want a “Shared Vision,” you would need to be responsive to the public. I understand the limitations of your organization in this process, but at some point, someone needs to be responsible for the expenditure of public funds in a project that the community opposes. Several governmental organizations have evaded so many questions for so long.

Initially, this project did not qualify for TIP, letter attached. Can you tell us what changed? While there are some concerns that can be addressed during the process, some aspects of this project do not seem ready for scheduling and funding at this time.

Among your goals, your website has stated that you want to “enhance the regional environment, improve the regional economy, and improve the regional quality of life.” This project thus far, does not meet these goals. If you want to accomplish those goals, don’t you have to at least go in that direction? “Working collaboratively” has to involve the public.” (End of email)

### ***Response 9.***

A number of concerns are noted in this comment as well as four specific questions.

The TIP is an enabling document that allows for the obligation of federal funds for transportation improvement projects. Each project listed in the TIP provides information on project scope, schedule, cost, air quality information, location and sponsor. Project descriptions are based on the best available information at the time the TIP is developed.

Federal funding for projects comes from a number of different federal programs. Requirements vary depending upon the fund sources; generally a road must be designated on the federal-aid system to be eligible to receive federal transportation funds. In addition, the federal-aid program is a reimbursement program, not a grant program.

Funding for improvements to Peekskill Hollow Road was identified in the Transportation Equity Act for the 21st Century (TEA-21). Once a project is listed on the TIP, the project sponsor begins the scoping and design of the project in accordance with federal requirements. Funding for preliminary design, detailed design, and right-of-way incidentals was obligated in December of 1999. Since that time the Putnam County Department of Highways and Facilities has been advancing the project and has received design approval. Funding for right-of-way was obligated in September 2010.

The scope of the project includes pavement reconstruction, bridge work, intersection improvements and drainage work. Because Peekskill Hollow Road is a county road, Putnam County, through its Department of Highways and Facilities, is responsible for all project design details. This project needs to follow all federal regulations and processes.

Additional information can be found in the New York State Department of Transportation's (NYSDOT) manual for Locally Federal Aid Projects at:  
<http://www.nysdot.gov/portal/page/portal/divisions/operating/opdm/community-assistance-delivery-bureau/locally-administered-federal-aid-projects>.

All comments submitted as part of the 2011-2015 TIP update concerning the Peekskill Hollow Road have been forwarded to the Putnam County Department of Highways and Facilities.

There were also four specific questions asked in the comment:

Question 1 - Have there been any changes in the project plan?

Response: This comment has been referred to the Putnam County Department of Highway and Facilities and they will respond directly to your inquiry. It is also recommended that you contact your County Legislator and/or the County Executive.

Question 2 – Right-of-way acquisition is no longer on the schedule. Only two of the identified parcels have been authorized for purchase. Are “takings” still planned for this project?

Response: The right-of-way funds for this project were obligated in September 2010. Once funds are obligated they are no longer required to appear on the TIP. Right-of-way takings will be in accordance with the plans developed by Putnam County.

Question 3 - One bridge on the road is not included in the plan, yet modifications have been planned, without showing those plans to the public. You have a general listing for bridge modifications – 881152 -- listed as rehab and repair. Is the Peekskill Hollow Road Bridge just below the school included in that listing? Is the Oscawana Lake Road Bridge at Oregon Corners included in that listing or on the Peekskill Hollow Road project plan?

Response: 881152 – The bridge is part of a program of preventive maintenance work (for State Fiscal Year 2011 Maintenance By Contract) on highway bridges owned by NYSDOT. This program does not include any bridge owned by Putnam County, including the Peekskill Hollow Road Bridge and the Oscawana Lake Road Bridge.

Question 4 - Initially, this project did not qualify for TIP...Can you tell us what changed?

Response: This question refers to a section of a letter dated March 17, 1998 from Harold Gary, Commissioner of Putnam County Department of Highway and Facilities to Representative Kelly which states: “(t)his project has not met the selection criteria for the Transportation Improvement Program project list selection process of the Mid-Hudson South Transportation Coordinating Committee.”

There are no records which substantiate this statement. Lacking documentation we offer the following most likely interpretation. In the phrase, "Initially, this project did not qualify for TIP," "qualify" should not imply that the project as initially proposed was not eligible for federal funding as the project was eligible for federal funding. What the phrase, "(t)his project has not met the selection criteria for the Transportation Improvement Program project list selection process of the Mid-Hudson South Transportation Coordinating Committee." most likely indicates that the project did not rank highly enough to be selected for addition to the TIP as part of a periodic solicitation of projects using competitively allocated federal highway funds. This may be why Putnam County sought to have the project identified in legislation. Once defined in legislation, the project was then added to the TIP at the request of Putnam County.

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### ***Comment 10.***

*Dawn Powell*

Received at the public meeting on April 6, 2011. Dawn Powell asked about Peekskill Hollow Road questioning if the plans for the project had changed; and if NYSDOT had the plans. She mentioned not being able to get consistent information concerning the plans between the County Legislature and County Department of Highways and facilities concerning the project. She mentioned issues with NEPA and SEQR and the timing of the negative declaration. She also mentioned that hundreds of signatures had been gathered to stop the project and asked is there any way for the public to be heard?

### ***Response 10.***

As noted above, Putnam County is the sponsor for this federally-funded, locally administered project. The NYSDOT Local Projects Unit reviews the project for compliance with federal regulations, but they do not determine the scope of the project. To obtain the scope for the project after it is determined by the project sponsor, the request must be submitted directly to Putnam County. If you require assistance in helping you navigate the process with your local county, it is recommended that you contact your County Legislator and/or the County Executive.

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### ***Comment 11.***

*Jay Hood from Haverstraw*

Received at the public meeting on April 6, 2011. Jay Hood from Haverstraw discussed PIN 8480.38, the West Side Avenue Drainage Improvement project. Mr. Hood provided pictures and a CD of the drainage issues and ponding. Mr. Hood was concerned about this project having been removed from the TIP. He questioned if it would be possible to do a scaled-down version

of the project to fix the problem, noting that when the road was flooded it was necessary to drive on the other side of the road.

### ***Response 11.***

PIN 8480.38, West Side Avenue Drainage Improvement, is a state funded project that appeared on the TIP for information purposes only. The NYSDOT removed the project from its program. One reason this project was withdrawn was its relative priority as an infrastructure improvement versus other projects within NYSDOT's seven county Hudson Valley region. A second reason the project was withdrawn was a consequence of a field review of the location by a design engineer. That field review concluded that reconstructing Route 202 to current standards to correct the drainage problems and add sidewalks would cause unacceptable damage to the properties that are very close to Route 202. NYSDOT, in response to this comment and other separately received comments including one from State Senator Carlucci, will conduct a new field review to determine if the project is practical and of sufficient priority to be re-programmed.

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### ***Comment 12.***

*Senator David Carlucci's Office*

Mailed from Senator David Carlucci's office and received on April 18, 2011. Senator Carlucci wrote a letter of support concerning PIN 8480.38, the Westside Avenue Drainage Improvement project, noting that this project had been removed from the program in March 2010. The Senator note that resident of the area have expressed four specific concerns with the lack of drainage including:

1. When Route 202 floods, it covers half the road from Highland Avenue to the cemetery at the intersection of Westside Avenue and 9W.
2. During heavy rainstorms, the area gets horrendous and sometimes the residents get flooded.
3. That an accident can easily occur as cars try to get around the flooding by going over the double yellow line on a stretch of road that is curved thereby providing an opportunity for a head on collision.
4. That there had been a large number of accidents that have involved a telephone pole in the area due to the flooding.
- 5.

The Senator noted that he shared the opinion of the residents from the community that the lack of drainage is a major issue that should be addresses and also submitted pictures and a CD of the drainage issues and ponding in the area.

**Response 12.**

See the response to Comment 11 above.

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**Comment 13.**

*Robert Reninger, Chairman of the Broadview Civic Association*

As you are probably aware from multiple previous emails, NYSDOT has denied FOIL requests submitted by Broadview for reasonably specific informational documents about TIP 802016. Documents must exist and these documents should be made available under both NYS FOIL regulations (and corresponding federal FOILA regulations because the TIP process involves Federal highway funds).

The annual comment period for TIP funding is now open but it is impossible for any interested party to submit comments if NYS DOT denies access to FOIL requests. Broadview cannot submit comments based on anecdotal verbal or email comments made by NYSDOT staff. Broadview maintains that Broadview has a statutory right to examine actual NYSDOT documents relating to TIP 802016.

The lack of transparency by NYS DOT with reference to TIP 802016 is inexcusable because both Governor Cuomo and President Obama have repeatedly called for transparency in government operations and public involvement in funding transportation projects. Please advise.

**Response 13.**

NYSDOT has provided all available documents requested by Mr. Reninger. In addition, Mr. Reninger reviewed available project materials on April 15, 2011 at the NYSDOT office with the project manager and the regional FOIL coordinator. It appears that the concerns are related to this specific project, 802016 Route 119/Route 100A Intersection, a state funded project that appears on the TIP for informational purposes only.

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**Comment 14.**

*Robert Reninger, Chairman of the Broadview Civic Association*

Received at the public meeting on April 6, 2011. Mr. Reninger stated that it is impossible for him to submit documentation and comments on this project without his FOIL request to inspect the New York State Department of Transportation files approved. Mr. Reninger questioned the lack of availability of information for him to review concerning the project and also discussed a

letter from Glenn Boucher of the New York State Department of Transportation stating that a sidewalk would be constructed and that this took place without public input.

### ***Response 14.***

See the response to Comment 13 above.

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### ***Comment 15.***

*Robert Reninger, Chairman of the Broadview Civic Association*

The Broadview Civic Association submits the following comments about TIP 802016 designated by NYS DOT and the NYMTC as the “Route 119 intersection at Route 100A Reconstruction” project. This project was originally proposed and approved by NYS voters in November 2005 solely as a reconstruction of the Route 119 / Route 100A intersection without any requirement that NYS DOT construct a sidewalk from Route 119 to the northern boundary of 295 Knollwood Road, the site of the proposed Greenburgh Health Center.

This project was originally approved by New York State voters at the general election on November 9, 2005 as part of the \$35.8 billion New York State Transportation Bond Act. The Transportation Bond Act was codified by Chapter 60 of the Laws of 2005 as Article 22, § 480 - §488 of the NYS Transportation Law. Although the project was specifically approved by an overwhelming majority of New York State voters, NYS DOT has not implemented the project. It appears that funds originally approved by New York State voters have been used for other NYS DOT projects.

The Broadview Civic Association has repeatedly filed FOIL requests to obtain information about this project and NYS DOT Region 8 office has refused to provide meaningful information about the project. Access to NYSDOT files was finally granted on April 18, 2011, one day before the end of the public comment period of the Transportation Coordinating Committee on April 19, 2011. By withholding access to information about this proposed project, NYS DOT has prevented public involvement and public participation in the design and implementation of TIP project 802016. Broadview traveled from White Plains, NY to the NYS DOT Region 8 offices in Poughkeepsie, NY on April 18, 2011 and NYS DOT still did not have all applicable documents available for inspection.

The Route 119 / Route 100A intersection was built around 1928 and has never been updated to meet the transportation needs of the 21st century. The intersection is heavily used by both commercial and passenger vehicles as a primary access route to Route 287, Route 87, Route 95 and other major Westchester parkways. The overpass and the tunnel below are subject to flooding and have been the site of many vehicular and pedestrian accidents. The overpass bridge is constantly being repaired due to major structural damage caused by the narrow width of the bridge. In spite of these compelling reasons to update the intersection, the NYS DOT

Region 8 office did not implement TIP project 802016 even though funds were approved by the 2005 Transportation Bond Act.

The proposed TIP project has been further complicated and delayed by the decision of NYS DOT to construct an ADA compliant pedestrian sidewalk on private property located apart from the actual intersection as part of the project at the expense of NYS taxpayers without any reimbursement from private property owners adjacent to the proposed sidewalk. The pedestrian sidewalk will require that NYS acquire private property in order to construct the proposed sidewalk. NYS DOT has proposed to construct the sidewalk for the sole benefit of a private property owner whose premises are located approximately 500 feet distant from the Route 119 / Route 100A intersection at 295 Knollwood Road (Greenburgh Health Center). The Greenburgh Health Center has refused to construct a sidewalk across the entire front lot line of their premises and will not connect the sidewalk in front of their premises to another approved sidewalk just south of 295 Knollwood Road. The NYS DOT Region 8 office privately negotiated the construction of this sidewalk with a single property owner without any public involvement by other adjacent property owners.

The NYS DOT Region 8 office has further proposed that a multi-modal pedestrian facility can be substituted as a permanent substitute for the sidewalk if NYS DOT is unable to obtain adequate land by eminent domain to build an ADA compliant sidewalk. The multi-modal pedestrian facility approved by NYS DOT Region 8 office involves the use of the Route 100A shoulder as an area to be shared by both pedestrian and motor vehicle operators. The term “multi-modal pedestrian facility” is slick and misleading terminology for using a can of yellow traffic paint to delineate a part of a busy highway which must be shared by pedestrians and motor vehicles. There is hardly any available shoulder available and the multi-modal pedestrian facility approved by the NYS DOT Region 8 office is in violation of all current federal and NYS DOT standards for pedestrian access, and generally accepted national standards for pedestrian walkways.

The Broadview Civic Association recommends that the Mid-Hudson Transportation Coordinating Committee, the NYMTC, and any involved federal transportation agencies immediately proceed with TIP 802016 as originally approved by New York State voters in 2005 without the sidewalk to the Greenburgh Health Center, and omit from the TIP project any sidewalk construction not included in the original project. Broadview also recommends that NYS DOT prohibit the Greenburgh Health Center from temporarily or permanently substituting the multi-modal pedestrian facility for a traditional ADA compliant pedestrian sidewalk.

The Broadview Civic Association further recommends that the Mid-Hudson Transportation Committee, the NYMTC and the NYS DOT take whatever actions are necessary to fully permit public involvement in the TIP process. The current process being used for public participation and public involvement in the TIP process does not permit transparency in the transportation planning process.

### ***Response 15.***

NYMTC has documented and informed all parties of Mr. Reninger's comments in compliance with federal requirements for the development of the TIP. Additional inquiry on project specific questions will need to be addressed by the project sponsor.

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### ***Comment 16.***

*Robert Reninger, Chairman of the Broadview Civic Association*

I finally was able to connect to the "visualization of the TIP listings". Does this site satisfy NYSDOT and federal requirements for adequate public participation and public involvement in NYS DOT projects. Why not just post adequate disclosure on the NYS DOT web site or make files available for inspection via normal FOIL regulations? Governor Cuomo and President Obama are recommending transparency in all government operations. Thank you."

### ***Response 16.***

The visualization of our TIP is only one way which NYMTC provides information under federal planning regulations. While the requirement is to only show federally-funded projects in the TIP, we include a broad range of state and locally funded projects to provide a more comprehensive picture of proposed improvements to the transportation system. Once projects are moved toward implementation, the sponsoring agency is then responsible for public involvement in the project development process.

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### ***Comment 17.***

*Robert Reninger, Chairman of the Broadview Civic Association*

Comments received from Robert Reninger on May 6, 2011 during the public comment agenda item at the MHSTCC May 6th concerning PIN 8020.16, Route 119/Route 100A Intersection.

Mr. Reninger stated that he has an intense interest in this project; he noted that it has been delayed for several years and would like to see it endorsed and moved forward this year. He noted one condition in the TIP he has strong concerns about. NYS has apparently agreed to build a multimodal pedestrian facility and/or a sidewalk from the intersection about 350' down Knollwood Road. He stated that an ADA compliant sidewalk would be fine, but that he does not believe there is any space there to build a sidewalk.

He further stated that the applicant has apparently gotten approval in some form to build this multimodal facility and they consider that an unsafe substitute for a pedestrian sidewalk, particularly when it is leading to a health center.

He encouraged the members to endorse the TIP, but, with a provision that the applicant not be permitted to substitute a multimodal pedestrian facility for an ADA compliant sidewalk.

### ***Response 17.***

NYS DOT is the project sponsor of this project and all of Mr. Reninger's comments noted above were heard by NYS DOT at the meeting by the NYS DOT Regional Director, William Gorton, and other representatives of NYS DOT. In addition, separate conversations were held between NYS DOT representatives and the members of the public concerning this project prior to and following the MHSTCC Executive Meeting.

In addition, as noted previously, PIN 802016 Route 119/Route 100A Intersection, is a state funded project that appears on the TIP for informational purposes only. The concerns expressed will be considered and addressed as part of the project development process. The NYS DOT project manager is also aware of the concerns expressed. All project-level questions must be addressed by the project sponsor.

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### ***Comment 18.***

*Ed Krauss*

Comments received from Ed Krauss during the public comment agenda item during the MHSTCC Executive Meeting on May 6th concerning PIN 8020.16, Route 119/Route 100A Intersection.

Mr. Krauss noted that he concurs with Mr. Reninger's previous comments. He stated that he researched the definition of a multi-modal pedestrian facility and could not find anything. His only conclusion is that it is similar to a bus lane in the city.

He further stated that Greenburgh Health Center is alive and well a few thousand feet up the road and they now have a grant and want to build the facility. He noted that the Town of Greenburgh passed a resolution that states that if there is no sidewalk built, so be it. He expressed concern that this is like sending your kids to play in heavy traffic. The roadway is a two lane, two way road and it is not exactly a very wide lane and he does not understand what a yellow line is going to do when there are cars coming. He noted it is relatively congested at times and there will be people pushing strollers and seniors going up the hill. In the wintertime, the yellow line or whatever it is could be obliterated when there is snow. He further expressed concerns with pedestrians walking along the road during the dark.

He also stated that the Town is using a letter that they received from a person in the DOT in Albany said that it was ok to have a multimodal pedestrian facility, that that person, to his knowledge, is no longer working at DOT, and did not have the authority to grant this alternative to a sidewalk and yet they are running with it. Mr. Krauss' request is that approval is withdrawn. He noted he is not against the health center, he believes the Town needs a health center. A large percentage of the immediate area can make very good use of it, but without a sidewalk that's Russian roulette.

### ***Response 18.***

NYSDOT is the project sponsor of this project and all of Mr. Krauss' comments noted above were heard by NYSDOT at the meeting by the NYSDOT Regional Director, William Gorton, and other representatives of NYSDOT. Mr. Gorton stated at the meeting that they would be looking into the definition of a multimodal pedestrian facility with the applicant to find out exactly what that means. Following Mr. Krauss' comments, Mr. Gorton stated that this is a NYSDOT issue, not an MPO issue and requested that they have a separate conversation following the meeting. That conversation took place between NYSDOT representatives and the members of the public concerning following the MHSTCC Executive Meeting.

In addition, as noted previously, PIN 802016 Route 119/Route 100A Intersection, is a state funded project that appears on the TIP for informational purposes only. The concerns expressed will be considered and addressed as part of the project development process. The NYSDOT project manager is also aware of the concerns expressed. All project-level questions must be addressed by the project sponsor.

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### ***Comment 19.***

*Robert Reninger, Chairman of the Broadview Civic Association*

Three persons from Greenburgh spoke at the May 6th NYS DOT meeting held at the Westchester County Center. Their comments are not included in the TIP publication published on June 8th. Is this customary or were their comments on TIP 802016 omitted in error? Please advise.

### ***Response 19.***

The document that was placed on the website as part of the 2011-2015 TIP documentation included all comments received during the MHS public comment period. All comments subsequent to that will be further incorporated into the TIP.

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***Comment 20.***

*Robert Reninger, Chairman of the Broadview Civic Association*

Three Greenburgh residents spoke at the 5/6 meeting (part of the Mid-Hudson South Transportation Coordinating Committee (MHSTCC) comment period which included public comments as part of the 5/6 agenda) but these comments were not included in the document sent to NYMTC. I don't understand how NYS DOT is meeting the federal requirement providing for public comment and participation. Please advise.

***Response 20.***

All comments received during the MHSTCC public comment period (which was held from March 21 to April 19) were included on the NYMTC website as part of the 2011-2015 TIP documentation. All comments subsequent to that have been documented.

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***Comment 21.***

*Alex Tergis from the City of New Rochelle*

Received at the public meeting on April 6, 2011. Alex Tergis from the City of New Rochelle questioned when the Sound Shore Medical project will be added to the TIP as they are interested in progressing this project.

***Response 21.***

An initial project proposal (IPP) has been submitted to the NYSDOT Local Projects Unit. That IPP has been forwarded to the Federal Highway Administration for a review of eligibility. Once the eligibility review has been completed and the IPP signed and finalized, a project identification number will be assigned to the project and it will be added to the TIP. The public review to add this project to the TIP has been completed.

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***Comment 22.***

*Michael Briska from the City of New Rochelle.*

The City would like to apply for the TIP for street improvements, mainly paving and striping of several prior County Roads the City recently obtained from the County. Could you provide me with the application forms to get the ball rolling?

**Response 22.**

The TIP is fully programmed and we are not soliciting for new projects. The deciding factor about any future solicitations will be the next round of federal legislation which should give us a better indication of what level of federal funds will be available to program.

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**Comment 23.**

*Michael Briska from the City of New Rochelle.*

The City would like to re-appropriate funds for local projects in New Rochelle so that costs for the construction phases are more in line with today's prices. Construction costs should be changed only; costs for other phases should remain the same.

For Projects 8758.99 and 8759.02 (Pelham Road Traffic Signals and Webster Avenue Traffic Signals, respectively) please change total construction phase costs to 1.62 million for each project. Also please change the total construction cost of PIN 8759.00 (Main Street & Huguenot Street Traffic Signals) to 6.755 million. This change will reduce the overall cost of PIN 8759.02 by 1.378 and increase the overall costs of PINs 8758.99 and 8759.02 by 0.059 million and 1.318 million, respectively. I have provided you with a table below which shows these changes. If you have any questions don't hesitate to contact me.

**Response 23.**

Costs should be reviewed at the time of design approval since there will be more details available at that time concerning the scope as well as a more realistic cost estimate. The TIP is required to be fiscally-constrained by year.

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**Comment 24.**

*Mr. John Austin from Fairfield, CT*

Mr. John Austin was interested in coordination efforts between CT and NY and NJ. He also noted the lack of transit access in particular to the Westchester County airport and the other airports in the region.

**Response 24.**

There are a number of ongoing coordination activities between NYMTC and the adjacent states and metropolitan planning organizations.

Concerning transit access to the Westchester County Airport, there are a number of transit options:

- SUNY Purchase now has a park and ride/fly from its campus to the airport. The car can be parked at the campus at a significantly cheaper rate than the airport, and a ride is available to/from the airport.
- The Westchester County *Bee-Line System* provides bus service from White Plains to the Westchester County Airport. From Stamford, CT a traveler can take the I-Bus to White Plains and then Bee-Line service to the Westchester County Airport.
- The TAPPAN ZEEExpress bus connects from Suffern to White Plains which connects to the I-Bus.
- Shuttle buses are available from Connecticut at New Fairfield, Danbury, and Ridgefield to the Metro-North's Harlem Line. These services are sponsored by the New York State Department of Transportation and operated by Housatonic Area Regional Transit. For additional information go to <http://www.hartct.org/schedules.htm>

LaGuardia, Kennedy, and Newark Liberty can also be accessed by transit:

- From Connecticut a traveler can take Metro-North to 125th Street station and transfer to the M60 bus which goes to LaGuardia.
- A traveler could take Metro-North to Grand Central and take the NYC Airporter to LaGuardia and Kennedy or the Newark Airport Express to Newark or to Kennedy.
- A traveler could take the subway from Grand Central to Howard Beach or take the subway to Jamaica and transfer to the Air Train to Kennedy.
- A traveler could take a subway to Penn Station then Long Island Railroad to Jamaica and then take the Air Train to Kennedy.
- To Newark Airport, a traveler can take the subway to Penn Station then New Jersey Transit to Newark Liberty Station and then the Air Train to the terminals.

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### ***Comment 25.***

*Ed Vergano, P.E., from the Town of Cortlandt*

Ed Vergano noted that the Westbrook Drive project is shown on the TIP in 2015. The Town has completed the design phase and they are interested in moving the project up on the TIP. He also noted that the estimated construction cost is lower, now \$0.250M.

### ***Response 25.***

Projects are scheduled based on maintaining the required fiscal constraint of the Transportation Improvement Program. If other earlier scheduled projects are delayed, it may be possible to advance the project schedule provided fiscal constraint is maintained.

### ***Comment 26.***

*Ed Vergano, Chris Kehoe, and Jeff Coleman from the Town of Cortlandt* brought up five questions/comments on projects on draft 2011- 2015 TIP.

Question 1, 2 and 3 concerned three Cortlandt projects Annsville Circle, Route 9A Sidewalks, Broadway Sidewalks (PIN 8780.39, 8103.50, and 8759.63, respectively) with funds in pre-FFY 11. The question was if additional funds needed to be programmed in FFY 11 or 12.

Question 4 was concerning PIN 8390.96, Westbrook Drive. The project is shown on the TIP in 2015. The Town has completed the design phase and they are interested in moving the project up on the TIP. It was also noted that the estimated construction cost is lower, now \$0.250M.

Question 5: The Town would like to see PIN 8004.02, the Bear Mountain Parkway/Route 6 Interchange reconstruction scheduled moved up as this is a popular project.

### ***Response 26.***

Re: questions 1, 2 and 3, no additional funds are needed in FFY 11 or 12, as the phases are already obligated.

Re: question 4, projects are scheduled based on maintaining the required fiscal constraint of the TIP. If other earlier scheduled projects are delayed, it may be possible to advance the project schedule provided fiscal constraint is maintained.

Re: question 5, the project schedule is controlled by the need to acquire real estate and by fiscal constraint. Real estate acquisition is estimated to take two years. The construction cost of \$26 million using \$12 million in Surface Transportation Program - Urban funds makes fitting the project into a fiscally constrained program difficult, resulting in the current schedule.

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### ***Comment 27.***

*Chris Kehoe from the Town of Cortlandt.*

This project is programmed on the TIP for construction after 2015. I spoke to Ed Goff at NYSDOT briefly about this project about 2 months ago when a group of us from the Town went to speak to the Local Projects Unit about a different project. The DAD for the project is done (completed by Berger-Lehman) and the Advanced Detailed Plans and an Engineer's Estimate

were submitted to the NYSDOT in December. The construction cost for this project is estimated at \$245,000.

I know the public comment period has just opened on the 2011-2015 TIP. The post 2015 construction budget for this project is estimated on the TIP as \$560,000. Is this public comment period the appropriate time to request this project be moved forward?"

### ***Response 27.***

The public comment period would be the appropriate time to request a schedule change.

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### ***Comment 28.***

*Letter from Linda Puglisi, Supervisor Town of Cortlandt received April 20, 2011 with comments on three projects.*

- A. PIN 8759.63, Broadway Sidewalks-remove the reference to the Town of Bedford.
- B. Requesting that construction funding for PIN 8390.96, the Westbrook Drive project be moved up from where it is shown now in post-2015. The Supervisor also noted that the anticipated construction cost is approximately \$300,000.
- C. Requesting that construction funding for PIN 8103.50, the Route 9A sidewalk project be moved up from where it is shown now in post-2015.

### ***Response 28.***

- A. **PIN 8759.63** – Done.
- B. **PIN 8390.96** – Projects are scheduled based on maintaining the required fiscal constraint of the Transportation Improvement Program. If other earlier scheduled projects are delayed, it may be possible to advance the project schedule provided fiscal constraint is maintained.
- C. **PIN 8103.50** – This project is an earmark funded project and could be moved up without impacting the fiscal constraint of the TIP. The Town is in the process of negotiating a design contract with the consultant. As the project progresses through the process and design approval has been granted the schedule can be reviewed and revised as needed.

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### ***Comment 29.***

*Dave 'Paco' Abraham (Cobble Hill Association, 1st Vice President), Prof. Paul J. Gammarano (M.A., J.D., Health Educator), Rich Miller (Brooklyn Resident), Michelle Yu (Constituent of State Senate District 22, State Assembly District 49, and City Council District 43), Meredith Sladek (Development Assistant, Staten Island Volunteer Committee Chair), Robert DeBiase, Ed Pollio, Stephen J. Messina, Irasema Rivera*

In summary, all of the emails share their disappointment that there is no access to Staten Island via the Verrazano Bridge and that there is no mention of any multi-modal improvements to connecting Staten Island via the Verrazano Bridge. They all state the importance of having alternatives to vehicular travel to Staten Island as traveling to Staten Island via the Staten Island Ferry is impractical. Some question whether the MTA would consider putting bicycle racks on buses as is done in many cities throughout the world. The use of bike racks, they believe, would dramatically improve the use of the Brooklyn and Staten Island greenways, offering a cost effective means of travel for thousands of existing cyclists, spur new users to join the cycling community, and promote revenue generating tourism.

***Response 29.***

The MTA's Capital Program does not have the resources at the current time to add this capacity to the bridge and it may not be physically practical. In addition, the MTA has determined that bicycle racks on buses are not feasible for its bus operations.

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