



January 8, 2024

Honorable Lewis Grubham
Town of Kirkwood
70 Crescent Drive
Kirkwood, NY 13795

Dear Supervisor Grubham:

**RE: SEQR LEAD AGENCY RESPONSE
REZONING OF 110 WILLIAM STREET
REZONING OF 925 STATE ROUTE 11
REZONING OF A PORTION OF 24 SUNSET DRIVE
TOWN OF KIRKWOOD, BROOME COUNTY
SEQR #23-027**

The New York State Department of Transportation (NYSDOT) has no objection with the Town of Kirkwood Board serving as Lead Agency for the subject project. NYSDOT should be considered as an Involved Agency with regard to notifications and review of environmental determinations, site plans and project documents, especially activities that pertain to, or impact, US Route 11 and I-81.

NYSDOT previously reviewed the proposed rezoning and development plans as part of Broome County's §239 site plan review process. Attached is NYSDOT's previous response which remains in effect, along with the following preliminary comments based upon review of the revised site plan and supporting material provided by the Town for SEQR Lead Agency designation.

- NYSDOT is currently working with the applicant's traffic consultant and is waiting to receive further information from the consultant that will evaluate additional measures to mitigate traffic impacts to and from the site on US Route 11.
- The applicant will be required to obtain a Highway Work Permit prior to conducting work in the State right-of-way for any approved mitigation measures or improvements. Please direct the applicant to contact Cathy Niederriter in the NYSDOT Region 9 Permit Office by email at Cathy.Niederriter@dot.ny.gov or by phone at 607-721-8082 with any further questions.
- A copy of the draft Environmental Impact Statement shall be submitted for NYSDOT's review and comment, and a copy of the final Environmental Impact Statement or Negative Declaration shall also be submitted to NYSDOT prior to issuing Highway Work Permit(s).

- Please note that post-activity stormwater outflows to the State right-of-way may not exceed the pre-activity condition. Please provide the project's Stormwater Pollution Prevention Plan (SWPPP) for NYSDOT's review.
- NYSDOT's previous comments in the attached letter regarding the requirement of a crosswalk across NYS Route 990F for safe pedestrian access remains in effect.
- The applicant's revised site plan no longer indicates development of a bicycle/pedestrian path on Frances Street. Please note that NYSDOT's previous comments shall remain applicable if this path is still under consideration.
- The Town should ensure that the tax parcels associated with the proposed rezoning are correctly identified and consistent with Broome County GIS property database and Real Property records. In regard to the proposed rezoning of a portion of 24 Sunset Drive, the Broome County GIS database currently reflects Tax Map Number 162.16-1-18.1 as property located east of I-81 and Tax Map Number 162.15-1-56 as property located west of I-81.

Note that additional comments may be provided as part of NYSDOT's Highway Work permit process, and as environmental determinations and other project documents are made available to NYSDOT in the future. Should you have any further questions regarding this response please contact me by email at Kathryn.Mangan@dot.ny.gov or by phone at 607-721-8254.

Sincerely,



Kathryn Mangan
Acting Regional Planning & Program Manager

KAM/jmt

Encl.

ec: Lora Zier, Senior Planner, Broome County Department of Planning
Beth Lucas, Director, Broome County Department of Planning
S. Murphy, Chair, Regional Site Plan Committee
S. Cammisa, Regional Environmental Manager
C. Niederriter, Regional Permits Coordinator
A. Signorelli, Regional Traffic & Safety Engineer
M. Taylor, Regional Design Unit
L. Rawson, Assistant to the Regional Director
D. Newby, Broome County Resident Engineer
C. Bump, Broome County Assistant Resident Engineer
T. Phillips, Broome County Assistant Resident Engineer
S. Pitely, Regional Public Involvement Supervisor
J. Taylor, Public Involvement Leader/SEQR Coordinator
J. O'Connor, Public Involvement Leader

c: Blue
SEQR File: 23-027



September 27, 2022

Ms. Lora Zier, Senior Planner
Broome County Department of Planning and Economic Development
Edwin L. Crawford County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13901

Dear Ms. Zier:

**RE: SITE PLAN REVIEW – FIVE MILE POINT WAREHOUSES
110 WILLIAM STREET (NEAR NYS ROUTE 990F),
TOWN OF KIRKWOOD, BROOME COUNTY
NYSDOT CASE #22-138**

We have reviewed the materials for the above-referenced proposal. Please note the following comments:

- NYSDOT is reviewing the project's Traffic Impact Study (TIS) and will provide comments under separate cover. Please note that this review may result in additional required traffic mitigations on the State and local highway systems beyond those currently proposed in the project documentation.
- The applicant will require a Highway Work Permit from NYSDOT prior to the commencement of any work within the State right-of-way, including for any required mitigations. The applicant may contact the NYSDOT Region 9 Permit Office at 607-721-8082 to apply for this permit.
- Please note that pedestrian facilities constructed within any public rights-of-way must be constructed to conform to Americans with Disabilities Act Accessibility Guidelines (ADAAG). Pursuant to this requirement, the pedestrian path, as proposed, must either include passing areas every 200 feet or be built to a minimum five-foot width.
- NYSDOT will require the applicant to install a crosswalk across NYS Route 990F to provide for safe pedestrian access between the two sections of Valley Park. Installation of signage and beacons may be required in addition to the crosswalk striping.

- The proposed Industrial rezoning includes the parcel at 24 North Sunset Drive, which includes sections east of Interstate 81. The Town of Kirkwood should ensure that land use on this section, being exclusively accessible through a residential area, remains consistent with the character of the surrounding neighborhood.
- NYSDOT recommends that the Town of Kirkwood undertake a comprehensive evaluation of the proposed project's appropriateness in the context of the surrounding residential community.
- Nothing may be placed within the State right-of-way of Interstate 81 adjacent to the site, including signage, and no work may be conducted within this right-of-way, including any vegetation clearing. Please note that no access of any kind is permitted across this highway boundary.

If you have any questions, or need further assistance, please contact my office at 607-721-8080.

Sincerely,
***Original signed by
Sean Murphy for***

Tony Signorelli, P.E.
Regional Traffic Engineer