New York State Environmental Quality Review Act (SEQRA)

Final Environmental Impact Statement (FEIS) for the Albany-Hudson Electric Trail

September 12, 2018
NOTICE OF COMPLETION OF A FINAL ENVIRONMENTAL IMPACT STATEMENT  SEPTEMBER 12, 2018 10:48 AM EST

Title of Action: Final Environmental Impact Statement (FEIS)

Project Name: Albany-Hudson Electric Trail

Location of Action: Counties: Rensselaer and Columbia
City of Rensselaer, Towns of East Greenbush, Schodack, Nassau, Chatham, Kinderhook, Stuyvesant, Stockport, and Greenport and the Villages of Nassau, Valatie and Kinderhook

SEQRA Status: Type 1

Lead Agency: Greenway Conservancy for the Hudson River Valley (Conservancy)

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Date Completed: September 12, 2018

Involved and Interested Agencies:

State Agencies/Authorities:
NYS Department of Environmental Conservation (DEC)
NYS Thruway Authority
NYS Department of Transportation (DOT) Region 1 and Region 8
NYS Office of Parks, Recreation and Historic Preservation (OPHRP)
NYS Department of State (DOS), Office of Coastal, Local Government & Community Sustainability

Federal Agencies:
US Army Corps of Engineers (ACOE – NY District)
US Fish & Wildlife Service (NY Field Office)

Private Parties
National Grid

Local Agencies and Interest Groups:
Rensselaer County
Columbia County
City of Rensselaer
Town of East Greenbush
Town of Schodack
Town of Nassau
Town of Chatham
Town of Kinderhook
Town of Stuyvesant
Town of Stockport
Town of Greenport
Village of Nassau
Village of Valatie
Village of Kinderhook
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EXECUTIVE SUMMARY

ES 1. Introduction

This Final Environmental Impact Statement ("Final EIS" or "FEIS") for the Albany-Hudson Electric Trail (AHET) has been prepared in compliance with Article 8 of the NYS Environmental Conservation Law, the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations at 6 NYCRR Part 617. The Greenway Conservancy for the Hudson River Valley, referred to in this document as the “Hudson River Valley Greenway” or “HRVG,” is the Lead Agency.

The steps that have led up to the adoption of this FEIS include the following:

- A Full Environmental Assessment Form (FEAF) was completed by the HRVG in September of 2017.
- The HRVG used the FEAF to complete a request for SEQRA Lead Agency status to begin a Coordinated Review under SEQRA on October 18, 2017.
- The first step in the Coordinated Review was to determine the project’s significance, i.e., would the project potentially have any Environmental Impacts. The HRVG determined that the project has the potential for Environmental Impacts and given the size of the project, was classified as a Type I Action under SEQRA. This determination was made on November 20, 2017.
- The HRVG developed a Draft Scoping Document that was circulated for review to involved and interested public entities and was published for public review and submitted in November of 2017.
- At the close of the public comment period, the HRVG adopted the Draft Scoping Document and directed the initiation of the preparation of this DEIS on November 20, 2017.
- A preliminary version of the DEIS was issued by the HRVG staff on January 22, 2018 for HRVG “Lead Agency Completeness Review”. This review culminated on March 9, 2018, resulting in the release of the DEIS for public review and comment.
- A 60-day comment period on the DEIS began on March 9, 2018 and closed on May 8, 2018. A Public Hearing was held on March 28, 2018. Out of approximately 90 attendees, eighteen (18) people spoke during the Public Hearing. In addition, ten (10) participants submitted a written comment form. During the public comment period, four (4) written comments were received by mail and forty-three (43) written digital comments via email or through the project website “Submit a Comment” function. Two (2) comments were received by phone call. All comments received during the DEIS public comment submission period are part of the SEQRA public record and are incorporated into this Final EIS.
- A 30-day comment period on the FEIS began on July 17, 2018 and ended on August 16, 2018. During the public comment period, twenty-two (22) comments were received via phone, mail, email or through the project website “Submit a Comment” function. All comments received during this public comment submission period are part of the SEQRA public record and are incorporated into this FEIS.

This FEIS incorporates, by reference, the DEIS previously accepted as consistent with the final scoping outline and adequate for public review by the Hudson Greenway on March 9, 2018. Section 2.0 includes a summary of any changes to the DEIS since its publication and subsequent acceptance. Section 3.0 documents the public comments received and responds to the comments following the organizational structure of the DEIS. Appendices to the FEIS include a transcript of the Public Hearing, and a compilation of all written comments submitted to the Hudson Greenway and new or revised reports and documents prepared to respond to comments and support the responses found in this FEIS.
Final Environmental Review Steps

- Following the end of the 30-day comment period, the HRVG reviewed all public comments, and determined whether any final adjustments to the FEIS were warranted.
- The HRVG as Lead Agency accepted this FEIS as complete on September 12, 2018.
- The HRVG will publish a Notice of Completion of the FEIS in the New York State Environmental Notice Bulletin.
- The HRVG will prepare and issue a Statement of Findings as the final step in the SEQRA process. All other Involved Agencies will be provided copies of the HRVG Findings Statement for final coordination.

The HRVG’s schedule calls for final engineering designs to be completed in December 2018, and construction will commence in early 2019. The AHET Trail is slated to be completed by the end of 2020.

Community outreach will be outgoing throughout the project. Information is available on the project website www.AHETtrail.org, which includes a Frequently Asked Questions Section, a link to various documents prepared for the trail, and Trail Maps identifying the route and proposed improvements along the route. The website is updated regularly with new meeting times and locations and project documents when available.

ES 2. FEIS Significant Changes

The Final Environmental Impact Statement (FEIS) identifies significant changes that have been made to the design and planning of the Albany-Hudson Electric Trail (AHET) during the five-month period following the release of the DEIS in March, 2018.

Trail Route

Overall, the location of the AHET Trail route remains largely the same as was depicted in the DEIS. Minor changes were made to the trail route in a small number of specific locations. Examples of these route adjustments include the bicycle route in the City of Rensselaer and Town of East Greenbush; trail connection through the Village of Kinderhook at Albany Avenue and trail termini alternatives at the southern connection to the Empire State Trail in the Town of Greenport along with modifications to several road crossings for specific design treatments after consultation with stakeholders.

A series of Maps depicting the final AHET route is depicted in Revised Figures 2.3.1 to 2.3.9 located in Appendix A: FEIS Updated Figures.

Wherever feasible, the AHET will be an off-road trail constructed on the former trolley, now a utility corridor, owned by National Grid. Short sections of the AHET route will be designated along public roadways, in locations where physical impediments preclude creation of the trail on National Grid’s corridor. The AHET Trail will cover a 36-mile route.

Trailheads

Trailheads remain largely as proposed in the DEIS with ten (10) trailhead locations planned. A few changes have been made including:

1. Town of Schodack (Rensselaer County). The location of this Trailhead has changed from the original DEIS proposed county-owned parcel adjacent to Amelia Court. The new location will be on the west side of County Route 7, near Nassau Lake, on properties proposed for purchase by the Rensselaer Land Trust.

2. Town of Stuyvesant (Columbia County), Hudson Avenue (County Route 25A) & Woods Ln. A small Trailhead parallel parking area is proposed at Stuyvesant Falls. This Trailhead has been refined since the original DEIS to include an existing pull-off area on the east side of Route 25A that will be formalized within the footprint of the existing pull-off.
3. Town of Kinderhook/Village of Valatie, NYSDOT Park & Ride lot at the intersection of State Routes 9 and 9H. This Trailhead is a new site, not identified in the DEIS, and includes an existing large park and ride lot that receives low usage.

4. Town of Stockport (Columbia County), Stockport Park. A Trailhead parking area is proposed in Stottville at the existing town park and little league field. This trailhead has been refined since the original DEIS.

Environmental Setting, Potential Environmental Impacts & Proposed Mitigation Measures

Changes to the Stormwater Management, Freshwater Wetlands, Historic and Archaeological Resources, Transportation, and Consistency with Community Character sections of the DEIS have been made in response to comments and AHET Trail route changes. These modifications include:

Stormwater Management

Changes to this section of the DEIS relate mainly to Trailhead changes. All trailheads remain under 1 acre in disturbance area and the changes to Stormwater Management simply relate to identifying these limited modifications to the trail amenities noting that the final Storm Water Pollution Prevention Plan required for construction will include the requisite temporary and permanent erosion and sediment control practices required by the NYSDEC.

Freshwater Wetlands

Since the issuance of the DEIS in March 2018, one additional wetland that was identified within the study area. An addendum to DEIS Appendix 4.2.1: Wetland Delineation and Ecological Report, was completed and is included in Appendix F of the FEIS.

As noted in the DEIS, the HRVG will undertake a wetland mitigation project, to compensate for impacts to wetlands resulting from the AHET Trail. Exact acreage and design of the wetland mitigation project will be finalized through a permit issued by the U.S. Army Corps of Engineers. Because National Grid’s utility corridor is relatively narrow and must accommodate both the trail and electrical transmission infrastructure, construction of a wetland mitigation project is not feasible on National Grid’s property.

The AHET wetland mitigation project will be located on nearby Schodack Island State Park (the Park). The Park lies within the same watershed as the trail corridor and has been accepted by regulatory agencies as an appropriate location for wetland mitigation projects. Three mitigation activities within the Park have been evaluated. The first includes restoring shallow-water, side channel and tidal wetland habitat by excavating a channel to be cut through fill that was historically placed between the original separate islands. The second activity includes creating shallow excavation wetlands behind existing bulkheads along the Hudson River. The third activity includes enhancing floodplain forest wetlands and habitat by enlarging culverts and channels into historic bermed containment cells. The final selection, design, and wetland mitigation replacement ratios will be determined during the ongoing permitting process implemented by the federal and state regulatory agencies.

Historic and Archaeological Resources

Since the issuance of the DEIS in March 2018, the HRVG has made small changes to the AHET Trail route in several locations. Accordingly, the HRVG engaged Hartgen Archeological Associates, Inc. to conduct an additional Phase I archeological investigation. The State Historic Preserve Office (SHPO) issued a finding of No Impact based on the additional Phase 1 archeological investigation. See Appendix E of this FEIS.
Transportation

Continued studies at various locations where off-road trail segments cross public roads were completed since the issuance of the DEIS and public comment period. These updated on-road sections have been identified in the FEIS. Mainly these on-road updates identify final planned treatments for roadway crossings. Additional changes include the revised Bicycle route in the City of Rensselaer and options for improvements at the intersection of NYS Route 203, County Road 32, and Bunker Hill Road in North Chatham.

Consistency with Community Character

Projection of Annual Number of Trail Users

During the DEIS public comment period, multiple comments were submitted asking whether the HRVG has estimated the number of trail users that will visit the AHET Trail. The HRVG and its consultant, Alta Planning + Design, have completed a Trail User Projection analysis. The study projects that across the entire 36-mile route, 490,000 visitors will utilize the AHET Trail annually. Trail use at individual locations along the trail is projected to range from 30,000 to 132,000 people annually (trail use will be higher in more developed areas, and lower in more rural sections). The study estimates that pedestrians will account for two-thirds of trail use, with bicyclists comprising one-third. The AHET Trail User Projections report is available in Appendix B to this FEIS.

Community Services

Concern was raised during the DEIS public comment period regarding the ability of existing Emergency Response Services to locate a 911 caller and to access the AHET Trail. It was confirmed and documented in the FEIS that both the Rensselaer County and Columbia County 911 systems have the capability to instantly locate a cell phone, by pinging the GPS function on the mobile device. Some limitations to the functionality of this technology may occur if the signal strength is weak but cell coverage has been documented to be very good along the AHET Trail route. To enhance the effectiveness of the 911 system the HRVG will be providing digital Geographic Information System (GIS) information to the Rensselaer and Columbia County 911 Centers, identifying a series of latitude-longitude locations such as road crossings, trail bridges, and other features, that the dispatch centers will integrate into their 911 systems. This will allow 911 dispatchers to provide location guidance to local police and EMS responders. Additionally, as part of the overall AHET construction project, street signs will be installed at locations where the trail crosses public roads. Road name signage will assist trail users and 911 dispatchers in guiding EMS response when incidents occur.

The AHET Trail is also being designed to provide direct access to emergency vehicles and will include surfacing and bridges designed to support loading from EMS, Fire and Police vehicles. There are 70 public road and private driveway crossings along the 36-mile AHET route, providing quick access to emergency vehicles. In those instances where emergencies occur on the AHET Trail, local EMS agencies will respond in the same way that they provide services throughout their jurisdictions. The cost of emergency services will be managed by local responders, consistent with their regular practices.

The State Park Police have indicated that the number of EMS response incidents on these types of trails is low, especially on trails that allow non-motorized use only (this is the case with AHET Trail, where snowmobiles and ATVs will be prohibited). Based on State Parks’ experience, the Hudson Greenway anticipates that the AHET Trail will not generate a significant number of annual emergency incidents requiring EMS response.

Trail Maintenance

During the public comment period on the DEIS, multiple comments were submitted stating that the HRVG should clarify how the AHET Trail will be maintained, including comments raising concern that some local governments cannot afford the cost of maintaining the trail. The AHET Trail will be operated and maintained by a collaborative partnership including
the Hudson River Valley Greenway, city, town and village governments, and interested trail groups and volunteers. HRVG has initiated conversations with several non-profit organizations who have expressed potential interest in maintaining sections of the AHET Trail, focusing on segments where local governments are not able to do so. Additionally, the HRVG will donate trail maintenance equipment, such as commercial-grade mowers, string trimmers, and trailers, to local governments and non-profit organizations that accept responsibility to manage sections of the AHET Trail. The HRVG retains ultimate responsibility for maintaining the trail, including mowing and related activities. In the event that specific trail segments are not maintained by a local sponsor, HRVG will directly conduct routine maintenance activities by either hiring seasonal staff or contracting with a commercial landscaping firm. HRVG will ensure that a maintenance plan is in place for the entire AHET Trail prior to bidding construction of the project. See Appendix D of this FEIS.

### Alternative Routes

Overall, the AHET Trail remains largely the same to the original route proposed in the DEIS, predominantly following the historic trolley corridor owned by National Grid. Three additional alternative trail routes were evaluated after submission of the DEIS in response to comments received during the DEIS Public Review. The three alternatives included:

1. **City of Rensselaer**

   The Final Concept Plan now proposes to utilize an alternative route for the bike lane proposed along Third Street. The bicycle route will now utilize High Street as a shared roadway heading southeasterly toward CR 63 (Red Mill Road). This proposed alternative route presents an overall shorter bike lane length (0.69 miles vs 1.00 miles), is a lower speed facility (30 mph vs 40 mph), and has less vehicle traffic than the original prosed use of NYS Route 151. See Appendix C1 of this FEIS.

2. **Town of Schodack**

   The Miller Road crossing was further evaluated and meets the requirements for pedestrian and bicycle use. Existing constraints have been resolved through an engineering approach consistent with NYSDOT and federal AASHTO design guidelines. The Alternative route reviewed evaluated use of the Red Oaks Property. The alternative was investigated but identified significantly more design constraints. Based on the alternatives analysis, the HRVG design team continues to recommend Miller Road as the preferred alternative for the AHET route connection from Old Miller Road to the Reno Road confluence. See Appendix C2 of this FEIS.

3. **Town of Stockport**

   The AHET Trail Final Concept Plan (issued January 2018) and Draft Environmental Impact Statement (DEIS issued March 2018) recommend that the AHET Trail in this section be an off-road trail located on National Grid’s fee corridor, for a distance of approximately 2.3 miles. In response to public comments, the HRVG design team evaluated four alternatives for the preferred trail route for the AHET section from Rossman Road in the Town of Stockport, running north to Stuyvesant Falls (Town of Stuyvesant). As documented in Appendix C3, the HRVG design team conducted multiple site visits, and completed an evaluation of applicable state and federal trail and shared roadway design standards. The four alternative routes evaluated include:

   - Alternative 1 US Route 9 & National Grid Right-of-Way (ROW)
   - Alternative 2 US Route 9 & Rossman Road
   - Alternative 3 Hudson Avenue - CR-25/25A
   - Alternative 4 National Grid Corridor

   Alternatives 1 thru 3 were found to have significant safety issues as trail users would need to share narrow and high-speed roadways with motorists. Alternative 4 (use of the National Grid Corridor) met the requirements for pedestrian
Executive Summary

Final Environmental Impact Statement (FEIS) Albany-Hudson Electric Trail
September 12, 2018
GPI# ALB-2017132.00

and bicycle use. Any existing constraints associated with Alternative 4 can be resolved through an engineering approach consistent with NYSDOT and federal AASHTO design guidelines. Due to being off-road, Alternative 4 will provide by far the safest and most enjoyable trail experience for bicyclists and pedestrians. Alternative 4 provides an off-road shared-use path connecting the intersection of Hudson Avenue (County Route 25A) & Frisbee Lane in the Town of Stuyvesant to the intersection of Rossman Road & County Route 25 in the Town of Stockport.

During the FEIS public comment period, three landowners that own property adjacent to the National Grid Corridor in the Town of Stockport submitted comments raising concerns regarding potential impacts to their properties and opposing development of the 2.3-mile section of trail from Rossman Road to Stuyvesant Falls (in the Town of Stuyvesant). In addition, the Town Board of Stockport submitted a letter raising concerns with impacts on adjacent agricultural lands in this location, and stating “the Board favors locating the trail along County Route 25 from the bridge in Stuyvesant Falls to Rossman Road.”

In response to these public comments, the HRVG and its engineering consultant (GPI) conducted an additional detailed review of two alternatives: a) constructing an off-road trail on the 2.3-mile section of National Grid’s property from Rossman Road in the Town of Stockport to New Street in Stuyvesant Falls (Town of Stuyvesant); or b) eliminating this section of off-road trail, and instead designating the AHET as an on-road route on County Route 25 from Rossman Road to Stuyvesant Falls.

After carefully reviewing the two alternatives, the HRVG concluded it is appropriate to construct an off-road trail on National Grid’s property from Rossman Road to Stuyvesant Falls:

- The fundamental goal of the AHET project is to construct an off-road “rail-trail” wherever practical and feasible, to provide a safe and enjoyable trail experience to bicyclists and pedestrians of all ages and abilities. Development of an off-road trail on National Grid’s property from Rossman Road to Stuyvesant Falls does not pose any special engineering challenges. To the contrary, the construction design and cost of developing this 2.3-mile section of off-road trail is entirely consistent with the cost of developing other off-road sections of the 36-mile AHET route.

- In contrast, designating the AHET route on County Route 25 from Rossman Road to Stuyvesant Falls would require bicyclists and pedestrians to ride or walk in the road’s travel lanes, in a shared roadway condition (CR25 literally has no paved shoulders – the white fog line marking the edges of the vehicle travel lanes are located at the immediate edge of the pavement). Utilizing County Route 25 in this section would not achieve the project’s goal of providing an off-road trail experience where practical and feasible.

- HRVG has concluded that construction of the AHET Trail in Columbia and Rensselaer Counties will not have significant adverse impacts on adjacent agricultural land. The AHET Trail is being designed to allow adjacent landowners to continue the practice of driving agricultural vehicles across the trail where necessary to access adjacent farm fields. While HRVG concurs that the buffer from the trail edge to adjacent privately-owned farmland will be less than 50 feet in one short section of the trail in Town of Stockport, HRVG notes it is common practice in the Towns of Stockport and Stuyvesant for farmers to plant, cultivate, and harvest agricultural products immediately adjacent to public roadways, without creating undue negative impacts. In fact, on the very section of County Route 25 that the Town of Stockport proposed designating as the AHET route, large cornfields are currently maintained with a buffer of less than 10 feet to the roadway -- demonstrating that it is not necessary to maintain a 50-foot buffer between a the trail route and agricultural fields.

- HRVG has identified a number of design features that will be incorporated into the AHET Trail to address concerns raised by the three adjacent landowners in Stockport, including: signage and fencing will be installed in key locations to reinforce that bicyclists and pedestrians must stay on the trail and respect private property; “No Parking” signs will be installed at the trail intersection with Rossman Road (any unauthorized parked vehicles will be subject to ticketing by law enforcement agencies and/or towing); HRVG is willing to install ornamental plantings in select locations to create vegetated screening if requested by the landowners; HRVG will install a gate to restrict trail users from entering the access road to Chittenden Falls if requested by the adjacent
landowners; and for landowners that own property on both sides of the National Grid fee corridor, marked crossings will be designated to allow the landowners to continue to access their properties.

- HRVG respects and carefully reviewed the Town’s and adjacent landowner’s stated concerns. However, HRVG notes that a number of individuals submitted comments during the FEIS public review period expressing strong support for developing the off-road trail route from Rossman Road to Stuyvesant Falls, to create a major new recreational amenity in the Town of Stockport.

Additional information regarding this section of the AHET Trail is provided in the detailed “Response to Comments” section of this FEIS. (See Section 3).

**ES 3. Comments Response**

Section 3.0 addresses all comments regarding the Albany-Hudson Electric Trail project received during the DEIS 60-day public comment period (March 9, 2018 through May 8, 2018), and the FEIS 30-day public comment period (July 17, 2018 through August 16, 2018). Comments were received in many different formats including: verbal comments presented at the March 28, 2018 Public Hearing; written comments received via the comment box available at the Public Hearing; emailed comments submitted to the AHET Trail website’s “Submit a Comment” function; hard copy letters; emailed comments sent directly to AHET project staff; phone calls to staff members; and summaries of comments left on an AHET call-in number (518 898-9595).

The majority of comments received on the DEIS during the public comment period were supportive. Twenty-seven (27) comments, or thirty five percent (35%) were positive. The second largest class of comments (23%) were those from adjacent landowners who expressed concern about the proposed trails impact on their privacy, safety or property values. While some adjacent owners expressed support for the AHET Trail, most registered opposition to the project given their individual concerns about the trails proximity to their properties. The third largest class of comments (19%) were those regarding trail design concerns, i.e., on-road trail traffic safety, or alternative trail alignment suggestions. Other types of comments received included such items as: questions or concerns about local government fiscal responsibility for future trail maintenance; provision of emergency services (EMS and law enforcement); concerns regarding trail user safety from hunters; application of local zoning ordinances; and potential growth inducing impacts on existing community character. Many individuals included comments on multiple topic areas of the DEIS.

All comments were first categorized relative to the section of the DEIS they were referencing. Comments that related to specific locations along the AHET route in all cases included a site visit to the location, an assessment of the field conditions encountered at that location and then an assessment of any mitigation needs given specific features of any given location.

Similarly, the majority of public comments submitted in response to the FEIS were positive. Sixty-four percent (64%) of the twenty-two (22) FEIS public comments expressed support for creation of the AHET Trail (see Appendix G of this FEIS). A detailed response to all FEIS comments is provided in section 3.6 of this document.

**ES 4. FEIS Trail Alignment**

The updated alignment figures are presented in Figure ES 4.1 through Figure ES 4.10.
Town of East Greenbush Trail Statistics

- Shared Use Path Mileage: 2.31 miles
- Sidewalk Mileage: 0.94 miles
- Bike Lane Mileage: 1.36 miles
- Walk/Bike Roadway Mileage: 1.10 miles
- Total Trail Mileage: 5.71 miles

**Revised Figure ES 4.3**

**Town of East Greenbush - Rensselaer County AHET Alignment**

**Legend**
- Shared Use Path
- Sidewalk
- Bike Lanes
- Sidewalk Mileage
- Existing Sidewalk
- Bike Lane Mileage
- Existing Bike Lanes
- Shared Shoulders
- Walk/Bike Roadway
- Shared Roadway
- Existing Shared Shoulders
- Existing Walk/Bike Roadway
- Existing Shared Roadway
- 115kV Powerlines
- NG ROW (Not Used)
- Connection to Future EST
- Intersection Improvements
- Signal Improvements/Installation
- Raised Marked, Signed, & Yield Crosswalk
- Marked, Signed & Yield Crosswalk
- Bike Lanes
- Raised Marked, Signed, & Yield Crosswalk
- Existing Bike Lanes
- Shared Shoulders
- Walk/Bike Roadway
- Shared Roadway
- Existing Shared Shoulders
- Existing Walk/Bike Roadway
- Existing Shared Roadway
- 115kV Powerlines
- NG ROW (Not Used)
- Connection to Future EST
- Proposed Bridge

**Data provided by NYS GIS Clearinghouse & Other Third Parties.**

**September 12, 2018**

**Sidewalks From Bruen Court to Town/City Line, Included Under PIN 1043.58, Completed By December 30, 2020.**

**Produced For Planning Purposes Only.**
Revised Figure ES 4.5
Town & Village of Nassau - Rensselaer County AHET Alignment

Legend:
- Shared Use Path
- Sidewalk
- Bike Lanes
- Existing Bike Lanes
- Shared Sidewalk
- Sidewalk
- Walk/Bike Roadway
- Shared Roadway
- NY STA Share
- gasLine
- Traffic Improvements
- Intersection Improvements
- RRFB (Rectangular Rapid Flash Beacon) Crossing
- Marked, Signed, & Yield Crosswalk
- Marked & Signed Crosswalk
- Proposed Bridge
- Large Washout
- Washout
- Trailhead
- Stream
- Village Boundary
- Town Boundary
- County Boundary
- NG ROW (Not Used)
- Connection to Future EST

Village of Nassau Trail Statistics
- Shared Use Path Mileage: 0.83 miles
- Walk/Bike Roadway Mileage: 0.15 miles
- Total Trail Mileage: 0.98 miles

Town of Nassau Trail Statistics
- Shared Use Path Mileage: 1.75 miles
- Sidepath Mileage: 0.06 miles
- Total Trail Mileage: 1.81 miles

Produced for Planning Purposes Only.
Data provided by NYS GIS Clearinghouse & Other Third Parties.
Town of Chatham Trail Statistics

- Shared Use Path Mileage: 2.20 miles
- Sidewalk Mileage: 0.27 miles
- Shared Shoulders Mileage: 0.53 miles
- Walk/Bike Roadway Mileage: 0.26 miles
- Total Trail Mileage: 3.26 miles

Legend:
- Shared Use Path
- Sidewalk
- Existing Sidewalk
- Bike Lanes
- Existing Bike Lanes
- Shared Shoulders
- Walk/Bike Roadway
- Existing Roadway
- NG ROW (Not Used)
- Connection to Future EST
- Proposed Bridge
- Large Washout
- Trailhead
- Stream
- Village Boundary
- Town Boundary
- County Boundary

Revised Figure ES 4.6
Town of Chatham - Columbia County AHET Alignment
Town of Stuyvesant Trail Statistics

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<td>Bike Lanes</td>
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<td>Walk/Bike Roadway</td>
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<tr>
<td>Total Trail Mileage</td>
<td>2.92</td>
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</table>

Smith Road & US Route 9

Revised Figure ES 4.8
Town of Stuyvesant - Columbia County AHET Alignment

Legend:
- Shared Use Path
- Sidewalk
- Existing Sidewalk
- Bike Lanes
- Existing Bike Lanes
- Shared Shoulders
- Walk/Bike Roadway
- Shared Sidewalk
- Existing Roadway
- Existing Sidewalk
- Connection to Future EST
- Trailhead
- Stream
- Village Boundary
- Town Boundary
- County Boundary
- Existing Trailway
- Proposed Bridge
- Large Washout
- Intersection Improvements
- RRFB (Rectangular Rapid Flash Beacon) Crossing
- Raised Marked, Signed, & Yield Crosswalk
- Marked & Signed Crosswalk
- Marked & Signed & Yield Crosswalk
- Marked & Signed & Yield Crosswalk
1.0 INTRODUCTION

This Final Environmental Impact Statement (“Final EIS” or “FEIS”) for the Albany-Hudson Electric Trail (AHET) has been prepared in compliance with Article 8 of the NYS Environmental Conservation Law, the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations at 6 NYCRR Part 617. The Greenway Conservancy for the Hudson River Valley, referred to in this document as the “Hudson River Valley Greenway” or “HRVG,” is the Lead Agency.

1.1 Brief Project Description

The proposed Albany-Hudson Electric Trail (AHET) project is a 36-mile-long pedestrian and bicycle trail which crosses through two counties (Rensselaer and Columbia), beginning at the northern end in the City of Rensselaer east of the City of Albany, and ending in the Town of Greenport, just north of the City of Hudson. The AHET Trail will be comprised of a combination of off-road trails (utilizing an electric utility corridor owned by National Grid) and on-road bike paths, sidewalks, and sidepaths (utilizing local, county, and state roadways). In total, the proposed trail encompasses approximately 27 miles off-road and 9 miles of on-road facilities. The proposed trail route is illustrated on nine (9) detailed trail segment maps. (See Figures ES 4.1 – ES 4.10). Upon completion, the proposed trail will be a segment of the larger Empire State Trail (EST), a continuous 750-mile bicycling and pedestrian path which will span the state from New York City to Canada and Buffalo to Albany, creating the longest multi-use state trail in the nation.

The proposed trail route primarily follows the alignment of the former Albany-Hudson Electric Trolley corridor, a historic electric trolley line that ran from the City of Hudson to Albany, making stops every few miles at a total of fourteen villages and at an amusement park on Kinderhook Lake. Today, National Grid owns the corridor and distributes electricity along that same line. While the goal is to develop the AHET route as an off-road trail wherever feasible and practical, due to various challenges of fully utilizing the off-road National Grid Right-of-Way (ROW), on-road sections are planned for the AHET Trail in some locations. Safe crossing and transition recommendations are provided at all on-road/off-road crossings and on-road sections. The Empire State Trail Design Guide along with state and federal bicycle and pedestrian facility guidelines are being utilized to determine safe and appropriate intersection treatments at each unique location.

1.2 The Draft Environmental Impact Statement (DEIS)

The complete DEIS is available for review on the AHET Project Website http://www.ahettrail.org. The 60-day Public Comment Period ended on May 8, 2018. Hard Copies of the DEIS are also available for public review at the Town Clerk offices in East Greenbush; Schodack; Nassau; Chatham; Stuyvesant; Greenport; Stockport; and Kinderhook. The DEIS provides an executive summary; a detailed project description of the proposed trail route in each community from north to south, including illustrated trail route maps; discusses the project purpose, public need and benefits; and identifies the anticipated permits, approvals, and agency consultation necessary for project implementation. The DEIS also includes a detailed summary of the public involvement and outreach process completed from August through December 2017, which has been critical to the overall planning and design process. Finally, the DEIS identifies and evaluates the effects of the Build Alternative on seventeen (17) environmental categories as required by SEQRA, discusses the nature and magnitude of these potential impacts, and concludes with the proposed mitigation measures that will be a part of the final design to ensure that the project is compliant with NYS SEQRA regulations.

1.3 The SEQRA Compliance Process

Article 8 of the NYS Environmental Conservation Law, the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations at 6 NYCRR Part 617 requires that the potential adverse Environmental Impacts of an action be evaluated and either avoided or mitigated through design and alternatives evaluation prior to an action being
undertaken, funded or granted approvals by a State agency or local government. The steps that have led up to the adoption of this FEIS include the following:

- A Full Environmental Assessment Form (FEAF) was completed by the HRVG in September of 2017.
- The HRVG used the FEAF to complete a request for SEQRA Lead Agency status to begin a Coordinated Review under SEQRA on October 18, 2017.
- The first step in the Coordinated Review was to determine the project’s significance, i.e., would the project potentially have any Environmental Impacts. The HRVG determined that the project has the potential for Environmental Impacts and given the size of the project, was classified as a Type I Action under SEQRA. This determination was made on November 20, 2017.
- The HRVG developed a Draft Scoping Document that was circulated for review to involved and interested public entities and was published for public review and submitted in November of 2017.
- At the close of the public comment period, the HRVG adopted the Draft Scoping Document and directed the initiation of the preparation of this DEIS on November 20, 2017.
- A preliminary version of the DEIS was issued by the HRVG staff on January 22, 2018 for HRVG “Lead Agency Completeness Review”. This review culminated on March 9, 2018, resulting in the release of the DEIS for public review and comment.
- A 60-day comment period on the DEIS began on March 9, 2018 and closed on May 8, 2018. A Public Hearing was held on March 28, 2018.
- A 30-day comment period on the FEIS began on July 17, 2018 and ended on August 16, 2018.
- All comments received during the DEIS and FEIS public comment submission period are part of the SEQRA public record and are incorporated into this FEIS.

1.4 Summary of the Public Comment Period

A 60-day comment period on the DEIS began on March 9, 2018 and closed on May 8, 2018. A Public Hearing was held on March 28, 2018 in Valatie, NY at the Ichabod Crane High School. Out of approximately 90 attendees, eighteen (18) people spoke during the Public Hearing. Their comments were recorded (see Appendix G1). In addition to the verbal comments presented at the Hearing, ten (10) participants submitted a written comment form. During the 60-day DEIS public comment period, the HRVG received an additional four (4) written comments by mail and forty-three (43) written digital comments via email or through the project website “Submit a Comment” function and two (2) comments by phone. In addition, a 30 day comment period on the FEIS was held between July 17, 2018 and August 16, 2018. During this comment period, twenty-two (22) comments were received via phone, mail, email or through the project website “Submit a Comment” function. All comments received during the DEIS and FEIS public comment submission period are part of the SEQRA public record and are incorporated into this Final EIS (see section 3.0).

The majority of comments received on the DEIS during the public comment period were supportive, as shown in Figure 1.4.1 below. Twenty-seven (27) comments, or thirty five percent (35%) were positive. The second largest class of comments (23%) were those from adjacent landowners who expressed concern about the proposed trails impact on their privacy, safety or property values. While some adjacent owners expressed support for the AHET Trail, most registered opposition to the project given their individual concerns about the trails proximity to their properties. The third largest class of comments (19%) were those regarding trail design concerns, i.e., on-road trail traffic safety, or alternative trail alignment suggestions. Other types of comments received included such items as: questions or concerns about local government fiscal responsibility for future trail maintenance; provision of emergency services (EMS and law enforcement); concerns regarding trail user safety from hunters; application of local zoning ordinances; and potential growth inducing impacts on existing community character. Many individuals included comments on multiple topic areas
of the DEIS. For public comments that included multiple topics, this FEIS summary counted each sub-comment as an individual comment in the totals.

Of the twenty-two (22) public comments submitted on the FEIS, sixty-four percent (64%) were supportive. HRVG appreciates the time and effort that persons interested in this project have invested in their review and comments on the DEIS and their participation in the public hearing. See Section 3.0 for a detailed listing of all public comments and the Hudson Greenway’s responses.

**Figure 1.4.1 AHET DEIS/FEIS Public Comment Summary**

### 1.5 The Final Environmental Impact Statement (FEIS)

This FEIS incorporates, by reference, the DEIS previously accepted as consistent with the final scoping outline and adequate for public review by the Hudson Greenway on March 9, 2018. Section 2.0 includes a summary of any changes to the DEIS since its publication and subsequent acceptance. Section 3.0 documents the public comments received and responds to the comments following the organizational structure of the DEIS. Several Appendices are attached to the FEIS including a transcript of the Public Hearing, and a compilation of all written comments submitted to the Hudson Greenway. Additionally, new or revised reports and documents were prepared to respond to comments and support the responses found in this FEIS.
2.0: SIGNIFICANT CHANGES TO THE DEIS

2.1 Overview

This Section of the Final Environmental Impact Statement (FEIS) identifies significant changes that the HRVG has made to the design and planning of the Albany-Hudson Electric Trail (AHET) project, during the four-month period following the release of the DEIS in March, 2018. Each section of the DEIS is included; changes for each section are indicated.

Executive Summary (DEIS)

There are no changes to this section from the DEIS.

Introduction (DEIS Section 1.0)

There are no changes to this section from the DEIS.

Project Description Overview (DEIS Section 2.1)

Overall, the location of the AHET Trail route in this FEIS remains largely the same as was depicted in the DEIS. However, the HRVG has made minor changes to the AHET route in a small number of specific locations. Examples of these route adjustments include the bicycle route in the City of Rensselaer and Town of East Greenbush; trail connection through the Village of Kinderhook at Albany Avenue and trail termini alternatives at the southern connection to the Empire State Trail in the Town of Greenport along with modifications to the detailed design of several road crossings as a result of consultation with NYSDOT and local government stakeholders.

A series of Maps illustrating the final AHET route is depicted in Revised Figures 2.3.1 to 2.3.9 located in Appendix A: FEIS Updated Figures. Wherever feasible and practical, the AHET will be an off-road trail constructed on the former trolley, now a utility corridor, owned by National Grid. As depicted in the maps, short sections of the AHET route will be designated along public roadways, in locations where physical impediments preclude creation of the trail on National Grid’s corridor. Table 2.1.1 details the length of off-road trail and on-road routes in each municipality along the 36-mile route.

Table 2.1.1: Breakdown of On-road Vs. Off-road Trail Miles per Municipality

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Off-Rd (miles)</th>
<th>On-road (miles)</th>
<th>Combined (miles)</th>
</tr>
</thead>
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<tr>
<td>City of Rensselaer</td>
<td>0.00</td>
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<tr>
<td>Town East Greenbush</td>
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<td>3.40</td>
<td>5.71</td>
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<td>Town of Schodack</td>
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<td>7.66</td>
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<td>Village of Nassau</td>
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<td>0.98</td>
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<tr>
<td>Town of Nassau</td>
<td>1.81</td>
<td>0.00</td>
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<tr>
<td>Town of Chatham</td>
<td>2.46</td>
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<td>Town of Kinderhook</td>
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<tr>
<td>Village of Valatie</td>
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<tr>
<td>Village of Kinderhook</td>
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<td>Town of Stuyvesant</td>
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<td></td>
<td>26.88</td>
<td>9.25</td>
<td>36.13</td>
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</table>
2.0 Significant Changes to the DEIS

Trailhead Locations (DEIS Section 2.2)

Ten (10) designated Trailhead parking areas are proposed to provide users easy access to the AHET trail. Trailheads include parking areas and wayfinding signage and may include various amenities such as bike repair stations, benches, picnic tables, and bike racks. Trailheads are proposed at the following locations and noted if there are significant changes since the DEIS:

1. City of Rensselaer (Rensselaer County), Riverfront Park. (No changes from the DEIS).
2. Town of East Greenbush (Rensselaer County), Clinton Street. This Trailhead is an existing DOT-owned parking lot, located on the southeast side of Clinton Street where it intersects with Route 20. (No changes from the DEIS).
3. Town of Schodack (Rensselaer County). The location of the proposed Trailhead parking lot has changed from the original DEIS proposed county-owned parcel adjacent to Amelia Court. The new location will be on the west side of County Route 7, near Nassau Lake, on properties proposed for purchase by the Rensselaer Land Trust.
4. Village of Nassau (Rensselaer County), Village Commons Park. (No changes from the DEIS).
5. Town of Kinderhook (Columbia County), National Grid property near Knollwood Drive & County Route 28 in Niverville. (No changes from the DEIS).
6. Village of Valatie (Columbia County), Ridge Drive. This parcel is privately owned. Construction of this Trailhead would require voluntary agreement on the part of the landowner.
7. Town of Kinderhook/Village of Valatie, NYSDOT Park & Ride lot at the intersection of State Routes 9 and 9H. This existing large park and ride lot receives low usage. Proposed improvements to the parking lot are minimal as the lot is currently in use and meets accessibility guidelines. Anticipated actions include installing signage identifying it as an AHET Trailhead, along with informational signage directing visitors to the AHET Trail, which is across Route 9. (This Trailhead is a new site, not identified in the DEIS).
8. Village of Kinderhook (Columbia County), Rothermel Park. A Trailhead parking area is proposed at Rothermel Village Park, where the village playground and little league fields are located. This location accommodates trail parking and provides access to existing park amenities including seasonal restrooms and picnic tables. (No changes from the DEIS).
9. Town of Stuyvesant (Columbia County), Hudson Avenue (County Route 25A) & Woods Ln. A small Trailhead parallel parking area is proposed at Stuyvesant Falls. This trailhead has been refined since the original DEIS. An existing gravel pull-off area on the east side of Route 25A within the Columbia County ROW will be formalized, within the footprint of the existing parking area.
10. Town of Stockport (Columbia County), Stockport Park. A Trailhead parking area is proposed in Stottville at the existing town park, immediately to the east of the little league field. The plan anticipates improvements to this existing gravel parking area, including improved parking facilities, installation of picnic tables and bicycle racks, and minor landscaping improvements. This trailhead has been refined since the original DEIS.

Detailed Description of Proposed Trail Route (DEIS Section 2.3)

The following updates the original detailed description of the proposed trail route provided in the DEIS in each community from north to south. The proposed trail route is illustrated in its entirety on the nine (9) detailed revised trail segment maps (See Rev Figures 2.3.1 – Rev 2.3.9 in Appendix A: FEIS Updated Figures). Only changes since issuance of the DEIS are identified in the text below. Please note that where the DEIS identified an enhanced roadway crossing
2.0 Significant Changes to the DEIS

Treatment as Circular Flashing Pedestrian Beacon’s (CFPB’s) these have now been replaced with Rectangular Rapid Flash Beacon’s (RRFB’s) in all instances based upon consultation with NYSDOT and FHWA.

City of Rensselaer

For pedestrians the route as proposed in the DEIS has no changes. For bicyclists, after discussions with both the City, Town, County, and NYSDOT, an alternative route is being proposed for the route once Third Street interests with High Street. The bicycle route will now utilize High Street as a shared roadway heading southeasterly toward CR 63 (Red Mill Road) (See Rev Figure 2.3.1).

Town of East Greenbush

For pedestrians the route as proposed in the DEIS has no changes. For bicyclists, the trail route is proposed to be a shared roadway which will now be designated on High Street to CR 63 (Red Mill Road) until it intersects with NYS Route 151 (also known as Barracks Road/Redmill Road). From there, the route will be designated on Sherwood Avenue, and the route through the remainder of East Greenbush is the same as proposed in the DEIS. After subsequent discussions with NYSDOT, the crossing of the trail at NYS Route 4 where originally proposed as a high-intensity activated crosswalk (HAWK) signal in the DEIS may be instead be revised to a standard three (3) ball pedestrian signal (similar to a standard green-yellow-red traffic light) which will provide the same level of pedestrian and bicycle safety at this location while being less confusing for both motorists and trail users. (See Rev Figure 2.3.2).

Town of Schodack

As proposed in the DEIS, the AHET route will be designated adjacent to a portion of Miller Road. The HRVG is in active discussions with NYSDOT regarding the precise trail route that optimizes public safety, including finalizing the location where the trail will cross from the north to south side of Miller Road. The installation of a high-intensity activated crosswalk (HAWK) signal at the intersection of Miller Road and Empire State Blvd remains under consideration. However, at the request of NYSDOT, the HRVG is evaluating an alternative design, which would include installation of a traffic signal at the eastbound off Ramp to I-90 Exit 10 and Miller Road. A signalized crossing will be installed at only one of these locations based upon traffic and safety studies. Additionally, instead of a HAWK this may be revised to a standard three (3) ball signal (green-yellow-red traffic light) based upon final analysis of vehicle traffic data. In addition, based upon the final signal location, A Rectangular Rapid Flashing Beacon (RRFB) may be installed at either one or two of the I-90 ramp crossings. The final design of the AHET Miller Road section will be specified in a permit issued by NYSDOT, after all alternatives are fully analyzed.

Additionally, the trailhead originally proposed in the DEIS for a county-owned parcel adjacent to Amelia Court will now be constructed along the west side of County Route 7, near Nassau Lake, on properties proposed for purchase by the Rensselaer Land Trust (Rev Figure 2.3.3).

Village of Nassau

There are no changes to the overall routing since the DEIS. (See Rev Figure 2.3.4). The HRVG will continue to consult with Village officials on the precise details of the final trail design immediately south of U.S Route 20 and the exact location and layout of the proposed Trailhead parking area in the vicinity of the Village Commons Park and the Nassau Little League Field.

Town of Nassau

There are no changes to the overall routing since the DEIS. (See Rev Figure 2.3.4).
Town of Chatham

There are no changes to the overall routing since the DEIS was issued. The HRVG continues to refine the on-road treatment in North Chatham at the intersection of NYS 203/CR 32/Bunker Hill. After issuance of the DEIS, significant outreach and coordination has occurred with the community and local stakeholders along with NYSDOT. All stakeholders have expressed support for reconfiguring this intersection to improve safety and calm (slow) vehicle traffic on Route 203. Two alternatives are currently under detailed evaluation: a Modified T-Intersection, and a Mini-Roundabout. Both alternatives meet identified trail user safety and traffic calming objectives. The AHET design team will complete consultations with NYSDOT, Columbia County, the Town of Chatham, and members of the North Chatham community prior to the finalizing the intersection configuration design (See Figure Rev 2.3.5).

Town of Kinderhook

There are no changes to the overall routing since the DEIS with the exception that the northern portion of the trail along NYS 203 will now be constructed on a combination of NYSDOT and National Grid ROW which will create a longer proposed sidepath to the CSX railroad underpass crossing originally identified in the DEIS. (See Rev Figure 2.3.6).

Village of Valatie

There are no changes to the overall routing since the DEIS was issued. A new Trailhead parking area is now proposed at an existing NYSDOT Park & Ride lot at the intersection of State Routes 9 and 9H. The Trailhead proposed in the DEIS on Ridge Road in Valatie is retained as a possible Trailhead. However, the proposed Ridge Road Trailhead is located on privately-owned land; this Trailhead would only be developed with the voluntary agreement of the private landowner. The HRVG is in active discussions with NYSDOT regarding the precise design of the trail crossing at the intersection of Main Street and US Route 9. Several alternatives are being analyzed, including a revised plan to install a new crosswalk at the intersection of the Route 9 and Main Street, rather than utilizing the existing crosswalk located further to the east on Main Street. If a new crosswalk is created, the existing crosswalk on Main Street will be removed as part of the overall safety improvements to the intersection. Additionally, after close consultation with NYSDOT, the existing shoulders on Kinderhook Street (US Route 9) between Valatie and the Village of Kinderhook are proposed to be slightly widened, by restriping this section of Route 9 resulting in a narrower travel lane width (from 12’ to 11’) to provide improved enhanced traffic calming and wider shoulders. (See Rev Figure 2.3.6).

Village of Kinderhook

The same improved traffic calming through reduced travel lanes and wider shoulders on US Route 9 from the Village of Valatie are proposed to be continued through the Village of Kinderhook, to the point where the AHET transitions to an off-road trail on the National Grid corridor. Additionally, the DEIS anticipated the trail would utilize an easement on private property southwest of Albany Avenue. This trail section has now been revised to utilize a section of Mills Park, a shared roadway section along Sunset Avenue, and a future trail corridor to be purchased by the Village of Kinderhook along the eastern side of the Samascott Orchard to access the National Grid corridor. The crossing treatment at the intersection of Albany and Sunset Avenue is being refined to a combination of raised, marked, and signed crosswalk, also referred to as a “speed table.” (See Rev Figure 2.3.6).

Town of Stuyvesant

There are no changes to the overall routing since the DEIS. Alternative routes between Route 25 (Hudson Avenue) in Stuyvesant Falls and Rossman Road in Stockport were evaluated in this area and are reported in the Appendix C2: Alternative Additions, CR 25. Additionally, a small Trailhead is proposed at Stuyvesant Falls by formalizing an existing gravel pull-off area on the east side of Route 25A within the Columbia County ROW. (See Rev Figure 2.3.7). The AHET route will be designated adjacent to a short (850-foot) section of US Route 9 from Smith Road to Sunnyside Road. The
current design anticipates creating 5-foot shoulders on both sides of US Route 9 as bike lanes and installing a new sidewalk along the west side of US Route 9. The detailed design of this section will be finalized in consultation with NYSDOT.

**Town of Stockport**

There are no changes to the overall routing since the DEIS. Alternative routes between Route 25 (Hudson Avenue) in Stuyvesant Falls and Rossman Road in Stockport were evaluated in this area and are reported Appendix C2: Alternative Additions, CR 25. (Also see Rev. Figure 2.3.8).

**Town of Greenport**

The DEIS proposed the AHET trail would be developed as an off-road trail running south to Kipp Lane, where it would follow Kipp Lane for a short distance west until reaching state-owned ROW along US Route 9 (Fairview Avenue). It has been determined that Kipp Lane is a private road, and the private owner has declined to authorize designation of the AHET route on Kipp Lane. Accordingly, the HRVG has analyzed several potential alternative trail routes in this area. Possible alternatives include: a) continuing the AHET trail on National Grid’s corridor further south of Kipp Lane; b) identifying an alternative connection from National Grid’s corridor to US Route 9 (multiple possibilities exist but each would require the voluntary agreement of one or more private landowners; or c) designating the southern end of the off-road AHET trail where National Grid’s corridor intersects with Pulcher Avenue (which is a Town road), and following Pulcher west to the intersection with Route 9. All of these options would require construction of a sidepath along a section of Route 9, to provide a connection to the Empire State Trail route into the City of Hudson (the connection to Hudson is a separate project being designed by NYSDOT). The HRVG has analyzed all of the above alternatives and, upon discussion with involved private landowners, has determined that the AHET trail will intersect with US Route 9 roughly 350 feet south of Kipps Road. From there, a two-way side path will be constructed along the east side of Route 9 to the intersection of Livingston Parkway where the trail will terminate. This design will not result in any adverse environmental impacts. (See Rev Figure 2.3.9).

**Potential Construction Activities and Phasing Plan (DEIS Section 2.4)**

There are no changes to this section from the DEIS.

**Public Involvement and Outreach (DEIS Section 3.0)**

There are no changes to this section from the DEIS.

**Environmental Setting, Potential Env. Impacts & Proposed Mitigation Measures (DEIS Section 4.0)**

**Land (DEIS Section 4.1)**

**Topography and Slope (DEIS Section 4.1.1)**

There are no changes to this section from the DEIS.

**Surficial Geology and Soils (DEIS Section 4.1.2)**

There are no changes to this section from the DEIS.
Bedrock Geology (DEIS Section 4.1.3)
There are no changes to this section from the DEIS.

Stormwater Management (DEIS Section 4.1.4)

Town of Schodack

*Environmental Setting:*

The Amelia Court Trailhead site, located along the original alignment of County Route 7 (the parcel is owned by Rensselaer County) originally included in the DEIS will no longer be used for construction of a trailhead. Instead, the Schodack Trailhead is proposed to be developed on property the Rensselaer Land Trust is attempting to purchase on the west side of County Route 7, near Nassau Lake.

The proposed new trailhead location near Nassau Lake will create direct access to the AHET Trail.

*Potential Impacts:*

Several existing structures will be removed, and new Trailhead amenities will be constructed including additional parking. Minor disturbances are expected for demolition activities and for installation of a small parking lot area, trail signage and miscellaneous trailhead amenities.

*Mitigation Measures:*

Stormwater management practices will not be required under GP-0-15-002 permit. A SWPPP will be developed that includes temporary and permanent erosion and sediment control practices only. See Section 4.1.2 of the DEIS for a list of erosion and sediment control practices proposed within the Town of Schodack.

Town of Kinderhook

*Environmental Setting:*

A new Trailhead will be designated at the existing paved Park & Ride lot near route 9 and 9H. This location is an existing NYS-owned parking lot.

*Potential Impacts:*

Construction activities at the 9/9H trailhead will consist of adding signage to the existing paved parking area and portions of existing sidewalks. Some parking lot stripping will also be required. Signage will include ADA and directional signs.

*Mitigation Measures:*

Stormwater management practices will not be required under GP-0-15-002 permit. A SWPPP will be developed that includes temporary and permanent erosion and sediment control practices only. See Section 4.1.2 for a list of erosion and sediment control practices proposed within the Town of Kinderhook.
2.0 Significant Changes to the DEIS

Water (DEIS Section 4.2)

Freshwater Wetlands (DEIS Section 4.2.1)

Since the issuance of the DEIS in March 2018, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) identified one (1) additional wetland that was not included in DEIS Table 4.2.1.2: Delineated Wetland and Stream Resources Within the Study Area. An addendum to DEIS Appendix 4.2.1: Wetland Delineation and Ecological Report, is included in Appendix F: Wetland Documentation.

As noted in the DEIS, the HRVG will undertake a wetland mitigation project, to compensate for impacts to wetlands resulting from construction of the AHET Trail. The exact acreage and design of the wetland mitigation project will be finalized through a permit issued by the U.S. Army Corps of Engineers. Because National Grid’s utility corridor is relatively narrow and must accommodate both the trail and electrical transmission infrastructure, construction of a wetland mitigation project is not feasible on National Grid’s property. Therefore, the HRVG intends to undertake an innovative wetland mitigation project at nearby Schodack Island State Park (Park). The Park is a 1000-acre property located on the Hudson River, approximately six miles west of the AHET trail project. The Park lies within the same watershed as the trail corridor and has been accepted by regulatory agencies as an appropriate location for wetland mitigation projects. There are three potential mitigation activities within the Park. The first includes restoring shallow-water, side channel and tidal wetland habitat by excavating a channel to be cut through fill that was historically placed between the original separate islands. The second activity includes creating shallow excavation wetlands behind existing bulkheads along the Hudson River. The third activity includes enhancing floodplain forest wetlands and habitat by enlarging culverts and channels into historic bermed containment cells. The final selection, design, and wetland mitigation replacement ratios will be determined during the ongoing permitting process implemented by the federal and state regulatory agencies.

If construction of the wetland mitigation project in the Park results in any temporary impacts to existing wetlands, those areas will be fully restored and re-established to pre-impact condition through grading and seeding. Any temporary impacts will be addressed through the permitting process.

Environmental Impacts and Proposed Mitigation Measures

Town of Schodack

Potential Impacts:
A number of wetlands exist within the Study Area in the Town of Schodack. There are 16 wetlands totaling 1.108 acres within the trail corridor. Six of these wetlands may be impacted totaling an estimated 0.35 acres of impacts.

Mitigation Measures:
All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.

Town of Nassau

Potential Impacts:
There are five separate wetlands along the trail corridor within the Town of Nassau. These wetlands total 0.2 acres in
the Study Area. There will be a very small impact to one of these wetlands for an estimated total of 0.0001 acre of impact.

**Mitigation Measures:**

All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.

**Town of Kinderhook**

**Potential Impacts:**

There is a total of 0.766 acres of wetland within the Study Area in the Town of Kinderhook. This area is divided between ten separate wetland areas. Four of these wetlands are proposed to be impacted for an estimated total of 0.11 acres of impact.

**Mitigation Measures:**

All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.

**Village of Valatie**

**Potential Impacts:**

Within the Village of Valatie, there is one delineated wetland within the project corridor. It is expected that impacts to this wetland will be approximately 0.08 acres.

**Mitigation Measures:**

All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.

**Town of Stuyvesant**

**Potential Impacts:**

There are four delineated wetlands within the Study Area in the Town of Stuyvesant. These wetlands are a total of 0.85 acre. Impacts to these wetlands are estimated at 0.38 acres.

**Mitigation Measures:**

All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.
Town of Stockport

Potential Impacts:

The Town of Stockport supports the highest number of wetlands within the trail corridor with a total of 18 separate wetlands along the Study Area. These wetlands comprise a total of 2.26 acres of land. Impacts are anticipated at 16 of these wetlands, totaling approximately 0.92 acres.

Mitigation Measures:

All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.

Town of Greenport

Potential Impacts:

Five wetlands have been delineated within the Town of Greenport. These wetlands total 0.11 acres. Impacts to one of these wetlands are expected to total 0.05 acres.

Mitigation Measures:

All wetland impacts associated with the project and permitted through state and federal regulatory agencies will be mitigated in a way determined through the permitting process. Mitigation solutions are being pursued at nearby Schodack Island State Park, and include channel cuts through historic fill, creating shallow wetlands behind river bulkheads, and/or enlarging culverts and improving flow into historic containment areas.

Surface Waterbodies (DEIS Section 4.2.2)

There are no changes to this section from the DEIS.

Floodplains (DEIS Section 4.2.3)

There are no changes to this section from the DEIS.

Plants and Animals (DEIS Section 4.3)

There are no changes to this section from the DEIS.

Agricultural Resources (DEIS Section 4.4)

There are no changes to this section from the DEIS.

Historic and Archaeological Resources (DEIS Section 4.5)

Since the issuance of the DEIS in March 2018, the HRVG has made small changes to the AHET Trail route in several locations. Accordingly, the HRVG engaged Hartgen Archeological Associates, Inc. to conduct additional Phase I archeological investigations for route changes in the following areas:

1. North of Rossman Rd. in Stockport, NY (“Area 1”)
2. Northeast of the Kinderhook Village Park, through Samascott Orchards and along Sunset Ave. and Railroad Ave. in Kinderhook, NY ("Area 2")

3. North of Main St. in Valatie, NY ("Area 3")

No impacts to historic properties or archeological resources were identified. An Addendum Letter Report dated June 19, 2018 was submitted to NYS OPRHP for review, and the State Historic Preserve Office (SHPO) issued a finding of No Impact. See Appendix E: SHPO Documentation.

**Transportation (DEIS Section 4.6)**

Continued studies at various locations where off-road trail segments cross public roads were completed since issuance of the DEIS and public comment period. These updated studies are presented in Appendix C: Alternative Additions and summarized below.

**Environmental Impacts & Proposed Mitigation Measures**

**City of Rensselaer**

The revision designates a section of the AHET route as a shared roadway along High Street in the City is entirely within the limits of the existing roadway. No additional impacts and/or studies are warranted within the City Limits.

**Town of East Greenbush**

There are seventeen (17) crossings of local, county, and state roads in the Town of East Greenbush. These crossings range from: marked and signed crosswalks; to marked, signed & yield crosswalks; to use of a 3 ball pedestrian signal (similar to a green-yellow-red traffic light) or High-Intensity Activated crosswalk beacon (HAWK). The design of the Route 4 crossing signal will be finalized at the conclusion of active discussions with NYSDOT.

**Town of Schodack**

There are seventeen (17) crossings of local, county, and state roads in the Town of Schodack. These crossings range from: marked and signed crosswalks; to marked, signed & yield crosswalks; to Rectangular Rapid Flashing Beacons (RRFBs) or use of a three (3) ball pedestrian signal (similar to a green-yellow-red traffic light) or High-Intensity Activated crosswalk beacon (HAWK). The design of the Miller Road crossing location and crossing signal(s) will be finalized at the conclusion of active discussions with NYSDOT.

**Village of Nassau**

There are three (3) crossings of local, county, and state roads in the Village of Nassau. These crossings will range from marked and signed crosswalks; to Rectangular Rapid Flashing Beacons (RRFBs). No additional impacts and/or studies are warranted.

**Town of Nassau**

There are no changes to this section from the DEIS.

**Town of Chatham**

There are seven (7) crossings of local, county, and state roads in the Town of Chatham. These crossings will range from: marked and signed crosswalks; to marked, signed & yield crosswalks; to proposed installation of a modified T-intersection or mini-roundabout at the intersection of NYS Route 203, County Road 32, and Bunker Hill Road in North Chatham. The design of this intersection will be finalized through discussions with NYSDOT, in conformance with applicable standards as outlined in the NYSDOT Highway Design Manual, along with ongoing community and stakeholder input.
Town of Kinderhook

There are no changes to this section from the DEIS.

Village of Valatie

There are four (4) crossings of local, county, and state roads in the Village of Valatie. The proposed intersection treatment at Main Street and US Route 9 is being analyzed in consultation with NYSDOT, and may include construction of a new cross walk at the intersection of the Route 9 and Main Street (under this alternative, the existing crosswalk located to the east along Main Street would be removed). Additionally, the width of the travel lanes on Route 9 south of Main Street are proposed to be reduced to 11 feet (from their current width of 12 feet), to provide for wider shoulders and to calm (slow) vehicle traffic speeds. No additional impacts and/or studies are warranted.

Village of Kinderhook

There are five (5) crossings of local, county, and state roads in the Village of Kinderhook. These crossings will range from marked, signed & yield crosswalks; to Rectangular Rapid Flashing Beacons (RRFBs). The crossing treatments are consistent with a detailed traffic and speed study completed several years ago by the Village. No additional impacts and/or studies are warranted.

Town of Stuyvesant

There are four (4) crossings of local, county, and state roads in the Town of Stuyvesant. These crossings will range from: marked, signed & yield crosswalks; to Rectangular Rapid Flashing Beacons (RRFBs). No additional impacts and/or studies are warranted.

Town of Stockport

There are six (6) crossings of local, county, and state roads in the Town of Stockport. These crossings will range from: marked, signed & yield crosswalks; to Rectangular Rapid Flashing Beacons (RRFBs). No additional impacts and/or studies are warranted.

Town of Greenport

There are three (3) crossings of local, county, and state roads in the Town of Greenport. These crossings will range from: marked, signed & yield crosswalks; to Rectangular Rapid Flashing Beacons (RRFBs). No additional impacts and/or studies are warranted.

Human Health (DEIS Section 4.7)

There are no changes to this section from the DEIS.

Consistency with Community Plans and Zoning (DEIS Section 4.8)

There are no changes to this section from the DEIS.

Consistency with Community Character (DEIS Section 4.9)

Community Services (DEIS Section 4.9.1)

Existing Emergency Response Services

Table 4.9.1.1 provides an inventory of all the police, fire and ambulance services in each community along the AHET route (including NYS Police and County Sheriff Departments). These agencies will provide emergency response services to the AHET Trail in the same way they respond to issues throughout their respective service areas.
### Table 4.9.1.1: Inventory of Existing Emergency Services

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Fire</th>
<th>Ambulance</th>
<th>Police</th>
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<td>▪ Mohawk Ambulance Service</td>
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<td>▪ WF Buren Rescue Squad</td>
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<td>▪ Tsatsawassa Fire Company</td>
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<td>▪ Rensselaer County Sheriff's Department</td>
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<td>▪ North Chatham Fire Department</td>
<td>▪ Valatie Rescue Squad</td>
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Final Environmental Impact Statement (FEIS) Albany-Hudson Electric Trail
September 12, 2018
GPI# ALB-2017132.00
Environmental Impacts & Proposed Mitigation Measures

- Community concern has been raised regarding how law enforcement and emergency services (EMS) will access the trail and locate a 911 caller in case of an accident or emergency.

Proposed Mitigation Measures:

The following section describes how emergency responders – fire departments, ambulance companies, and law enforcement agencies – will locate and respond to emergencies that may occur on the AHET Trail.

County 911 Systems

Cell coverage is generally very good along the AHET Trail route. There are very few locations where a trail user would be unable to reach 911 on a cell phone.

The public is well educated to call 911 in the event of an emergency. Rensselaer and Columbia Counties operate the 911 system in their respective counties. Both 911 systems have the capability to instantly locate a cell phone, by pinging the GPS function on the mobile device, in the event a caller states “I’m on a trail, but don’t know where” (the mobile device must be turned on, but that will be the case given the person has called 911 from their mobile phone meaning it is on and has connectivity).

The ability of 911 systems to precisely locate a cell phone location can vary. In locations where there is a strong cell connection, the 911 system automatically generates a precise lat-long location for the cell phone. However, in areas where there is weak cell connection, the 911 system may only be able to identify the cellular tower that picked up the call. Usually that will be the tower located nearest the caller, although occasionally there could be instances where a 911 call is picked up by a tower that is not the nearest to the caller.

The Hudson River Valley Greenway plans to take several steps to assist the effectiveness of 911 systems:

- Prior to completion of the AHET Trail in 2020, the Hudson Greenway will provide digital Geographic Information System (GIS) information to the Rensselaer and Columbia County 911 Centers, identifying a series of lat-long locations such as road crossings, trail bridges, and other features, that the dispatch centers will integrate into their 911 systems. This will allow 911 dispatchers to provide location guidance to local police and EMS responders. For example, the 911 dispatcher will be able to tell police/EMS responders that the location is “on the rail-trail between Nassau Lake and Rice Road, one-quarter mile southeast of Rice Road.”

- As part of the overall AHET construction project, street signs will be installed at locations where the trail crosses public roads. Informing trail users of the names of road crossings will assist in guiding EMS response when incidents occur.

AHET Trail EMS and Law Enforcement Access

The 36-mile AHET Trail route passes through a number of EMS and law enforcement jurisdictions. A full listing of involved agencies is included below in Table 4.9.1.1: Inventory of Existing Emergency Services. These agencies are responsible for responding to emergency situations on the AHET Trail in the same way they operate throughout their respective jurisdictions.

The AHET Trail is being designed to provide direct access to emergency vehicles:

- The trail surface will be 10 to 12 feet wide, surfaced with asphalt or stonedust, designed to support all types of emergency vehicles including ambulances and fire trucks (the trail will be built to support large National Grid
bucket trucks and vehicles that need to periodically access electric lines and infrastructure).

- Six bridges will be installed along the AHET Trail route – all bridges will be designed to HS-25 rating, which accommodates all vehicles that are allowed to drive on public roads, including ambulances and full-size fire trucks.

- There are 70 public road and private driveway crossings along the 36-mile AHET route, providing quick access to emergency vehicles. Generally, there will not be gates or bollards at road crossings – emergency vehicles will be able to directly drive onto the trail. In the few instances where gates or bollards are installed, keys will be provided to the appropriate emergency responders (and the locks could be cut with bolt cutters if necessary).

The Hudson River Valley Greenway has initiated conversations with many of the EMS responders that provide service to sections of the AHET Trail (a complete list of involved response agencies is attached). These conversations have not identified any access concerns on the part of first responders.

The Hudson Greenway will continue to coordinate with emergency responders as the AHET Trail progress through construction and completion in 2020.

EMS Response Demand

In those instances where emergencies occur on the AHET Trail, local EMS agencies will respond in the same way that they provide services throughout their jurisdictions. The cost of emergency services will be managed by local responders, consistent with their regular practices.

No data is available to quantify or estimate the frequency of incidents that will occur annually on the Albany-Hudson Electric Trail that will require EMS response. However, off-road trails, by their nature, provide a safer condition for bicyclists and pedestrians than the alternative, which is people riding bicycles or walking on the shoulders of roadways.

The Hudson River Valley Greenway has communicated with New York State Parks, which operates more than 100 miles of rail-trails and canal way trails in NYS. The State Park Police have indicated that the number of EMS response incidents on these types of trails is low, especially on trails that allow non-motorized use only (this is the case with AHET Trail, where snowmobiles and ATVs will be prohibited). Based on State Parks’ experience, the Hudson Greenway anticipates that the AHET Trail will not generate a significant number of annual emergency incidents requiring EMS response.

Environmental Impacts & Proposed Mitigation Measures

- Community concern has been raised regarding how the trail be maintained, and who will be responsible for trail maintenance costs.

Proposed Mitigation Measures:

During the public comment period on the DEIS and the FEIS, multiple comments were submitted stating that the HRVG should clarify how the AHET Trail will be maintained, including comments raising concern that some local governments cannot afford the cost of maintaining the trail.

The AHET Trail will be operated and maintained by a collaborative partnership including the Hudson River Valley Greenway, town and village governments, and interested trail groups and volunteers. There are two categories of maintenance that will be required after the AHET Trail is constructed and opened to the public:

1. Periodic Capital Maintenance and Repairs. New York State will retain responsibility for undertaking long-term “capital maintenance” such as when asphalt and stonedust sections need to be resurfaced or safety fencing needs to be replaced (typically once every 15+ years). Similarly, in the event major repairs are needed (for
2.0 Significant Changes to the DEIS

example if a drainage culvert should fail or a bridge requires maintenance), New York State will be responsible for making capital repairs.

2. Routine Annual Maintenance. The AHET trail will be designed using durable construction methods, which minimize the need for routine maintenance activities. However, certain routine maintenance tasks will be required, such as mowing a narrow strip of grass along the trail (typically 2-4 feet wide on each side of the trail) between four and ten times annually, “weed whacking” with hand held string trimmers (one to two times per year), removing downed trees and limbs, picking up litter to the extent it occurs. In February 2018, the HRVG released a Draft AHET Trail Maintenance Plan for public comment. The plan lists annual maintenance needs and projects the cost of annual maintenance will range from $825 to $1,675 per mile of trail. The HRVG will establish a collaborative approach to routine trail maintenance:

- Local Governments. HRVG has requested that the involved towns and villages along the 36-mile AHET route assume responsibility for mowing and related annual maintenance of their respective trail sections. Participation by local governments is entirely voluntary. To date six local governments have agreed to accept maintenance responsibility – the HRVG greatly appreciates their participation. Other local governments have determined they are not in a position to absorb the cost of trail maintenance. The HRVG acknowledges and respects their decision.

- Non-Profit Partners. HRVG has initiated conversations with several non-profit organizations who have expressed potential interest in maintaining sections of the AHET Trail, focusing on segments where local governments are not able to do so. HRVG will foster the development of partnerships and “friends” groups to undertake trail maintenance, encourage community involvement, and pursue trail adoption programs.

- Maintenance Equipment. HRVG will donate trail maintenance equipment, such as commercial-grade mowers, string trimmers, and trailers, to local governments and non-profit organizations that accept responsibility to manage sections of the AHET Trail.

HRVG believes local governments and non-profit partners will agree to conduct annual maintenance along the entire 36-mile AHET Trail route. However, HRVG retains ultimate responsibility for maintaining the trail, including mowing and related activities. In the event that specific trail segments are not maintained by a local sponsor, HRVG will directly conduct routine maintenance activities by either hiring seasonal staff or contracting with a commercial landscaping firm. HRVG will ensure that a maintenance plan is in place for the entire AHET Trail prior to bidding construction of the project. A draft of this maintenance plan is included in Appendix D: Maintenance Plan.

Growth Inducing Impacts (DEIS Section 5.0)

There are no changes to this section from the DEIS.

Unavoidable Adverse Impacts (DEIS Section 6.0)

There are no changes to this section from the DEIS.
2.0 Significant Changes to the DEIS

Irreversible and Irretrievable Commitment of Resources (DEIS Section 7.0)

There are no changes to this section from the DEIS.

Analysis of Alternatives (DEIS Section 8.0)

Overall, the AHET Trail remains largely the same to the original route proposed in the DEIS, predominantly following the historic trolley corridor now owned by National Grid. However, after further analysis, the design team revised the proposed trail route in discrete sections where appropriate. Specific alternatives investigated to the route in the DEIS are described below, presented in “north to south” order and amend those presented in the original DEIS.

City of Rensselaer (See Appendix C1: City of Rensselaer Bike Route Alternative)

The Final Concept Plan utilizes now proposes to utilize an alternative route for the bike lanes as the proposed route along Third Street interests with High Street. The bicycle route will now utilize High Street as a shared roadway heading southeasterly toward CR 63 (Red Mill Road). This proposed alternative route presents an overall shorter bike lane length (0.69 miles vs 1.00 miles), is a lower speed facility (30 mph vs 40 mph) and has less vehicle traffic than the original proposed use of NYS Route 151.

Town of Schodack (See Appendix C2: Miller Road Alternative)

The Miller Road crossing was further evaluated and generally meets the requirements for pedestrian and bicycle use, and existing constraints can be resolved through a careful engineering approach consistent with NYSDOT and federal AASHTO design guidelines. Use of the Red Oaks Alternative was investigated however has significantly more design constraints and would require constructing an additional 0.4 mile of trail. Even if the owners of the Red Oaks property were willing to convey a trail easement, addressing the many constraints on the I-90 ROW and through the Red Oaks property are cost-prohibitive. After reviewing the information summarized above, the GPI design team recommend Miller Road as the preferred alternative for the AHET route connection from Old Miller Road to the Reno Road confluence.

Town of Stockport (See Appendix C3:CR 25/US Route 9 Alternative)

The AHET Trail Final Concept Plan (issued January 2018) and Draft Environmental Impact Statement (DEIS issued March 2018) recommend that the AHET Trail in this section be an off-road trail located on National Grid’s fee corridor, for a distance of approximately 2.3 miles. The Design team evaluated four alternatives based on the existing conditions as shown in Appendix C3, conducted numerous site visits, and applicable state and federal trail and shared roadway design standards as follows:

- Alternative 1 US Route 9 & National Grid ROW
- Alternative 2 US Route 9 & Rossman Road
- Alternative 3 Hudson Avenue - CR-25/25A
- Alternative 4 National Grid Corridor

Alternative 4 (use of the National Grid Corridor) meets the requirements for pedestrian and bicycle use, and existing constraints can be resolved through a careful engineering approach consistent with NYSDOT and federal AASHTO design guidelines. Due to being off-road, Alternative 4 will provide by far the safest and most enjoyable trail experience for bicyclists and pedestrians. Alternatives 1 thru 3 evaluated have significant safety issues as trail users would need to share narrow and high-speed roadways with motorists.

After reviewing the information summarized above, the design team recommends Alternative 4, an off-road shared-use path as the preferred alternative for the AHET route connection from the intersection of Hudson Avenue (County Route 25A) & Frisbee Lane in the Town of Stuyvesant to the intersection of Rossman Road & County Route 25 in the Town of Stockport.
3.0: COMMENTS AND RESPONSES

3.1 DEIS Public Comment Period

This section addresses all comments regarding the Albany-Hudson Electric Trail project received during the DEIS 60-day public comment period (March 9, 2018 through May 8, 2018). Comments regarding the DEIS were received in many different formats including: verbal comments presented at the March 28, 2018 Public Hearing; written comments received via the comment box available at the Public Hearing; emailed comments submitted to the AHET Trail website’s “Submit a Comment” function; hard copy letters; emailed comments sent directly to AHET project staff; phone calls to staff members; and summaries of comments left on an AHET call-in number (518 898-9595).

In general, the comments and responses are organized below by the category or topic of discussion based on the organizational structure of the DEIS. Comments expressed as opinion and/or those that do not concern potential environmental impacts of the project are not required to be incorporated into the FEIS response section; and therefore, have been included and responded to with “comment noted”. All comments are generally presented in their entirety, verbatim as submitted to the Hudson Greenway. The one exception is that any comments using offensive language have been redacted from this document.

Figure 3.1.1 AHET DEIS Public Comment Summary Chart

3.2 Comment Referencing

- Public Hearing Comments
All relevant comments from the March 28, 2018 Public Hearing were extracted from the transcript of the event. Comments made during the public hearing are referenced by stating the individual’s name and the corresponding comment number that is identified on the Index Page of the Public Hearing Transcript. For example, a comment made by Mr. John Doe at the Public Hearing is referenced as [Doe, J. - Public Hearing - Comment # XX]. The complete Public Hearing Transcript is included in Appendix G1.

### Written Comments
Comments that were received in writing during the public comment period, such as hard copy letters or emails, are referenced within the FEIS beginning with the individual’s last name, first initial, type of correspondence, the date of the correspondence, and a unique comment number. For example, a comment made by John Doe in a hard copy letter is referenced as [Doe, J., - Letter - Date - Comment # XX]. A comment made by Jane Smith in an email is referenced as [Smith, J. - Email - Date - Comment # XX]. Copies of the received hard copy letters and email comments are included in Appendix G2 and G3.

### 3.3 Responses to Comments on the DEIS

#### Executive Summary (DEIS)
No comments were presented either at the Public Hearing or during the public comment period regarding this section.

#### Introduction (DEIS Section 1.0)
No comments were presented either at the Public Hearing or during the public comment period regarding this section.

#### Project Description (DEIS Section 2.0)
No comments were presented either at the Public Hearing or during the public comment period regarding this section.

#### Public Involvement and Outreach (DEIS Section 3.0)
The following addresses comments on DEIS Section 3.0.

[Vollmuth, G – Email & Letter - 4/6/18 - Comment # 3.0.1]

**Comment:**

_Since the public hearing on the Draft Environmental Impact Statement for the trail, I have had some additional thoughts on how we might address our collective concerns about the intersection in North Chatham. I've attached those thoughts for your consideration, and look forward to hearing whether you think this approach is feasible. We appreciate your consideration of - and attention to - this important issue for the hamlet of North Chatham. Best, G_

“_A Mechanism for Increasing Community Input On A Matter of Critical Importance to the Hamlet of North Chatham_”

_April 6, 2018_

_I may have my own thoughts as to the better alternative that has been proposed for the intersection of State Route 203, County Route 32 and Bunker Hill Road regarding the increase in foot and bicycle traffic the proposed Albany Electric Trail will bring to this already dangerous intersection. But my primary interest here is not to foist my own view of what seems_
most appropriate on my neighbors but to make certain that the residents of the hamlet of North Chatham will have the chance to fully understand the implications of the proposed changes and have their collective voices heard in the decision that is finally made. They are the ones who will have to live with this decision. This is a major issue for those of us who live in North Chatham, and it is extremely important that the community is involved in expressing its point of view.

I have a new thought on how we might accomplish this. You have identified two alternatives that the State believes will provide additional safety to both the users of the trail and those who live here. I think for most people, it is very difficult to visualize these two options. To assist them, it would be helpful to mark with different colored markers or flags the outlines of the two alternatives that include how much in the way of additional right-of-way takings will be required for each and the general layout of the configurations. This could be done sequentially for each alternative or together if it is not too confusing. We would leave each configuration (or both if they can be done together) in place for a week or two to give individuals a visual sense of what the arrangements would look like and how much, if any, additional property would be required for their safe installation. If this isn’t feasible, a large aerial photograph of the intersection as it now exists with the each alternative superimposed on the drawing indicating the impact of changes might accomplish the same goal.

After this two-week period, we would host a community meeting (at the trolley station or the church if additional space is necessary) where the State would lay out the particulars of each alternative, answer questions and make their case for their preferred alternative. We would also invite the four property owners abutting the intersection to express – if they wish to – the alternative they prefer so that the community is sensitive to those who would experience the most significant impact of whatever decision is made.

In order to gain a first-hand view of the community’s collective point of view we would hold an election where the community expresses its choice between the two alternatives (or more if you have them). Since by definition, hamlets in New York State have no defined boundaries we would use the boundaries of the North Chatham Fire District, since we already have a mechanism in place that provides for the passing of an annual budget, the election of fire commissioners and any other business requiring a public vote. There is no real cost to doing this. But what it does is it gives those individuals within the hamlet who will be most subjected to the impact of this change an opportunity to express their point of view. Even if an individual’s preferred alternative isn’t selected, at least that individual had an opportunity to express his or her point of view.

Response:

On May 12, 2018, Hudson Greenway (the Lead Agency) GPI (engineering consultant) presented an update on the Albany-Hudson Electric Trail to the North Chatham Historical Society. The presentation focused on the AHET Trail section from the Columbia/Rensselaer County line, south through North Chatham to Kinderhook Lake. The meeting was well attended, with more than 40 North Chatham residents attending. Items discussed at the meeting include:

1. Off-Road Trail. South of the North Chatham Trolley Station, the AHET will be an off-road, 10-foot wide, stonedust trail running from County Route 32 to Electric Park Road. At Little Lake Road, modifications will be made to the old bridge abutment, to allow the trail to cross Little Lake Road as an at-grade, marked crossing. A new bridge will be installed across the Valatie Kill just south of Little Lake Road to allow the Trail to continue on National Grid’s corridor to Electric Park Road.

2. On-Road Trail Route. North of the Trolley Station, the AHET trail route will run east and north along a short section of County Route 32, through the Bunker Hill Road intersection, and then north along State Route 203 to the Thruway bridges at the County line. The HRVG intends to widen the shoulders along Route 203 to a minimum of four feet on each side of the roadway (all work will be completed within NYS’s existing ROW boundary). The AHET Trail will pass underneath the Thruway bridges as a two-way sidepath on the western side of Route 203, avoiding the need for trail users to be on the roadway shoulders directly under the bridges. On the north side of the Thruway bridges, a new section of off-road trail will be built on the Thruway right of way, physically separated from the highway – reconnecting with the National Grid corridor and turning north as an off-road trail toward the Village of Nassau.
3. Route 203 / Bunker Hill / County Route 32 Intersection. The HRVG and GPI presented three alternatives for this intersection:

- Retain the intersection in its current configuration.
- Install a mini-roundabout.
- Create a T-Intersection.

A large majority of participants at the meeting expressed preference for a mini-roundabout.

HRVG is consulting with the NYS Department of Transportation, Columbia County, and the Town of Chatham – all three entities will need to approve any major improvements to the intersection. NYSDOT has expressed concern that there may not be sufficient space for a mini-roundabout to accommodate large vehicles (tractor trailers) while providing safe passage for bicyclists and pedestrians. The HRVG’s consultants – GPI and Popli Design Group (PDG) – are completing on-the-ground surveys to identify the exact boundaries of existing public roadway ROW ownership along Route 203 and the Bunker Hill/County 32 intersection. In the event HRVG and its partners select a T-intersection, the design will include traffic calming enhancements to slow north-south vehicle speeds. The HRVG will keep North Chatham residents informed as the design process advances.

The two alternatives to reconstruct the intersection into a roundabout or T-intersection both require modifying the southern end of Bunker Hill Road. The plan now anticipates making a short section of the southern-most part of Bunker Hill Road a one-way road exiting to the south into either a new roundabout or T-intersection. This will allow for services (trash pick-up, snow plowing & emergency services) to continue through the road without the need for a construct a turn-around for large vehicles at the southern end of Bunker Hill Road. North-south through traffic will be routed onto Depot Street between County Route 32 and Bunker Hill Road. Modifications will be made to the northern and southern ends of Depot Street to accommodate property turning movements by northbound and southbound vehicles.

4. Off-Road North of Trolley Station. Several meeting participants expressed concern about designating the AHET route on Route 203 from the North Chatham intersection to the Thruway bridges, due to perceived safety issues with vehicle traffic and speeds. Participants asked the HRVG to consider staying on National Grid’s corridor (e.g. the old trolley line) as an alternative to Route 203. The Hudson Greenway has analyzed this option but concluded the route is not feasible due to significant technical obstacles including a missing bridge across the Valatie Kill, a very large wetland complex, and physical constraints on the south side of the Thruway ROW. Instead, HRVG has concluded that widening the shoulders of Route 203, combined with installation of signage alerting motorists to be alert for bicyclists and pedestrians, provides sufficient safety for trail users.

**Topography & Slope (DEIS Section 4.1.1)**

No comments were presented either at the Public Hearing or during the public comment period regarding this section.

**Surficial Geology and Soils (DEIS Section 4.1.2)**

No comments were presented either at the Public Hearing or during the public comment period regarding this section.

**Bedrock Geology (DEIS Section 4.1.3)**

No comments were presented either at the Public Hearing or during the public comment period regarding this section.
Stormwater Management (DEIS Section 4.1.4)

The following addresses comments on DEIS Section 4.1.4.

[Dauley, C. – Email – 3/12/18 – Comment 4.1.4.1]

Comment:

Do you know if the trail behind my house has been surveyed? I was wondering if they came up with a solution for the outlet pipe off rt 203 and if the trail is going between the pole and my fence. I think these were all things they were working on in the fall.

Response:

On April 6, 2018, representatives of the HRVG met with C. Dauley in Valatie, NY to examine the property's existing conditions and discuss the project. Based on conditions identified in the field, the HRVG determined that the AHET Trail would have no direct impact on this property. The property is currently screened by a large amount of brush and a 6’ stockade privacy fence. During the field survey, a collapsed culvert under State Route 203 near the property was identified. This culvert will be reconstructed as part of the project.

[Mink, A. - Public Hearing Comment Form - 3/28/18 – Comment 4.1.4.2]

Comment:

Water runoff if black top too high. Residents want clarity to property line on NG. Can you mark? Many don’t want to pay for survey.

Response:

A Stormwater Pollution Prevention Plan (SWPPP) will be required for the trail that outlines the pollution prevention and erosion and sediment control measures required for the project during and following construction. The AHET trail will be designed to allow stormwater to flow off the trail surface to adjacent vegetated buffers, which meets applicable state regulatory standards for linear trails, including rail-trails. The SWPPP will be developed in accordance with the “New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity” General Permit Number GP-0-15-002, effective January 29, 2015 through January 28, 2020. The SWPPP will include temporary and permanent erosion and sediment control practices as required by the permit. See DEIS Section 4.1.2 for the list of erosion and sediment control practices proposed. Additionally, the Trail as designed will generally be located in the center of National Grid’s utility corridor, typically between two rows of utility poles within the corridor. Where the trail varies from this general design parameter requiring the trail alignment to approach the boundary of National Grid’s utility corridor, the HRVG has secured a licensed land surveyor firm to establish the physical property boundary, thereby ensuring all construction work remains on National Grid’s ownership.

[Knott, R.  – Letter - 4/3/18 - Comment # 4.1.4.3]

Comment:

How would the creation of the trail impact storm water runoff, both on the trail itself and on the adjoining properties?

Response:

See response to Comment 4.1.4.2 above.
Comment:
I believe there has been an inadequate discussion of stormwater management issues.

Response:
See response to Comment 4.1.4.2 above.

Freshwater Wetlands (DEIS Section 4.2.1)
The following addresses comments on DEIS Section 4.2.1.

Comment:
Will you need a permit for the wetlands by woods lane? If it is just filled in, it will cause water to back up on my property.

Response:
As a part of the DEIS, the HRVG’s consultant, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR), identified wetlands and streams within or adjacent to the proposed AHET corridor. This study included: 1) a review of background resource data and mapping; 2) field delineation and flagging of potential state and federal jurisdictional wetlands and streams; 3) Global Positioning System (GPS) survey of delineated wetland and stream boundaries; 4) quantification of the area of on-site wetlands and streams; and 5) description of these potential jurisdictional areas based on hydrology, vegetation, and soils data collected in the field (see DEIS Section 4.2.1 and Appendix 4.2.1). As illustrated in the DEIS Figure 4.2.1.7, there are no Federal or State wetlands mapped or delineated on or near the property referenced in this comment.

On September 25, 2017, representatives of the HRVG met with J. Linton in Stuyvesant Falls to examine the property’s existing conditions and discuss the AHET Trail project. Based on conditions identified in the field, the HRVG determined that in this area the National Grid ROW is heavily overgrown, and there was a fairly large washout of the rail prism next to this property. The drainage concerns were noted, and improvements to the ROW will include the installation of a 24” culvert to accommodate stormwater runoff.

Comment:
The proposed trail to the north of Mr. Keil’s property passes through a washed-out ravine. That ravine is a sensitive area as concerning wetlands—both State and Federal...

Response:
As a part of the DEIS, the Lead Agency’s consultant, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR), identified all watercourses within or adjacent to the proposed AHET corridor (see DEIS Section 4.2.2 and Appendix 4.2.21). As discussed in the DEIS, a review of NYSDEC Freshwater Wetland mapping indicates that there are no State-regulated wetland communities that overlap the proposed trail corridor in the Town of Stockport. (See DEIS Table 4.2.1.1 and DEIS Appendix 4.2.1). According to the study, there are approximately...
0.86 acres of USACE regulated wetlands\(^1\) adjacent to the Keil property along the National Grid corridor. All wetland impacts associated with the project will be mitigated as required by USACE and will be set forth in detailed permitting requirements. An off-site project to improve wetlands in Schodack Island State Park will be completed to mitigate any wetlands impacts associated with construction of the AHET trail (see Section 2.0 of this FEIS).

### Surface Waterbodies (DEIS Section 4.2.2)

The following addresses comments on DEIS Section 4.2.2.

[Clyne, J. – AHET website & Letter – 5/7/18 – Comment # 4.2.2.1]

**Comment:**

*The proposed trail to the north of Mr. Keil’s property passes through a washed-out ravine. That ravine is a sensitive area as concerning…a tributary to a protected creek.*

**Response:**

As a part of the DEIS, the Lead Agency’s consultant, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR), identified all watercourses within or adjacent to the proposed AHET corridor (see DEIS Section 4.2.2 and DEIS Appendix 4.2.2). As illustrated in the DEIS, the referenced stream (see DEIS Table 4.4.2.2 column 1, Delineation ID 4O) is an unmapped tributary that flows into the Class C Kinderhook Creek. Although this stream is not State protected, as indicated in the DEIS, “efforts will be made to minimize and avoid degradation of water quality or fish and wildlife habitat at all stream crossing sites. Work below the ordinary high-water mark levels or within the bed or banks of the stream will require coordination and permitting with the Army Corps of Engineers. Mitigative measures for waterway impacts will be coordinated in the same permitting process as wetland impacts” and any improvements in this area will be designed to satisfy NYSDOT and USACE standards.

### Floodplains (DEIS Section 4.2.3)

The following addresses comments on DEIS Section 4.2.3.

[Clyne, J. – AHET website & Letter – 5/7/18 – Comment # 4.2.3.1]

**Comment:**

*The existing railroad bed has been effectively washed out by large storms. There has been insufficient analysis of what will prevent that from happening in the future.*

**Response:**

The HRVG is fully aware of this issue. This area of concern is specifically noted in the DEIS Section 4.1.1: Topography and Slope: “there are several areas of concern for steep slope impacts one is located approximately 450’ north of the trails intersection with Keil Road where a washout of the trail prism has occurred (See DEIS Figure 4.1.1.8a)”. As stated in the DEIS, to mitigate this issue “a new culvert will be installed, and the embankment filled in to existing grades and includes rip-rap slope protection on the embankments.” The washout has been hydraulically analyzed by the HRVGs design

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\(^1\) Final jurisdictional determination to be made by the USACE.
engineer (GPI), and a culvert of sufficient size to pass major storm events will be constructed. The culvert will be
designed to NYSDOT specifications and standards. The installation of a culvert here (replacing a previously failed culvert)
will allow the water to safely pass under the trail prism without damaging the structure. Erosion control and soil
stabilization best management practices will be incorporated into the design to minimize the impact of soil disturbance.
All slopes at a 3:1 slope or greater will receive the Erosion Control Blanket Temporary E&SC measure”. (See DEIS Section
4.1.4 for further stormwater management details).

Threatened, Endangered, and/or Species of Special Concern (DEIS Section 4.3.1)
The following addresses comments on DEIS Section 4.3.1

[Knott, R. – Letter - 4/3/18 - Comment # 4.3.1.1]

Comment:
The proposed location will also impact habitat for many animals including perhaps most significantly the bald eagle. This
impact must also be addressed.

Response:
The HRVG engaged the consulting firm Environmental Design & Research (EDR) to complete a detailed assessment of
wetlands and wildlife habitat, including endangered species issues, along the AHET Trail corridor. EDR’s report is
included in Volume 2 – Appendices of the DEIS (pages 4 to 561). The DEIS identifies mitigation steps to avoid potential
adverse wildlife impacts identified in the EDR Report. No known bald eagle nesting sites or concentration areas exist in
the vicinity of the AHET Trail corridor.

Agricultural Resources (DEIS Section 4.4)
The following addresses comments on DEIS Section 4.4

[Knott, R. – Letter - 4/3/18 - Comment # 4.4.1]

Comment:
Stuyvesant is an agricultural community where agriculture is #1 industry. In 1993 Stuyvesant was named the 1st
agricultural community to be designated a Greenway Model Community. We have adopted zoning laws to protect and
enhance agriculture, as per our adopted comprehensive plan.

The proposed trail bisects actively farmed land that is both prime and of state wide significance. This proposed project
may adversely affect the use of this land. The town has adopted local laws that help us mitigate these types of land use
changes, and we are asking that the Greenway follow the laws as any other property owner would be held accountable
to. Laws and legal rulings under the Agriculture District Law state that you cannot adversely affect normal farming
practices. The trail as proposed will adversely affect and limit those practices as they cannot be completed in close
proximity to the hikers without exposing trail users to considerable risk. It will be a major handicap to timeliness of
farming practices to work around hiker presence when normal weather variability already limits the windows in which
the farmer can now work.

A broad buffer will be needed when recycling manure as fertilizer and spraying to control pests and weeds, so as to not
accidently treat the trail itself or the users, when the wind shifts. The farmer would then lose the use and productivity of
the land within that buffer which they have paid for and pay taxes on. Hence the reason behind the locally adopted land
use that laws prohibit recreational activities in our agriculture zone.
Hunting is utilized to control the depredations of wildlife on the crops grown on the land the proposed trail goes through. The trail will limit the ability of the hunters to conduct this wildlife management due to the risk suddenly appearing in the hunting area and in close proximity to the shooting.

Response:

The Lead Agency understands the value of the agricultural industry to the Town of Stuyvesant and is committed to minimizing the impacts of the AHET Trail on active farm operations, while maintaining the comfort and safety of its future users. In the Town of Stuyvesant, roughly 65% of the AHET Trail is proposed to be off-road shared use path along National Grid utility corridor (ROW). This ROW was originally developed as an electric trolley railway, and currently is a utility corridor. The remaining 35% of the AHET Trail in Stuyvesant will be constructed along public roadways. Along its entire 36-mile route, there are no locations where the AHET Trail will be built on land currently utilized for agricultural purposes. HRVG acknowledges that agricultural activities occur on adjacent properties as various locations along the Trail route. The HRVG will incorporate a variety of design features in the AHET Trail to minimize impacts to adjacent agricultural lands. For example, in places where farm equipment currently crosses the AHET Trail to access fields, this practice will continue, with the HRVG working with involved farmers to designate safe crossing locations. HRVG will install signage, and where appropriate fencing and gates, to reinforce that trail users must stay on the trail and not enter adjacent agricultural areas. The HRVG notes that in many places in Columbia County, agricultural fields are farmed right up to the edge of local roads that are used by motorists, bicyclists, and pedestrians, without creating undue restrictions on farmers or risks to the public. The AHET Trail is an analogous situation – adjacent landowners will continue agricultural practices on lands adjacent to trail corridor in the same manner they undertake farming adjacent to public roads. To the extent any farmers secure Deer Damage Permits from NYSDEC to reduce impacts to farmland, deer hunting will continue to be allowed on private properties adjacent to the AHET Trail, subject to typical safety protocols.

[Clyne, J. – AHET website & Letter – 5/7/18 – Comment # 4.4.2]

Comment:

My client—and his mother and father before him—has openly and continuously used the property over which the trail is proposed for upwards of 70 years. Mr. Keil utilizes that area for the purpose of maintaining crops and attending to his cattle. In furtherance of such activities, Mr. Keil and his predecessors have gated the property, fenced the property, and installed water lines, electric lines, and drainage systems. They have done so pursuant to their possessory interest in the property, which I believe has ripened into an ownership interest.

In the furtherance of these issues—and because there has been inadequate recognition of my client’s legal and equitable rights—my client is commencing an action against the involved parties to establish his interest in this property judicially.

My client has also been victimized through the unequal treatment involved in this process. For example, the trail has been rerouted around and through Wilrock Farms under the same material circumstances as attend my client’s property. The trail should not be asserted through in a way that may impact my client’s agricultural activities.

All the impacted municipalities—the Town of Stockport, the Town of Stuyvesant, and Columbia County—are right-to-farm communities. The purpose of that designation is to encourage agricultural production and to protect existing farms. Installing unnecessary fences and inviting the public onto the proposed trail route will significantly reduce the value of my client’s property and interfere with his vested property rights.

In addition, the Town of Stockport has an ordinance which prohibits non-agricultural activities within 50 feet of a contiguous farm. This ordinance provision is for the benefit of people such as Mr. Keil. He has not been provided with the safeguards allowed here. This is a situation where an entity (Niagara Mohawk Power Corporation) has executed a license with the greenway. The quasi-public reach of the greenway is not sufficient to eliminate the requirement that the Town comply with its zoning ordinance, particularly as the activities contemplated contravene the protections afforded to my client and other farmers under state and local statutes.
Response:
The HRVG has researched property ownership in the area of Mr. Keil’s property. This research confirms that National Grid holds fee ownership to the utility corridor in this area, and National Grid has never issued authorization to Mr. Keil to undertake agricultural activities on its property. More generally, see response to Comment # 4.4.1 for an analysis of the AHET Trail’s impact on adjacent agricultural properties. Regarding the Town of Stockport’s ordinance, see response to Comment # 4.8.3 for an analysis of local government ordinances.

Historic and Archaeological Resources (DEIS Section 4.5)
The following addresses comments on DEIS Section 4.5.

[Vollmuth, G. - Public Hearing Speaker - 3/28/18 – Comment # 4.5.1]
Comment:
As the president of the North Chatham Historical Society, I also want you to know that the North Chatham community worked extremely hard to secure the Hamlet’s designation as a historic district on the New York State National Registers of Historic Places. As a state operation, I trust that means that any signs that the state itself places within the North Chatham Historic District, will reflect the character of that historic district.

Response:
See response to Comment # 3.0.1.

The Lead Agency is aware and supportive of the preservation of the Historic Districts and Historic Places within proximity to the proposed AHET Trail. The historic and cultural resources of the region are very important to local economies, and the history of the cities, towns and villages along the proposed trail will be incorporated into an educational/interpretive signage program along the trail. The signage program will be developed based on the NYS Empire State Trail Design Guide, and sign placement will consider the historic nature of the area along with the safety and needs of the trail users.

[Knott, R. – Letter - 4/3/18 - Comment # 4.5.2]
Comment:
While the proposed location may have already been disturbed by prior development, an analysis of the potential historic and archeological impacts must be reviewed since the location is within or substantially near several places with such significance.

Response:
The HRVG engaged the consulting firm Hartgen Archeological Associates, Inc. to review historic and cultural resource issues along the AHET Trail corridor. Hartgen completed a detailed review of historic properties and completed a Phase 1 archeological investigation, which included more than 600 shovel pit tests along the AHET route (no significant archeological resources were identified). The Hartgen report is included in Volume 2 – Appendices of the DEIS (pages 562 to 813). Based on the Hartgen study, the State Historic Preservation Office issued a No Adverse Impact letter on March 14, 2018 for the AHET Trail project. Since the issuance of the DEIS, HRVG has made several minor adjustments to the final trail alignment. These areas were evaluated in subsequent field work by Hartgen Archaeological Associates, Inc. No significant impacts to archaeological resources or historic properties were identified. The State Historic Preservation Office issued an updated No Adverse Impact letter on June 26, 2018 for the AHET Trail project. A copy of the Letters of No Impact are included in Appendix E: SHPO Documentation.
Transportation (DEIS Section 4.6)

The following addresses comments on DEIS Section 4.6:

[Murman, R. - AHET website - 3/13/18 – Comment # 4.6.1]

Comment:
Your documents state that a trail adjacent to my property will enhance the value of my property. With a new, totally incongruent 4-story apartment house in my backyard and a regional transportation facility in front, please provide documentation supporting your assertion. My concern is specific to my and my immediately adjacent neighbors, so I will appreciate a response specific to this situation rather than a generic response citing studies and statistics

Response:
The DEIS includes a review of the impact of the proposed trail on community character along the 36-mile route in Section 4.9: Consistency with Community Character. Specific to this comment, the HRVG does not plan to undertake a site-specific valuation of property values on Point View Drive, and the construction of a residential apartment building on Eliot Road is not related to the Albany-Hudson Electric Trail and is not part of HRVG’s Environmental Impact Statement analysis.

[Murman, R. – Email – 3/30/18 - Comment # 4.6.2]

Comment:
Where in the DEIS can I find projections for trail users per trail section? My DEIS comments: If projections for trail users per trail section are not in the DEIS, the FEIS should include them. The section on Consistency with Community Character addresses only Emergency Response Services. As a lot of the trail travels on roads through established residential neighborhoods, impacts may be large and significant. Therefore, the FEIS should address trail impacts in those locations in terms of additional people within a residential fabric; effect of a regional transportation facility on safety and security especially for children who play on the streets (I realize that runaway bikes probably won’t be an issue, but the stranger/children interface might be); and effect on property values.

Response:
The HRVG commissioned its consultant, Alta Planning + Design, to complete a projection of anticipated trail use numbers on the AHET Trail. Alta produced a study titled Trail User Projections Albany-Hudson Electric Trail which is attached as Appendix B: Trail User Projections. The study analyzed trail use data collected at 54 other rail-trail and canalway trail locations in New York State to extrapolate an estimate for trail use on the Albany Hudson Electric Trail. The study estimated both annual trail usage for the entire 36-mile trail as well as weighted trail usage based on geographic population census data for 17 subset sections along the overall 36-mile trail. To correlate the existing counts in other parts of the state to the proposed AHET Trail, population density was used as trail research has shown a direct correlation between the number of trail users and surrounding population density. As noted, projected trail use numbers at 17 points along the 36-mile AHET were modeled. Points 15, 16 and 17 fall within the Town of East Greenbush. Points 15 and 16 cover the areas that include Point View Drive and Tamarack Lane, respectively. The study identified that trail users between these two points will range from 68,548 to 79,677 annually, comprised of approximately 35% Bicyclists and 65% Pedestrians. The seasonal daily user breakdown associated with these annual users are as follows:
Table 3.0.1: Seasonal Daily User Trail Counts

<table>
<thead>
<tr>
<th>Point</th>
<th>Winter Average Daily Dec, Jan, Feb</th>
<th>Winter Average Hourly 9 Hour Day</th>
<th>Spring Average Daily Mar, Apr, May</th>
<th>Spring Average Hourly 12 Hour Day</th>
<th>Summer Average Daily Jun, Jul, Aug</th>
<th>Summer Average Hourly 14 Hour Day</th>
<th>Fall Average Daily Sep Oct, Nov.</th>
<th>Fall Average Hourly 11 Hour Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>79</td>
<td>9</td>
<td>254</td>
<td>21</td>
<td>342</td>
<td>24</td>
<td>202</td>
<td>18</td>
</tr>
<tr>
<td>15</td>
<td>68</td>
<td>8</td>
<td>219</td>
<td>18</td>
<td>294</td>
<td>21</td>
<td>173</td>
<td>16</td>
</tr>
<tr>
<td>Average</td>
<td>74</td>
<td>8</td>
<td>237</td>
<td>20</td>
<td>318</td>
<td>23</td>
<td>188</td>
<td>17</td>
</tr>
</tbody>
</table>

Specific to the above comment, the above analysis projects trail use during summer months on Point View Drive in East Greenbush will average 294 people per day, which equates to an average of 20 trail users per hour during the dawn-to-dusk period. For comparison, the average number of motor vehicles that utilize Point View Drive is estimated to exceed 400 vehicles per day, meaning the average number of daily AHET Trail users will be lower than current vehicle traffic. This anticipated level of pedestrian and bicycle use will not result in an adverse impact to community character on Point View Drive.

The same conclusion is applicable along the entire 36-mile AHET route – creation of the trail will not result in significant impacts to community character. To the contrary, the AHET project will create a beneficial non-motorized, outdoor recreation amenity in the communities it passes through.

[Murman, R. – Email – 4/2/18 – Comment # 4.6.3]

Comment:
In what section does the DEIS project total trail users for entire system?

Response:
See Response to Comment # 4.6.2.

[Murman, R. - Email – 4/3/18 - Comment # 4.6.4]

Comment:
Please enter this as another comment on the DEIS. As the DEIS contains no estimate of the number of trail users, either trail-wide or by section, it is not possible to assess the reasonably expected impacts resulting from human use of the trail and the impact from human use of the trail on adjoining properties. The FEIS should include reasonable estimates of the number of trail users based on data from similar trails (which should be available to the writers), the impacts of such use on the physical and community environments through the trail passes, and mitigations for expected adverse impacts.

Response:
See Response to Comment # 4.6.2.

Given the low number of trail users that will be traversing the trail in any given location throughout the year no adverse impacts are projected and no mitigation is therefore required.

[Vollmuth, G. - Public Hearing Speaker - 3/28/18 – Comment 4.6.5]

Comment:
There is one other issue that especially concerns us. As you know, from our previous discussions, one of North Chatham's grave concerns about the proposed route of the trail in North Chatham, is that it will add additional foot and bicycle traffic to what those of us in North Chatham consider one of the most dangerous intersections in the area. The confluence of State Route 203, County Route 32 and Bunker Hill Road, countless North Chathamites, and especially the property owners in immediate proximity to that intersection, whose properties have been riddled by automobile and truck detritus from the countless vehicles that have had accidents there, can regale you with stories of near misses. It is a miracle no one has been killed there. Residents of the hamlet raised issues many years ago about this, but since no one had been killed, we were told nothing could be done. There were too many other places that were of higher priority. I cannot believe how lucky we have been not to have any of our children, our neighbors and friends, or simply visitors passing through hurt or loss. Now that the trail, the rail trail is coming, we are certainly pleased that this issue has come to the forward. However, alternative one in the DEIS is close to an alternative our community proposed years ago. I have a copy of that plan for you. If you have an interest, I'd be happy to leave it with a copy of my remarks. But I would like to go on record as saying that alternative two, which calls for a mini roundabout at that location, is, in my estimation, completely inappropriate within the confines of the North Chatham historic district. I am unable to conjure up any image of a mini roundabout that would be appropriate at the heart of the State National Historic District, especially immediately in front of a historic home on the National Register of Historic Places in its own right. In my view, a roundabout has no place in the North Chatham historic district. That plan also does not indicate how the tractor trailer trucks, who repeatedly use this intersection, because they can't continue on Route near the railroad bridge, will be able to safely negotiate the proposed roundabout, since many of them already have a challenging time at the current intersection. For more than 200 years the Hamlet of North Chatham has drawn on its impressive past and the hard work and vision of our forbearers, and in doing so, our community has not only survived, but it’s thrived in the challenges. Any community needs to embrace change, less it wither or die. But we also recognize that we must celebrate the gifts those who have come before us have so graciously bestowed upon us and protect them. In my opinion, North Chatham is not a place that needs a roundabout of any size.

Response:
See response to Comment # 3.0.1

[Vollmuth, G. – Email - 4/9/18 - Comment # 4.6.6]

Comment:
I guess I misunderstood the contents of the Draft DEIS. On the November page where you note two options for the intersection in North Chatham, I assumed that both of these alternatives met whatever criteria you established to evaluate this intersection and that both were acceptable to the State. My suggestion was then that if both are acceptable to the State, why not let the residents of the hamlet who will have to live with whatever decision is made voice their collective opinion? My concerns were heightened when the commentary from GPI in March mentioned only the roundabout option which I assumed meant it now was preferable.

We, of course, will be pleased to host at the trolley station any community meeting you wish to hold, but our hope would be that detailed information about your plans would be available (preferably before the meeting if possible) including the details about what – if any – additional property in the right-of-ways will be required in order to execute each alternative. I suspect this is essential information not only for the property owners at this intersection but also for all of us who live here so that we will be able to visualize its impact on North Chatham and its Historic District. We understand that much of this may be highly technical information, but it is of great importance to us that we understand in detail what is being proposed and how it will affect our community. In addition, since the State’s stated initiative was to follow the trolley right-of-way, the community needs to understand the financial and other parameters as to why this alternative is now preferred and whether there might be additional options.

I am certainly not trying to be obstreperous. I simply believe that for the benefit of our community – and for the trail,
itself – an honest exchange of the detailed pro’s and con’s will result in a better result for all of us. Understanding in advance exactly what is being proposed should minimize concerns after the fact. Your thoughts – and those of your team - are always appreciated here. Thank you.

Response:
See response to Comment # 3.0.1

[Mink, A. - Public Hearing Comment Form - 3/28/18 – Comment 4.6.7]

Comment:
Speed in area, cars are moving too fast coming up that hill. Risk at cross walk - need signs.

Response:
The AHET crossing at Electric Park Drive will be appropriately signed with a Marked and Signed Crosswalk treatment, including standard safety signage for both trail and roadway users. This new crosswalk will serve to calm (slow) vehicles speeds at this location. More generally, all road crossings along the entire 36-mile AHET route will be improved to fully comply with applicable safety standards (as set forth in Manual of Uniform Traffic Control Devices (MUTCD) standards).

Note: Ms. Mink spoke at public hearing, (see comment # 4.9.20) and her comment is referencing speeding on Electric Park Drive near the Kinderhook Lake Association property.

[Shannon, B. - AHET website - 3/28/18 – Comment 4.6.8]

Comment:
The problems with snowmobiles and ATV’s on the National Grid ROW are pre-existing, and I agree that the problems will not increase with the development of the trail. I believe that residents who use the trail will step up to address the minor maintenance issues that might arise. One crossing, on the curve of Gaffney Lane, will require carefully located signage and other mitigation of an already hazardous spot.

Response:
The AHET trail crossing at Gaffney Lane will consist of a signed and marked crosswalk, including a raised crosswalk to add in traffic calming (also known as a “speed table”). Advanced warning signage will be placed on Gaffney Road, including along the curve in the roadway, to alert motorists they are approaching the trail crossing. In addition, selective trimming of vegetation will be implemented in the vicinity of the crossing to improve sight lines where possible.

[Mayorchak, L. – AHET website - 4/7/18 - Comment # 4.6.9]

Comment:
Love the idea of a trail! Just a suggestion though. We live on 203 in Nassau where the trail will come out to the road just before the I-90 overpass. Cars speed through here. Is there any chance when they put in the walk way on the road that DOT can change some of the speed limit signs coming down 203?

Response:
Posted speed limits will be evaluated on NYS 203 in addition to all on-road segments in close consultation with NYSDOT. Typically requests for speed reductions are performed after a detailed study is completed. The HRVG will consult with NYSDOT’s Regional Traffic Safety Office regarding the regulated speed limit on this section of Route 203.


Comment:
I would like you to consider more work on Miller Road in addition to the addition of the traffic signal. The developer of the businesses north and south of Empire Drive agreed to install a turning median on Miller Road when the signal was installed. Getting funding from the developer may be difficult but it may be possible to enlist the aid of the Department of Transportation. Miller Road has not been resurfaced since its original construction in 1973. Maybe they would consider adding the median and repaving the road in conjunction with your work for the Rail Trail? Please ask them if there is any plan to do work on Miller Road or if this might be the time to do that work. Thank you.

Response:

Miller Road is part of a larger set of trail route sections that are being carefully evaluated and fully coordinated with NYSDOT as part of the AHET Trail design process. As detailed in the earlier section regarding Section 2.3 of the DEIS, the HRVG is actively consulting with NYSDOT to determine the final design of the AHET Trail along Miller Road. Treatments for the area will be designed to provide the safest route achievable within this section of the AHET, meeting NYSDOT traffic warrant analysis requirements.


Comment:

As property owners on both sides of Route 25 where the new AHET will pass on the Shared Roadway we have concerns to be addressed.

Our Northernmost section of Route 25 just South of Rossman Road is less crowded, with houses further apart. We have lived full-time in our home facing #438 County Rt. 25 for four years now. Our garage and studio above sits only 10’ from the road and our driveway is on a blind S-curve with signs posted “blind driveway”. Yet a high percentage of traffic passing goes over the signed 30mph speed limit.

Since living here we’ve contacted the Stockport town police as well as the Columbia County Sheriff to complain about traffic passing at speeds of over 65 mph daily. The town has sent police to catch speeders randomly, usually on Friday afternoon/evenings which has helped only slightly. The regular commuters pass at high speeds randomly all day but most are during morning and afternoon rush hours with a mix of locals on errands and commuters who find a shortcut between Rt. 9H and Rt. 9 by cutting across from Stuyvesant Falls through our part of Stockport.

Further efforts by the town police have been denied since Stockport is mostly supported by residential taxes with very little commercial taxes. They refuse to pay for a speed sign or traps. According the Highway Department speed bumps cannot be installed on County roads.

Given the proposed sharing of our road with the AHET we are cautiously hopeful that permanent speed restrictions will be in place, especially since we already have a dangerous situation without sharing the road. Could you give extra study to this situation and come up with a plan to avoid the danger we already have in place? With enough obstacles and scrutiny the people currently speeding will be likely to find another way to travel instead of Rt. 25. As our portion of the road is more prone to this speeding we appreciate your focus on this area.

Response:

1. AHET Trail Route. The Greenway has determined County Route 25 is the best available route for connecting the off-road sections of the AHET Trail that will be developed north of Rossman Road (toward Stuyvesant Falls) and south of Urban/Loomworks Roads (toward Stottville). The former trolley rail line adjacent to Route 25 is not feasible for creation of an off-road trail section: in several locations, ownership of the ROW was conveyed to other landowners in the past; and it is not feasible to consider replacing two missing bridges that once crossed the lengthy spans across the Kinderhook Creek and Claverack Creek.
2. Route 25. The HRVG acknowledges that this section of County Route 25 lacks shoulders. This 1.5-mile section of the AHET route will be identified through signage and on the future AHET trail website as being appropriate for experienced bicyclists and pedestrians who are comfortable traveling on the road side, in a shared-roadway condition. The County Route 25 section is comparable to many other on-road sections of the 750-mile Empire State Trail route across New York State, where trail sections are designated along public roadways to connect off-road segments.

3. Vehicle Speeds. Several types of signs will be installed along County Route 25, per applicable state and federal guidelines, informing motorists to be alert for bicycles and pedestrians. The HRVG is also evaluating installing painted crosswalks at several locations. Speed limit enforcement will be an ongoing conversation with state and local law enforcement agencies, after the trail is completed in late Fall 2020.

4. Fencing Request. Prior to finalizing construction plans, the HRVG will evaluate the request that fencing be installed at this location. As a general matter, HRVG is not installing privacy or security fencing along the 36-mile AHET Trail route. Experience on the hundreds of miles of existing rail trails and canalway trails in New York State indicates that trail users typically do not leave the trail route and do not enter adjacent private property.

Schools & Health Facilities (DEIS Section 4.7.1)
No comments were presented either at the Public Hearing or during the written comment period regarding this section.

Spills, Remediation & Hazardous Waste Sites (DEIS Section 4.7.2)
The following addresses comments on DEIS Section 4.7.2

[Clyne, J. – AHET website & Letter – 5/7/18 – Comment # 4.7.2.1]
Comment:
*The proposed trail to the north of Mr. Keil’s property passes through a washed-out ravine. That ravine is a sensitive area as concerning...that area historically has been used for the disposal of solid waste, all of which needs to be removed.*

Response:
Section 4.7.2 of the DEIS provides an inventory of all known nearby Spills and Remediation Sites. The NYSDEC representative familiar with Columbia County determined there are no known open spills, remediation or hazardous sites in proximity to the trail route through the Town. The Town of Stockport was identified as containing one spill through a record search of online database systems, and the list of spills was reviewed and corrected. At this time no additional action is required for the development of trail plans. During the construction phase, the HRVG will make every attempt to remove solid waste (litter) from the right-of-way. If any contamination is encountered during the construction of the project, the spill (including soil contamination) must be called into NYS Spill Hotline (1-800-457-7362) within two hours of discovery. In the event any underground tanks are encountered, HRVG will contact NYSDEC.

Consistency with Community Plans and Zoning (DEIS Section 4.8)
The following addresses comments on DEIS Section 4.8.

Comment:

The action will certainly result in a change in use and intensity of the land and thus, the impacts of that change must be addressed. This is particularly important to the change in the character of the existing community from many standpoints including but not limited to sound generated by the users, trash and littering, and public safety both for the users and adjoining landowners/residents.

Response:

Section 4.8 of the DEIS provides a detailed discussion on the existing land use patterns within the communities along the proposed AHET route. The DEIS concludes that the proposed action is not in sharp contrast to the current surrounding land use patterns. There are approximately one thousand miles of rail-trails and canalway trails in New York State. Discussions with the managers of those existing trails indicate they do not create significant negative impacts such as trash, littering, or public safety concerns. To the contrary, these types of trails typically become positive and valued community assets. Section 1.4 of the DEIS provides a discussion of the community benefits of the proposed AHET, including, but not limited to, health and well-being, transportation, safety, economic, and environment. The AHET is an important part of the Empire State Trail and has the potential to serve as a key connection for the statewide trail system, providing important transportation and recreation benefits, and helping connect people to the Hudson River Valley landscape. Section 4.8 of the DEIS states: “the need for additional trails and recreational assets has been clearly identified in a number of locally adopted Comprehensive Plans”, including the Town of Stuyvesant. The Town of Stuyvesant, in partnership with the Hudson River Valley Greenway (HRVG) developed the Kinderhook-Stuyvesant-Stockport (KSS) Intermunicipal Trail Feasibility Study in 2009-11 that proposed the creation of a trail utilizing the abandoned trolley line, now owned by National Grid, for a trail connecting the Towns of Kinderhook, Stuyvesant, and Stockport. This feasibility study laid the groundwork for the AHET Trail now being advanced by the HRVG. One of the recommendations of the Town of Stuyvesant Comprehensive Plan was to “develop a plan and pursue funding for a system of trails linking accessible natural areas, historic resources, scenic viewpoints, and other recreational areas. Prime areas to consider for trails include: the unused utility right of way (old “trolley line”).

[Dunham, J. – Letter – 5/4/18 – Comment # 4.8.2]

Comment:

This letter is to provide the Village of Kinderhook’s comments on the subject Draft Environmental Impact Statement and to express the village’s support for the proposed Albany-Hudson Electric Trail. We concur with the assessment of the environmental considerations in the DEIS, such as those summarized in Section ES.6. With respect to consistency with community plans, the development of a trail along the National Grid right-of-way, the former Niagara Mohawk right-of-way, was included in the village’s comprehensive plans as follows (copies of relevant pages attached):

November 1999 Comprehensive Plan
June 2008 Comprehensive Plan Update
December 2016 Comprehensive Plan Update

The village expects that the trail will enhance economic development in the village by bringing trail users into the Village Square business area and to two businesses along Route 9 at the north end of the village.

In addition, with the village’s historic, architectural and cultural heritage, we expect trail users to visit the historic and cultural sites in the village. These include historic related sites such as the Columbia County Historical Society Museum, the Vanderpoel House, Martin Van Buren’s birthplace and gravesite, the Martin Van Buren statue in the Village Square area and the People of Color Cemetery at Rothermel Park and cultural sites such as The School/Jack Shainman Gallery. The Empire State Trail has been termed a trail through history and we expect the Village of Kinderhook will become one.
of the stops on this trail.

The Sidewalk Link Project, a federal-aid project to connect the sidewalks of the villages of Kinderhook and Valatie constructed in 2013, was developed in consideration of a trail concept similar to that now proposed. The section along Route 9 was built to provide an on-road section of trail and is now being incorporated in this proposed project from Stewarts northerly to just south of the Route 9H bridge.

The Village of Kinderhook intends to maintain the trail within the village as described in the Albany-Hudson Electric Trail “Trail Maintenance Plan”, February 2018 Draft.

With respect to the trail alignment in the vicinity of the crossing of Albany Avenue in the village, the DEIS included an alignment through the Columbia County Historical Society property at the back of the Vanderpoel House lawn. A permanent easement to the village was to be purchased from the CCHS. Since the historical society would not approve this permanent easement, an alternative along Sunset Avenue and through a strip of land to be purchased from the Samascott Farm is now proposed to bring the trail back to the National Grid right-of-way.

The village supports the Sunset Avenue/Samascott alternative now being considered and we believe the revised trail alignment through the village-owned Mills Park provides a better opportunity for place-making in the park.

Response:

Comment noted.

[Knott, R. – Letter - 4/3/18 - Comment # 4.8.3]

Comment:

I would like to submit comments on the DEIS for the Albany-Hudson Electric trail. The Town of Stuyvesant residents have limited opportunity to be involved in the decision-making process in this proposal. It was my hope that if we followed the SEQRA process properly we would have that opportunity as NYS Home Rule allows.

As you are aware, we have asked that this project, like any other, comply with our local municipal boards for approval. The DEIS incorrectly states that local approval is not required, and we have brought it to your attention through our town attorney that we differ with this concept. You state in the DEIS that FPPA (7CRF § 658.1) does not apply to privately owned properties, and yet you have stated that you do not need to comply with local zoning because you are a state agency, both cannot apply. Regardless of whether this is a state agency or private action, the NYS authorizing statute for the Greenway [Environmental Conservation Law Article 44 (§§44-0101 through 44-0121)] clearly subjects actions by the Greenway to local municipal land use regulations.

It is our hope that as a town with concerns on the environmental impacts we have the opportunity to mitigate impacts through the SEQRA process by asking the Greenway to comply with local land use laws, just as we would any other property owner in town.

Response:

The Hudson River Valley Greenway (HRVG) has secured a detailed legal analysis regarding the applicability of local zoning ordinances to the HRVG’s planning and construction of the AHET project.

It is well-settled matter of law that actions undertaken by New York State entities are exempt from local zoning approvals. The AHET project clearly is a state project and as such is not subject to review by local governments under planning and land use ordinances. The authorities of the HRVG, as set forth in Article 44 of the Environmental Conservation Law, do not change the status of the AHET project in respect to local zoning issues.

Regarding the Town of Stuyvesant’s land use regulations prohibiting certain types of uses in designated agricultural areas, the HRVG carefully designed the AHET project to avoid adverse impacts to agricultural activities. HRVG designated an on-road section of the AHET to avoid passing through Wil-Roc Farms large dairy building complex, which
is bisected by National Grid’s fee ownership corridor. The on-road section avoids potential trail user safety issues stemming from conflicts with large agricultural equipment that Wil-Roc Farms needs to operate on a daily basis within its dairy building complex. In other areas in Stuyvesant, the project is being designed to allow adjacent owners to safely cross agricultural equipment across the Trail to access farm fields.

As part of its review, the HRVG reviewed the Town of Stuyvesant’s zoning ordinance. The HRVG noted that the development of “municipal parks and playgrounds” are a prohibited use in agricultural districts. That provision is not relevant to the AHET, which is a state trail project (the AHET Trail is not a playground nor is it a municipal park).

It is important to note that the Town of Stuyvesant issued a letter in August 2009 referencing the Town’s comprehensive plan and expressing the Town of Stuyvesant’s support for a Hudson River Valley Greenway grant for a feasibility study for creation of a trail utilizing the abandoned trolley line, now owned by National Grid, for a trail connecting the Towns of Kinderhook, Stuyvesant, and Stockport. That feasibility study laid the groundwork for the AHET now being advanced by the HRVG.

**LWRP Consistency Review (DEIS Section 4.8.2)**

No comments were presented either at the Public Hearing or during the written comment period regarding this section.

**Consistency with Community Character (DEIS Section 4.9)**

The following addresses comments on DEIS Section 4.9:

[Foster, D. - AHET website - 3/10/18 – Comment # 4.9.1]

Comment:
If someone planned on thru hiking the trail, will overnight camping be allowed?

Response:
Overnight camping will not be allowed directly on the AHET Trail. Public use of the trail will be restricted from dawn to dusk, and no camping facilities are planned on the trail corridor, which will remain under ownership of National Grid.

[Shafer, F. - AHET website - 3/13/18 – Comment # 4.9.2]

Comment:
I am really happy to hear about this trail going through. I also hope things get cleaned up along the way. Like behind my house, which is National Grid Property and people are using it to store trailers, old cars, boat and more junk. I don’t really like looking at this junk behind my property, which borders National Grid property. Hope something will be done about this mess as it does lower the value of our property. Thank you. Good luck as you proceed with the trail.

Response:
The HRVG is aware of dumped materials and personal property storage in a small number of locations along the National Grid ROW. As necessary, during preparation for construction the ROW will be cleaned up in areas where the AHET is being constructed. The HRVG will also alert National Grid, which owns the utility corridor, of locations where inappropriate storage of materials occurs along trail route. Fortunately, dumping of discarded materials exists in only a few areas along the 36-mile trail route.
[Ireland, S. - AHET website - 3/19/18 – Comment # 4.9.3]

Comment:
I’m a Nassau home owner, and love this project.

Response:
Comment noted.

[Clark, R. – Public Hearing Comment Form - 3/28/18 – Comment # 4.9.4]

Comment:
Request visit to my property.

Response:
A site visit was held on 5/1/18 with the property owner. Concerns discussed included vehicular access to the rear of the property, weed control and herbicide use, and prohibition of smoking on the trail due to the potential for brush fire. The HRVG has concluded these concerns will be sufficiently addressed through rules and operating practices that will apply to the entire AHET trail.

[Langer, D. - AHET website - 3/28/18 – Comment # 4.9.5]

Comment:
The Kinderhook Lake Corporation (KLC) maintains and improves Kinderhook Lake. We would like to request fencing and “Lake Access Prohibited” signage along the AHET trail where it runs immediately adjacent to the south end of Kinderhook Lake (a portion of the trail south of East Shore Dr. and north of Parker Hall Rd.).

Response:
Based on the results of a field review of existing conditions, HRVG will install signage at this location stating “Stay on Trail, Respect Private Property.” In addition, a vegetated buffer (tall grass and shrubs) will be left un-mowed, to reinforce to trail users to stay on the trail.

[Days, R. – Public Hearing Comment Form - 3/28/18 – Comment # 4.9.6]

Comment:
1-what will the setback space be from my property line to the trail?
2-how high is the fence going to be?"

Response:
National Grid’s utility corridor varies from 60 to 150 feet in width. The AHET Trail (the trail surface plus mowed buffers) will be approximately 15 to 18 feet wide, and in most areas will be located approximately in the center of National Grid’s corridor, meaning substantial vegetated buffers will exist on both sides of the trail. As a general matter, the HRVG is not installing privacy or security fencing along the 36-mile AHET Trail route. Experience on the hundreds of miles of existing rail trails and canalway trails in New York State indicates that trail users typically do not leave the trail route and do not enter adjacent private property.
[Shaw, P. – AHET website - 3/28/18 – Comment # 4.9.7]

Comment:
I will not be able to attend tonight’s meeting. I am so surprised that there is any opposition to a wonderful proposal to enhance this community. I look forward to using a trail like this. I have family members in other parts of the country that live on this type of trail and the opportunity to walk and bike is wonderful. I hope the naysayers are overwhelmed by those who wish to bring enhancements to the area.

Response:
Comment noted.

[Shields, D. – Public Hearing Comment Form - 3/28/18 – Comment # 4.9.8]

Comment:
Please have site visit.

Response:
A site visit was held on 5/1/18 with the property owner. Based on the results of a field review of existing conditions, the HRVG has determined that the home is located on a steep bluff above the National Grid ROW, providing a visual and physical barrier between the proposed AHET Trail and the private property. The landowner’s concerns regarding trail runoff to his leach field have been addressed, as construction is limited to the National Grid ROW and no construction vehicles will be authorized to enter the adjoining private property.

[Anderson, M. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.9]

Comment:
Hello. My name is Marcia Anderson, and I live on County Route 21, going toward Ghent and the Town of Kinderhook, and I’m here today as a private citizen. I’m also a member of the Alan Devoe Bird Club that’s located in Chatham. But I am speaking on behalf of myself. I fully support the Albany-Hudson Electric Trail. I believe that it will be a great asset to our community, that we really need such a facility in our town to connect to the other towns and villages. It will be a recreational resource. And as Bernadette said, grandchildren are always looking for something to do, and this will be a great resource for that. The rail trail, the electric trail, is also in keeping with the Kinderhook comprehensive plan. You know, Kinderhook has a comprehensive plan about planning for future use of our town, and one of the high points on the comprehensive plan is to increase recreational resources and to keep Kinderhook green. And this electric trail will certainly do that. It will be an economic driver for local businesses, and I also think that volunteer groups, runners' clubs and trail groups will be more than willing, Boy Scouts and 4H, to help maintain the trails in their towns and villages. And if you've ever gone over to Cape Cod, there's a very nice biking trail on Cape Cod, and I think that is a great asset to that area, and that people welcome to have a trail such as this in their property. And I hope that that will be proved true for the Town of Kinderhook. So that’s it. I'm supportive of the trail. Thank you.

Response:
Comment noted.

[Barford, W. – Public Hearing Comment Form - 3/28/18 – Comment # 4.9.10]

Comment:
Speak to someone about a fence or some kind of buffer between my property and the trail.
Response:

A site visit was held on 4/18/18 with the property owner. Based on the results of a field review of existing conditions, the HRVG has determined that the property line is mostly shielded by natural trees and bushes, with some breaks in the vegetative buffer where mowing has occurred. National Grid’s utility corridor varies from 60 to 150 feet in width. The AHET Trail (the trail surface plus mowed buffers) will be approximately 15 to 18 feet wide, and in most areas, will be located approximately in the center of National Grid’s corridor, meaning substantial vegetated buffers will exist on both sides of the trail. Generally speaking, the HRVG does not intend to install security or privacy fencing along the trail corridor. Based on statewide experience with rail-trails and canalway trails, trail users have a high rate of compliance of staying on the trail and not entering adjacent private property. Trail usage signs stating, “Respect Private Property” and “Stay on Trail” will be installed at select locations.

[Browne, M. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.11]

Comment:

My name is Mark Browne, I am a resident of the Village of Kinderhook. I’m also a former member of the Planning Board of Village of Kinderhook, currently a member of the Town Planning Board and a member of the Trail Committee on the town level. I just want to say a couple words. First of all, thank you very much, Andy, for providing this opportunity to the community and the people to speak. I think the opposing points of view is a good debate. However, there comes a time to select a course of action that will benefit our people, and you might ask who are our people? I consider our people, are the ones not well represented in this room. The next generation who migrates to our community or the young people within our community that will be using this trail. I feel strongly that development of the trail system will be good for the generations to come and that this trail should move forward and be implemented. Trails connect people with the natural word. They improve our community and the nation’s quality of life and our community quality of life, health and wellbeing. So thank you very much.

Response:

Comment noted.

[Clark, B. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.12]

Comment:

My name is Bob Clark. I live in Valatie. Actually, right down the block, around the corner. My place, the back of my place borders on this right of way and I have a couple concerns -- comments. Anyway, I certainly wish you well with this project. Hopefully you'll change all of our habits, maybe just a little bit, in the direction of exercise and biking and whatever positive effect. Amazing. I have one, not concern, but just question about how you will manage the construction part of the project. For somebody like me whose property borders on the trail, you will certainly need staging areas and your folks involved in the construction will have to be off the trail on adjacent property when there’s land for part of the construction. So I guess I’d like to know what arrangements will be made regarding that prior notice, you know, property owners’ approval from what you want to do with your vehicles or whatever, when you’re involved in construction. The other thing that popped into my mind was the fact that it has always been the electric company's right of way, Niagara Mohawk, National Grid, whatever. They, frankly, have not been the best of neighbors over the years. Currently they're providing almost no maintenance. It seems they used to mow the thing to keep it open, but their subcontractors routinely come through to mostly to cut trees. And in the past, they've been very good at making themselves completely at home on adjacent properties, sometimes cutting trees where they really shouldn't be, well inside the property. Anyway, that will still be there. The electric company will still have to maintain the right of way. They are still going to be doing the tree work. And I wonder how you’re going to manage that from the point of view of your trail, especially the areas where you’ll have not an asphalt pavement. You know, they come in pretty big vehicles, bucket trucks and so forth. They are going to have to be on that trail to do what they've always done. Anyway, that's just a
question I was wondering, how that will be managed and, you know, how you’re going to have the shared effect of both the trail and the maintenance.

Response:

The off-road sections of the AHET Trail will be constructed entirely on property owned in fee by National Grid. Construction activities will not occur on adjacent properties owned by other landowners.

The contractor(s) selected by the HRVG to construct the AHET Trail will be responsible for securing temporary staging areas to store equipment and materials during the construction period. Prior to utilizing any temporary staging areas on adjacent properties (e.g. not on National Grid’s property), the construction contractor(s) will be required to secure written approval from the involved landowners.

Independent of the AHET Trail, National Grid will continue to periodically cut trees and remove vegetation on its property, to prevent trees from growing to a height where they could threaten National Grid’s electric lines, utility poles, and electric infrastructure. National Grid has informed the HRVG that its tree and vegetation cutting practices along the AHET corridor are generally contained within property owned by National Grid. In the event National Grid desires to manage vegetation on adjacent property, it would follow its standard practices for coordinating with adjacent owners.

[Dolen, J. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.13]

Comment:

Thank you for having this public hearing. My name is Jim Dolen. I live on Reno Road in the Town of Schodack. My property is adjacent to the trail, borders the trail. I fully, my wife and I fully support the trail, and all the neighbors I spoke to also do, as well. Currently the right of way is a nuisance and the rail trail will take away that nuisance. We get snowmobiles and mountain bikes and ATVs almost 24/7 up on the trail, sometimes 3 o’clock in the morning they are coming through, and they rip up the trail. You can’t walk on it because it’s all big puddles filled up with water. And this, the rail trail, will provide a safe place for us to walk, cross country ski, to bicycle with our kids, and provide a major benefit, I think, to the community. Now we won’t have to drive to Albany County for a family biking day. I think also of the economic benefits of the stores and gas stations in the area, maybe to motels, if people are doing the full trail and they could stop off to stay overnight before they proceed on another hundred miles or so. They also allow us to commute from Nassau, Schodack, East Greenbush into Albany, biking into Albany. Now you have to go down Routes 9 and 20, which is a suicide, basically, trying to ride a bicycle down there. I think it’s going to provide an increase in property values, which is certainly welcome. And finally, I could congratulate the HRVG for providing many, many, many opportunities for public input and for information on the trail and congrats to them also giving due consideration to the municipalities along the way and meeting with them and taking their concerns into account. Thank you.

Response:

Comment noted.

[Dolge K. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.14]

Comment:

Hello. My name is Karen Dolge. I am a resident of Valatie, and I am here personally first, and very excited about the trail. Where I live right now is in a development, Little Falls Estates, and it is the only place where my kids can really go to ride their bikes safely. So I am very excited to have them go and ride safely on a trail, away from the traffic, because we are right on 203. So this will be perfect for them. I’m also here as the president of Kinderhook Runners Club, which has over 100 members, between families and individuals. Our mission is to promote the sport of running in Kinderhook and surrounding areas. So we are, obviously, really excited about this trail, because it gives us more opportunities to go out and different places to run and connect to other communities. So, we strongly support the Albany-Hudson Electric Trail. It’s a safe and accessible route for walkers, hikers, bicyclists and runners. Our club routinely uses outside surrounding...
areas, such as the Albany County Hudson Rail Trail, the Mohawk Hudson Bike Hike Trail in Schenectady and Albany. The Albany-Hudson Electric Trail will provide lots of opportunities for physical fitness that will link our communities, preserve open space, increase property values and promote economic development through increased tourism. So on behalf of the Kinderhook Runners Club, I would like to say thank you for HRVG Committee for making the Albany-Hudson Electric Trail a reality, which will improve the quality of life for member of our club and our neighbors through Columbia County. Thank you.

Response:
Comment noted.

[Dunham, J. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.15]

Comment:
My name is Jim Dunham. I am the Mayor of the Village of Kinderhook, and I want to express the Village's support for the trail. We already have a very walkable, likeable village, and this will add more opportunities for recreation and exercise. It's like a pass through history, with connections to our historic sites in the Village, as well as connections to the various sites in the Hudson Valley with our Village, Columbia County Historical Society, the Vanderpoel House, the Martin VanBuren grave site, it will hopefully bring people into the village to support our businesses. I am quite familiar with trails on Cape Cod, the Cape Cod Canal Trail, the Cape Cod Rail Trail in the middle of the Cape, and I think it's kind the Shining Sea Bikeway trail in the Falmouth area, and I know what benefit those are to the communities, and I believe it's going to be the same for our communities. This use of the National Grid right of way for a trail has been in our original comprehensive plan and in the Village's updated comprehensive plan. It's been a goal to have a trail on the National Grid right of way through the Village. And the sidewalk Link project, which was a Federal aid project, combined with the Village of Valatie on, connected our sidewalks between the two villages, was built as a possible trail connection, with the shoulders wide enough for bikes, and it's intended to be used for pedestrians, and that will be a part of the trail in between the villages. And finally I want to say that it's the Village's intent that the Village will be able to maintain the trail within the 1 1.4 miles. Thank you again.

Response:
Comment noted.

[Durkin, J. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.16]

Comment:
Hello. I’m Joseph Durkin, a member of the Board of the Rensselaer Land Trust. I am here to express support for the Albany-Hudson Electric Trail, and the conclusions expressed in the draft Environmental Impact Statement. Rensselaer Land Trust is a traditional member-supported public land trust. Our mission has been, in years past, to preserve open space in that habitat throughout Rensselaer County, but several years ago we added to that mission statement, connecting people with nature, and it’s the connecting people with nature element that has prompted our support for the Albany Electric Trail. I mean, it’s obvious the trail will connect people, that is the motivating factor for us. In fact, at this point we’re considering what role the Rensselaer Land Trust should play in the management and maintenance of the trail once it is built. Since the hearing is about the Environmental Impact Statement, I should just say this. Regarding the Draft Environmental Impact Statement, I reviewed it and believe that it addresses the areas of environmental concern and the possible adverse impacts. It provides detailed analysis of the issues both from an overall and from a location-specific perspective. Based on what I know about the project and the draft Environmental Impact Statement, I believe that it is ready to be adopted as a final Environmental Impact Statement. I would like to conclude very quickly from a personal perspective. What we are seeing both here with respect to this trail and around the capital district - I’m involved in a number of other organizations - is what I like to call peaceful recreational infrastructure. We use the word passive
recreation. I’d like to change that to peaceful recreation. And if you think about a trail, really what it is, it’s a linear park, and provides access to a park to multiple locations. So, you don’t have to go to a park, you have the park at easy access points, and I think that’s something to keep in mind for all of us, and I’m looking forward to what role the Land Trust could play in helping to maintain this trail system. Thank you.

Response:
Comment noted.

[Hamilton, E. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.17]

Comment:
My name is Ed Hamilton. I am with the Friendly Kinderhook Trails, and I also am an adjacent property owner. The Friends of Kinderhook Trails is very supportive of this effort. I want to thank the Greenway for all that they’ve done. Our group is comprised of really individuals from Stockport, Stuyvesant, Kinderhook, the Village of Valatie. I am one of the people that they mentioned before that had been working for ten years, and some people have been working longer, to try to make this trail a reality. So, it’s something that’s very exciting. I can say, having gone to many of the public hearings, not only here in Kinderhook, but in Stuyvesant, I went up to East Greenbush, I want to commend Greenway for, they have done a very good job. I know there’s for and against on the trail, but as far as incorporating people’s concerns, I think they really are trying to do their best. And having Greenway being able to take the lead, I think the Friends of Kinderhook Trails, we look forward to working with the local municipalities of how can we help with the maintenance agreements and with the ongoing maintenance and also knowing that they’re kind of working on the main focus of the Albany Electric Trail, that we can help with connectors, whether Pachaquack Park in Valatie, and other connectors, that we can really kind of make the most of this linear park that we talk about and make it advantageous with that whole community. So with that, thank you.

Response:
Comment noted.

[Kawalski, H. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.18]

Comment:
Hi. My name is Heather Kawalski. I live on Kinderhook Lake, Electric Park. I hate public speaking, but this is important to me. I am excited about the trail. I did not grow up in the country, I grew up in Long Island, polar opposite from this situation, and the prospect of having a safe place to walk my dog, which I do multiple times a day, which is very exciting. Part of the reason why I live in the country now. I thought it would be a situation where I felt comfortable out walking, and I do not in the situation where I live. I think the trail will allow me to feel more confident on the road. It is right up the road from my house. I am thankful that there’s actually some positive people here tonight. And on a little side note, is that it seems to be something I am encountering more often living in the country, is people are scared of change. I know, just kind of a gross generalization. But I think once the trail comes, it will not be such a sore subject and people will be positive. Thank you.

Response:
Comment noted.

[Manarel, D. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.19]

Comment:
Hello. My name is David Manarel. I am speaking as a private citizen. I live in a neighborhood in Nassau, right off of 203 that borders the trail. I am definitely mostly supportive of the trail. I do have some concerns. I have two small children,
and right now they really don’t have a safe place, aside from the very small little street that we live on, they really don’t have a safe place to ride their bikes or walk. I don’t either. So, I am looking forward to that. I am looking forward to being able to possibly commute to work. So, there’s great things about it that I’m excited about. There are a couple concerns. I share the concerns with the people that live in the adjacent properties. You know, and I hope the people doing the trail do address those concerns. Another thing is I know this is a lot of -- There’s people who hunt currently in the bordering areas to the trail, and they have every right to do so, but we do have to think about how are, you know, hikers going to remain safe, children. So that’s definitely a concern that I have. And also, I think the concern about the intersection in North Chatham, because I know that the trail is going to go back into 203 after in Nassau, actually where it crosses underneath the overpass for 90, and I am a little concerned with that intersection in North Chatham, as well. Thank you very much.

Response:
See Response to Comment # 3.0.1 and 4.9.23

[Mink, A. – Public Hearing Speaker - 3/28/18 – Comment # 4.9.20]

Comment:
Hi my name is Anne Marie Mink, and I live over on Electric Park area on Kinderhook Lake, and the rail trail sounds wonderful, but I’m talking about specifics in our communities, and each of us have very specific needs. I am going to be talking about Kinderhook Lake’s needs right now. We have a community hall on Kinderhook Lake. Not everybody knows about it, but it’s been there for about 83 years. We do lots of fund-raising there and the trail will be going right past us. We are going to lose parking spots, and we have some issues and concerns about liability. As our section is going to be a shared roadway, many people will be driving on that road, as well as biking and walking. So some of my concerns are about liability. Where does that liability fall in place? Will we lose parking? If people are interested in going on the trail and there’s no parking nearby, they are going to park in front of our community hall. And if we have events there, we won’t have any parking. I’m concerned about - Lots of our neighbors have spoken about putting up fences, just to keep their dogs in, cats, whatever. But we don’t - We’re not really sure where our cutoff is of the property, because over the years we’ve all encroached a little bit on that trail, because of just the way, you know, the earth shifts and moves. So we were asked, I was asked to mention that perhaps we could get some markings to know where that roadway is going to be so that we can prepare for that and not put up a, you know, $3,000 fence, and then find out it needs to be moved. One of the other things, too, is the speed involved and signage, and I did get some answers tonight, but I just saw today when I was walking the dog, that people coming up Electric Park can move very quickly in their cars. And what if somebody is going by on a bike? Who’s liable? Who’s liable if they come onto the property and, you know, determine that they want to look at something? Which, you know, things are going to have to work out as best as we can make them work. It’s coming. None of us had a choice. We have to make this work. As I said many, many years ago, Electric Park was the place to be. There was trolleys coming through and for many, many years no one cared about those train tracks, those trolley tracks. They were abandoned. We all started utilizing them, and I think it’s great that they are going to do something with it. However, we have to work together. I don’t want to see the demise of our community hall, the Kinderhook Lake Improvement Association, come from the same trolley tracks and train tracks that started it. Thanks.

Response:
See Response to Comment 4.6.7 and 4.9.40

As part of the AHET project this specific section of road (named Niagara Mohawk Way) will be improved from the existing gravel roadway to a paved asphalt surface. Parking by residents will continue to be allowed on the shoulders of the road. The southern end of the road will be narrowed down to a 10 foot trail width, to prevent through vehicle traffic. Drainage will be improved in this section. While existing drainage concerns may only be partially reduced, the trail will be designed to avoid exacerbating drainage issues in this area, with the goal of improving drainage where possible.
[Powis, B. - Public Hearing Speaker - 3/28/18 – Comment # 4.9.21]

Comment:
Good evening. My name is Bernadette Powis, and I’m speaking in favor of the trail. I’m speaking as a private citizen. We live along Route 9 in the Village of Kinderhook, and the traffic on Route 9 is considerable. And I’m really looking forward to having access to a trail where when my grandchildren come to visit, we can just go over and get on the trail. They can bring their bicycles and I don’t have to have worry about them losing control of the bicycle, ending up in the street. And so, for me, this is something that I’m really looking forward to. I really like the idea that Joseph mentioned about a linear park, and I think it’s a wonderful thought that I can walk from the Village of Kinderhook, all the way to the Village of Valatie, without being on a major roadway. And then if you are really feeling adventurous, you could hike it in either direction. I think that’s really a wonderful thing. I also think that it will definitely help us economically. I think that people will at some point leave the trail and go in and visit local restaurants and historic sites and other stores, whatever. I would also like to thank the dedicated group of local residents who have labored for, I believe, over 15 years working on the Town of Kinderhook Trails Committee and the Friends of the Town of Kinderhook to really set up and kind of identify the foundation of this trail, because I think their work has been invaluable and I feel that they are an example of proactive citizen involvement and commitment to developing recreational opportunities in our town, and I think this trail deserves our support. Thank you very much.

Response:
Comment noted.

[Vanderlan, C. - Public Hearing Speaker - 3/28/18 – Comment # 4.9.22]

Comment:
My name is Christine Vanderlan, and I am the community projects manager with the Columbia Land Conservancy, and my comments tonight are on behalf of CLC. So, the Land Conservancy is a nonprofit land trust working throughout Columbia County, and core to our mission is creating opportunities to connect people to the land and to the outdoors and foster an appreciation for this very special place that’s a very rural county where we live. And the Land Conservancy has a long history of being supportive of trails, rail trails in particular, and in helping to foster a sense of the opportunity around an interconnected trail network for the county. We organized a trails conference in 2011. Coming out of that was a countywide trail vision, and there are many groups working on aspects of that trail vision in their communities, along, in many cases, supported by their officials. And Albany-Hudson Electric Trail was one trail that had a different name, but certainly one key part of that countywide trail vision. The Albany-Hudson Electric Trail is an idea that has been in the works for a long time and a number of people in this room know about it and have put in a lot of time and effort into making this trail happen for their community, particularly in the towns of Kinderhook, Stockport, Stuyvesant and Valatie, and in the Village of Kinderhook. And as a former rail corridor that’s been turned into electricity infrastructure and a corridor for power lines, it’s sort of surprising that it will turn into a remarkably beautiful interconnecting trail for communities. Another aspect of that is that it will have, relative to creating a brand new trail and a brand new corridor, a relatively low environmental impact, by utilizing this utility corridor. At CLC, we’ve been a supporter of this trail in particular for many years, as well, and joined the local trail committee about ten years ago, trying to support this trail and this vision for this trail. Through all those years, I don’t think anyone really deeply involved in the process imagined that New York State would take on constructing this trail and also linking it to the Erie Canal Way Trail across the state. But that development is something that is, it’s something we commend and support. It’s a terrific opportunity to have this linked into the regional statewide trail in many ways and we are very supportive of the HRVG being the trail developer and manager of this trail, in an organization that has a long history in the Hudson Valley, in working with communities and supporting the vision of trails throughout the valley and an appreciation of the scenic, cultural and
historic resources of this area. The trail is a major advance in the countywide trail network that was sketched out about seven years ago at the trail's conference organized in Columbia County, and we're really pleased to see it moving forward. We are excited to see this process as a whole and to hear and watch as the design changes to reflect the input of the communities and land owners along the way. Creating this trail, opening up the Albany-Hudson Electric Trail as a multi-use task throughout the communities that it will be connecting, strengthens an approach to economics development, helping create communities that are good for live, work and play, and also respecting the special character of our communities and the beautiful landscape that we find ourselves in. But beyond that and those opportunities, it's going to be open every day for local residents to walk and bike and enjoy time outside and cross paths with each other, and as a way to strengthening communities and fostering an appreciation of the outdoors. We certainly applaud it. Thank you.

Response:

Comment noted.

[Waterhouse, J. - Public Hearing Comment Form - 3/28/18 – Comment # 4.9.23]

Comment:
As an avid hunter on my property which has a long border with the trail, are there any notices during hunting season that there may be gunfire or other hunting issues?

Response:

The HRVG supports hunting as an appropriate and valuable outdoor recreational activity. Creation of the AHET project will not significantly impact hunting activities on adjacent properties. The only restrictions will be: discharging a firearm or bow hunting while standing on the AHET trail will be prohibited; and shooting across the trail will be prohibited. NYSDEC regulations do not establish a “no hunting” buffer zone on the sides of trails. Adjacent property owners will continue to be allowed to hunt on their land, subject to standard NYSDEC regulations and general hunting safety practices.

[Wilber, C. - Public Hearing Speaker - 3/28/18 – Comment # 4.9.24]

Comment:

Good evening. My name is Carol Wilber, and I'm here on behalf of Columbia Economic Development Corporation, Columbia County Designated Economic Development Agency. I'd like to thank the Hudson River Valley Greenway for holding this public hearing and for its extensive public engagement outreach since August 17, when the draft Albany-Hudson Electric Train Trail concept plan was released for public review. Public import is an important part of ensuring good decisions are made in a process such as this. Having gone through the process of soliciting robust public input on priorities for the county while developing the CEDC strategic plan in 2016, it was very clear that quality of life is critically important to the residents of Columbia County. We acknowledge this and included quality of life and sustainability as one of the four pillars in our final strategic plan. For this reason, among others, I'm speaking today in enthusiastic support of the Albany-Hudson Electric Trail Project. CEDC recognizes the many future benefits of the Albany-Hudson Electric Trail. The trail stands to strengthen the County's economic health and competitive advantage and will improve the health and wellbeing of local residents and visitors alike. While CEDC is an enthusiastic supporter of the trail project, we also acknowledge there are issues regarding local government responsibility and cost of maintenance. We respectively encourage the State to continue conversations with our county, town, and village governments to reach trail maintenance agreements that will help mitigate future burdens to our taxpayers. Thank you for holding this public hearing. Thank you very much.

Response:

Comment noted.
[Zoni, S. - Public Hearing Speaker - 3/28/18 – Comment # 4.9.25]

Comment:

Hello, Mr. Beers. I apologize. Mr. Montagne. John Montagne. My name is Shane Zoni. I live here in Kinderhook and I am an adjacent property owner. And so, it’s the concept of a trail, I understand the people who have spoken, why they support it. The idea, generally speaking, is a good idea. But when it’s running 15 feet from your back property line, it becomes an issue. About five years ago my wife and I bought a house at the end of a cul-de-sac, worked real hard to get it, little shy of two acres. Doesn’t matter how much the land is, but it was our little, you know, peaceful corner. I got two kids, little kids, and, you know, people can’t tell me who is going to be on that trail, who’s not going to be on that trail when I am at work, when my wife’s in the backyard in the garden, when my kids are out there playing. 99 percent of those people are going to be peaceful, nice, decent people. But there is going to be an increased volume on that trail. That’s just a fact and it’s a concern for safety of my family and it’s also a concern for privacy. It’s 15 feet up a slope, and that’s the Electric Rail Line. And so, some speakers have used terminology like low economic environmental impact and the different interconnection of trails and all that, and I get that. I understand that. I understand your vision. It’s a nice vision. But, you know, it has an extreme environmental impact on me and my family. I am going to have to put up a fence. Whether you think I am crazy to do that or not, for my peace of mind, I am going to have to do that. Mr. Beers, I turn to the State of New York and ask if you’re going help me with that, because, you know, I’m an attorney - I am not a land use attorney - and I understand eminent domain. I know that this is an eminent domain. But I understand that my right to enjoy my private property, my use, my privacy is being impacted. And as one of the other speakers said, I didn’t have a choice in this. I understand this trail is going to be built, but it’s upsetting, it’s concerning to me, and it’s upsetting and concerning to my family. I have spoken to a nice gentleman. I’m terrible with names. MR. BEERS: That was me. SHANE ZONI: Well, briefly. I had a long conversation with another gentleman. He was very nice and he will be getting a call from me to address my concerns and I am sure he will. And I appreciate you guys coming out and that’s all I have to say. MR. BEERS: And as I said, we are not responding this evening. But just as a point of information, and I know we spoke to this gentleman. If anyone is an adjoining landowner and hasn’t yet contacted us and has concerns, we schedule one-on-one site visits. We are happy to come out and look at the property adjacent to you, the trail adjacent to your property and discuss your issues and concerns. So that’s just a standing offer that we’ve done a number of and we’ll continue. Again, I just wanted to share that we’ve had an ongoing practice and we’ll continue that. If anyone is an adjoining owner and has concerns about the trail adjacent to their property, we have been scheduling and we have probably visited 50 of them already. We’ll come out and meet with you one-on-one on the property and discuss your concerns and the trail. And, you know, we can’t promise we can remedy all of your concerns, but we will enter into dialogue and try to have a productive positive conversation. So that’s just a point of information.

Response:

A site visit was held on 4/18/18 with the property owner. Based on the results of a field review of existing conditions, the HRVG has determined that the property line is mostly shielded by natural trees and bushes, with some breaks in the vegetative buffer that will naturally fill in when trees and bushes leaf out during the growing season. National Grid’s utility corridor varies from 60 to 150 feet in width. The AHET Trail (including mowed buffers) will be approximately 15 to 18 feet wide, and in most areas, will be located approximately in the center of National Grid’s corridor, meaning substantial vegetated buffers will exist on both sides of the trail. Generally speaking, HRVG does not intend to install security or privacy fencing along the trail corridor. Based on statewide experience with rail-trails and canalway trails, trail users have a high rate of compliance of staying on the trail and not entering adjacent private property. Trail usage signs stating, “Respect Private Property and “Stay On Trail” will be installed along the trail at select locations.

[Digidia, J. - Public Hearing Comment Form - 3/28/18 – Comment # 4.9.26]

Comment:

I am 100% in favor of the proposed trail project.
Response:
Comment noted.

[LaRowe, J. - Public Hearing Comment Form - 3/28/18 – Comment # 4.9.27]

Comment:
My name is Joyce LaRowe. I am on the Board of the Valatie Free Library. I am located in the middle of Valatie on Route 9, and our current location, our new location, the trail actually runs directly behind our building, just a few feet away. We are very happy to have, at least welcome visitors, new patrons. So we are very happy about extra access to the library. Our only concern is that we do have a parking lot that, basically, sits practically on the trail. So we just want to be sure that there is information out there as to if there are designated parking areas for access to the trail, so that our lots do not become a public parking lot for access to the trail. And also the fact that we don’t want to be the bathroom for the trail either. We welcome people in there, but we are going to be right there and right next to the trail. So we just want to make sure that there is some information out there to direct people, if there is any facilities, if there’s parking, so that our lot is still usable for our patrons and doesn’t become a parking lot for the trail, because it is actually a perfect spot to access it from. So thank you.

Response:
The proposed AHET Trail will include installation of parking, benches, orientation kiosks, wayfinding signage, and interpretive information at designated locations along the trail route. A designated trailhead parking area will be created in the Village of Valatie, either at a location along Ridge Drive or utilizing the existing NYSDOT Park and Ride lot at the intersection of Routes 9 and 9H. There are no plans to construct restrooms, and trail users will need to use existing public amenities along the route. This is common practice for trail users, as they are aware restroom facilities are not generally available on trails.

[Powis, B. – AHET website - 3/28/18 – Comment # 4.9.28]

Comment:
I strongly favor the creation of the proposed Trail for walking/hiking and cycling. We live in the Village of Kinderhook on U.S. 9 and over the past 15 years truck and car traffic on U.S. 9 has progressively grown, and continues to grow, making walking along the sidewalks in the Village less and less enjoyable (due to noise and exhaust fumes). In addition, riding a bike along this route is dangerous, especially for small children, given the close proximity to the road and the jarring noise of the truck traffic. I anticipate the traffic along this route will continue to grow due to much needed economic development in and around the Village which drives this increased truck traffic.

The close proximity to a walking and cycling trail through the Village will allow people to either bike or walk protected from the hazards of traffic (except for designated road crossings) and able to hear the birds and enjoy nature. We will be able to enjoy a walk or bike ride back and forth from Village of Kinderhook to the Village of Valatie and, for the more adventurous of those amongst us, from Hudson all the way to Albany! This is a wonderful opportunity for our Villages, our residents and all the Towns on the Trail.

The trail will also support local economic growth by attracting hiking, biking enthusiasts, families and their children, etc. who will be able to eat in local restaurants, shop in local stores and visit local historic sites.

I unequivocally support the Hudson-Albany Electric Trail.

Response:
Comment noted.
[Waite, L. – Public Hearing Comment Form - 3/28/18 – Comment # 4.9.29]

Comment:
I strongly support this initiative which has such great potential to add to the quality of life of all those who take advantage of it. The trail will be a catalyst for healthy enjoyment, community engagement, and learning. It will provide for an avenue for families and people of all ages to explore their environment! The trail offers an alternative transportation mode to reach our surrounding communities. Biking to Chatham for lunch from Kinderhook - what a motivating idea for good health. Onward - I can’t wait for it’s opening.

Response:
Comment noted.

[Warner, M. – Public Hearing Comment Form - 3/28/18 – Comment # 4.9.30]

Comment:
I am all for this trail! Really glad this is going in!

Response:
Comment noted.

[Shannon, B. - AHET website - 3/28/18 – Comment # 4.9.31]

Comment:
I have read the draft environmental impact study and feel that most concerns have been addressed or mitigations planned. The development of the AHET will be of great benefit to the Village of Kinderhook. It will provide increased opportunity for safe outdoor activity and also provide economic benefit. I have used other trails in the Hudson Valley region and have stopped for lunch or to shop when I have visited. In Kinderhook, the historic sites of the Columbia County Historical Society and the Martin Van Buren home at Lindenwald should benefit from increased visitation.

I fully support the AHET proposal.

Response:
Comment noted.

[Leinung, M. – AHET website - 3/29/18 – Comment # 4.9.32]

Comment:
I am very excited about the plan to turn the old Hudson-Albany trolley line into a recreational trail. When I served on the Kinderhook Town Board in the 1990's we explored the possibility of undertaking this project within the town boundaries. Unfortunately, due to limited resources and some local opposition we were unable to pursue it successfully. This large scale proposal is detailed, thorough and very feasible. Many people now see the numerous advantages and benefits of a trail and I urge that the project be approved and completed.

Response:
Comment noted.

[Richbart, L. – AHET website - 3/30/18 – Comment # 4.9.33]

Comment:
I love this project and hope that it becomes a reality. There are too few spaces that are safe for walking or biking in Columbia County. I live near Kinderhook Lake and would use this trail.

Response:
Comment noted.

[Mott, C. – AHET website - 3/31/18 – Comment # 4.9.34]

Comment:
I am very much looking forward to the creation of this trail! I feel it will enhance the desirability of the area, create a wonderful outdoor destination for all ages and bring business to the local food establishments.

Response:
Comment noted.

[Pharr, D. – AHET website - 3/31/18 – Comment # 4.9.35]

Comment:
I live at 110 Knollwood Drive in Niverville. The back of my property adjoins the proposed trail. I have lived at this address for over 31 years and for the duration of this time my family and I have enjoyed using the existing trail along the old Albany to Hudson rail line, now the National Grid power line. We always hoped that the trail would become a recreational trail with a bridge over the Valatie Kill, connecting it the trail behind Ichabod Crane and extending to the village of Valatie. My family has moved on and frankly I had given up hope that this would ever occur.

I am extremely enthusiastic about the proposed trail, which greatly exceeds my dreams for a maintained recreational trail. This would be a great addition to the Town of Kinderhook. It would also attract and keep much needed young families, much as mine was 31 years ago.

Response:
Comment noted.

[Applegate, W.  – AHET website - 3/31/18 – Comment # 4.9.36]

Comment:
Unable to attend public meeting a few evenings ago but would like to comment. I enthusiastically support the proposed trail which will run through the Village of Kinderhook where I reside. I am particularly excited by the prospect of this trail promoting economic development in the village, especially historic tourism. I have been very active in promoting The Persons of Color Cemetery. The proposed trailhead at Rothermel Park will definitely enhance the public’s awareness of this cemetery, recently designated to be included on the National Register of Historic Places. The cemetery is located at the edge of Rothermel Park. [The last part of this statement has been redacted].

Response:
Comment noted.


Comment:
How will the proposed trail impact the several conservation easements that cover the land through which the trail is proposed to pass?
Response:
The National Grid ROW land is not encumbered by any conservation easements. To the extent properties adjacent to the AHET corridor are encumbered by conservation easements, there should not be any direct impact on those properties.

[Morine, N. – AHET website - 4/3/18 – Comment # 4.9.38]

Comment:
Will leashed dogs be allowed on the trail?

Response:
Dogs will be allowed on the AHET Trail, with the provision that they must be leashed at all times, and dog owners must clean up after their pets.

[Murphy, B. – AHET website - 4/6/18 – Comment # 4.9.39]

Comment:
I’m a Village of Kinderhook resident and fully supportive of the AHET. By the time the trail is built, all electric snowmobiles will be on the market. What is your view of allowing them on the trails in winter? Thank you.

Response:
The ban on motorized vehicles on the AHET Trail includes electric powered vehicles due to safety concerns for both the rider and for other trail users.

[Howard, M. – Letter - 4/9/18 – Comment # 4.9.40]

Comment:
I am a summer resident on Kinderhook Lake like 2 generations of Hamiltons (my grandfather was Asst. Deputy Comptroller of NY State) before me. Over the years my family and I have torn down 4 summer bungalows and replaced them with new and I believe beautiful homes whose size and accoutrements bring NY State, Columbia County and the Town of Chatham much needed additional tax revenue. These homes are a refuge for me and my family, offering quiet seclusion that is essential for recharging our worn souls at the end of a busy Fall, Winter and Spring. "The Lake" as we affectionately call our summer place, is in line to become summer home to our own grandchildren who also have a shared love for this special spot. One of my homes is rented during the summer months and the one thing that all tenants say about the property is that the privacy is exceptional. We have enjoyed the natural "fencing" that nature has provided by way of tall trees and entangled bushes grown over the old trolley lines that sit so very close and alongside our 4 homes.

As a child that field was part and parcel of the lake itself, under water and so my sister would use a boat to travel alongside our homes, with the trolley tracks nowhere to be seen! Our lake’s dam was now encouraging the lake to reclaim its original territory….and it obliged. Until one day a storm brought enough water from the Berkshire Foothills directly above our property into that lagoon that my grandmother's home was buried in water. My father urged the Electric Company at the time (I have letters to prove this) to fill in the field so that the lagoon would move further South and future storms would not affect his mother’s home. Therefore, that field upon which the Hudson Valley Rail Trail proposes to put it’s 20 foot wide bike and running path was and is both wetlands and lake at the same time! In my lifetime the dam has broken 3 times and each time our Point has taken on enormous amounts of water right up to our garages and in one case, one of our homes takes on water into its crawl space each and every time the water level rises significantly (which it does in storm or hurricane events).
These are the personal reasons of why I am diametrically and vociferously opposed to the "Conservancy" Rail Trail proposition linking Albany with Hudson especially as it relates to the strip from Community Hall Valatie past the south end of Kinderhook Lake. And for the following additional, salient reasons:

1. **Local Governance will be responsible for maintenance, policing, EMS and Fire issues pertaining to these trails.** We cannot get the Sheriff’s office to police the speed of boats on Kinderhook Lake how will they police and from a practical standpoint how will they even reach a person in distress on one of these trails should the need arise? I understand that the Valatie Fire Department is the only Dep’t that is able to access such an area with their specific equipment, while other fire departments along the proposed trail are not able to do likewise.

2. **Taxes will be increased while my quality of life will degrade. This is not how taxes are supposed to work.** There will be sound, movement and activity where none exists now. The home of my resident rabbit family will be displaced. Our homes during the leafless times of the year will be in full view of all trail users and the fact that they are not lived in for 9 months of the year will become disturbingly evident to all.

3. **The area behind our 4 houses is wetlands and it should be treated as such and not built upon and used as a linear park on the shoulder of our lake.** I do not have a blacktopped driveway in order to protect the lake from run off. I do not trim any bushes and trees along my lakeshore, but the "Conservancy" will come in and for 40 million along the route, denude all areas "needed" for their Albany-Hudson highway. The bushes and trees act as a barrier from flooding, their root systems absorb an incredible amount of water, which is desperately needed in that Wetlands area.

4. **We are not in residence for 9 months of the year and our homes and property will be in full view of all using the trail, who will be liable for trespassing? who will be liable for accidents, injuries happening on our property by trail blazers who do not or will not read "private property" signs?** In fact some may take that as an invitation to reconnoiter.

5. **I am also concerned about the additional public access and potential drownings, accidents and liabilities that the Power Company, the State, The Conservancy and the Town of Chatham would all share if a trail walker or cyclist decided to take a break and cool off in Kinderhook Lake on a hot summer’s day or take a detour or short cut across a partially frozen lake in winter.** If a tragedy resulted, lengthy court battles would ensue with the tax payer ultimately paying the bills of all involved to say nothing of the tragedy of the accident itself.

And lastly, I would make the case that Government is selecting and choosing whose comfort, privacy, convenience and quality of life matters more. I state that that is definitely not within the prevue of the Government! The adjacent homeowners who pay taxes to the Town and State for the privilege of living in that Town in that exact spot or the walkers/bikers who do not. And in an absurd twist of fate you are also asking those whose privacy, quiet and personal space is negatively impacted to pick up the tab for the construction and maintenance ad infinitum for this political ploy. Do we not have parks and recreation spaces galore in NY State where cyclists can do their thing? And those spaces are already taxed and paid for by the "Rail Trail" taxpayer.

And finally, since this aggressive push was begun by so called "conservancy" groups (I put that word in italics because no real Conservancy group worth its name would ever want to put fill in a wetlands area and see traffic on it!) they have added thousands and thousands of miles to their ever-expanding girth, and way ahead of schedule I might add! HOWEVER, concomitant with their marketing success we have also seen a meteoric rise in the number of lawsuits filed against them and the State and/or Town in which the rail trails reside for trespassing, malicious acts and even death. How dare you put us in this position? How dare you? Is the rail trail going to affect your home Governor? Is it going to affect the President of the "Conservancy" group? Or is it going to affect the lives of the thousands of non residents who will be using the trails? I think not. This conspiracy that has been hatched by the Conservancy group, agreed to by the State of New York and the Towns in the Rail Trail path and made possible by the approval of National Grid, is choosing sides and dictating that the adjacent homeowners have no right to a good quality of life. Consider this my warning: if anything, and I mean anything happens on my property caused or prompted by any user, maintenance person or volunteer you will all collectively be hearing from my attorney. Government and Conservancy groups are choosing to
select which groups deserve a good quality of life! Selective about whose quality of life matters more! This is an abomination.

Response:
See response to Comment # 4.9.12.

A site visit was held on 10/1/17 with the property owner. Based on the results of a field review of existing conditions, the HRVG has determined that the property line is mostly shielded by natural trees and bushes. National Grid’s utility corridor varies from 60 to 150 feet in width. The AHET Trail (the trail surface plus mowed buffers) will be approximately 15 to 18 feet wide, and in most areas, will be located approximately in the center of National Grid’s corridor, meaning substantial vegetated buffers will exist on both sides of the trail. Generally speaking, HRVG does not intend to install security or privacy fencing along the trail corridor. However, in the area near Kinderhook Lake, a fence will be installed for the safety of trail users. Based on statewide experience with rail-trails and canalway trails, trail users have a high rate of compliance of staying on the trail and not entering adjacent private property. Trail usage signs stating “Respect Private Property and “Stay On Trail” will be installed along the trail at select locations.

Portions of the AHET Trail in this area will be developed as a shared use path adjacent to State Route 203 (the trail will be separate two-way path, with a minimum five-foot buffer retained between the trail and the roadway). In one location, the trail passes the front yard of a personal residence. In that location, the trail will be developed as close to the public roadway as possible to minimize potential impacts to residential properties.

[Bayly, B. - AHET website - 4/10/18 – Comment # 4.9.41]

Comment:
I’m extremely excited about the upcoming electric trail. One of the downsides of moving to the suburbs from the city was the lack of safe and accessible running and biking paths. This trail will provide safe recreation for myself and my children. I also plan to use the trail to bike to work. It can be a struggle for city planners in rural areas to bring together multiple communities with one project, and I feel this plan can do that. It will provide a much needed link between the various communities of the capital region.

Response:
Comment noted.

[Mills, C. - AHET website - 4/19/18 – Comment # 4.9.42]

Comment:
I am an adjacent landowner in the village of Kinderhook. I am very concerned about the impact on my property.

Response:
While HRVG is not typically installing fencing along the AHET trail route, the HRVG has reviewed National Grid’s corridor in this location, and determined this specific area is a unique situation where the trail will cross close to the adjacent property, which does not have the benefit of having trees and or other vegetation to provide screening. HRVG will consider installing appropriate screenings in this specific area. Any screening installed on adjacent private property will require permission of the landowner, who will be responsible for future maintenance.

[Travins, S. - AHET website - 4/19/18 – Comment # 4.9.43]

Comment:
I notice on some maps that the trail will come into the City of Hudson through Oakdale Lake Park. Is it intended that it will be paved through the woods at this section? This project does not seem to be well known by residents of the city of
Hudson. It will be a great resource!

Response:

The proposed AHET Trail will end in the Town of Greenport, just north of the City of Hudson; therefore, this comment applies to an area outside of the study area boundary.

[Meyers, L. - AHET website - 4/22/18 – Comment # 4.9.44]

Comment:

As a homeowner on an adjoining property of the rail trail, I’m concerned about my safety and privacy. I will now have strangers riding/walking right past my backyard, looking into the glass doors of my house. Will the rail trail be putting up a fence? I’d like to have someone come and discuss this with me.

Response:

A site visit was held on 4/30/18 with the property owner. Based on the results of a field review of existing conditions, the HRVG has determined that the property’s backyard is separated from the ROW by a vegetated buffer and a grade offset (there is a 5-6-foot uphill bank on the eastern side of the ROW for the entire trail stretch behind Evelyn Drive). The property will be partial visible from the proposed trail in months when trees and shrubs have dropped their leaves, but sight visibility alone is not a sufficient reason for the HRVG to install fencing. Based on statewide experience with rail-trails and canalway trails, trail users have a high rate of compliance of staying on the trail and not entering adjacent private property. Trail usage signs stating, “Respect Private Property and “Stay on Trail” will be installed along the trail at select locations.

[Adkisson, J. – AHET website - 4/23/18 - Comment # 4.9.45]

Comment:

At your recent presentation in Kinderhook which we attended an attorney mentioned his privacy was disturbed by the trail passing behind his house and he would be requesting a fence be paid for by the AHET project.

We have a remote garage workshop at #451 County Rt. 25 which has a set of steps we built to access the Kinderhook Creek flowing just below it. This access can be seen from the road and although we have posted signs stating Private Property/Do Not Enter we still find trespassers looking for a fishing place using our steps. Besides the issue of privacy and potential litter, the situation is also dangerous and we fear liability for someone falling in the creek. With the new traffic from AHET we can only imagine the temptation of using these steps. Therefore, we are requesting financial assistance to erect a fence to prohibit viewing and entering the property.

Response:

As a general matter, the Greenway is not installing privacy or security fencing along the 36-mile AHET Trail route. Experience on the hundreds of miles of existing rail trails and canalway trails in New York State indicates that trail users typically do not leave the trail route and enter adjacent private property. In this specific location, the AHET route will be designated on the shoulders of a public roadway (County Route 25), which like all roads is open to use by pedestrians and bicyclists. However, following evaluation of this location, consideration will be given to installing additional signage or implementing other measures to reinforce to trail users that they must remain on the roadway and not enter adjacent private property.

[Hamilton, A. - AHET website - 4/30/18 – Comment # 4.9.46]

Comment:

Hello, I understand I am late on this request, but wanted to "throw it out there" anyway. We own the horse farm
between Smith Rd and Gaffney Ln which has approx. 1000’ of acreage on both sides of the Greenway planned site. Since we lost the right to use the trail for equestrian use, we are in the process of closing the horse boarding business. Since there will still need to be 7 horses on the property to keep our agricultural status, I am inquiring if there is room left in the budget, to improve 4-500’ of electric fence which is directly on the line, to wood fencing. This would greatly improve safety of both animals and visitors. We are evaluating whether a bicycle, roller blade (trail wheels), ski, etc. rental business would be a nice addition to the farm since our location is perfect for parking and would make an interesting stop for tourists. Thank you.

Response:
A site visit was held with the property owner on 6/11/18. As a safety measure, the HRVG will install wooden safety fencing to prevent trail users from approaching an electrified horse fence that exists on the adjoining private property. Although the HRVG will not be directly involved in the creation of trail user amenities on adjacent private property, HRVG welcomes private initiatives to provide services and amenities to trail visitors.

[Culver, G. – Phone Call – 5/3/18 – Comment # 4.9.47]
Comment:
Requests a site visit. Concerned about possible impacts to his property.
Response:
The HRVG contacted this landowner to schedule an on-site visit; however, the landowner no longer requests a meeting.

Community Services (DEIS Section 4.9.1)
The following addresses comments on DEIS Section 4.9.1

[Knott, R. – Email - 3/20/18 - Comment # 4.9.1.1]
Comment:
If the town was to become responsible for future maintenance, can we then allow snowmobiles and horses on the towns portion?
Response:
The License Agreement granted by National Grid to the Hudson River Valley Greenway authorizing the AHET explicitly prohibits snowmobiles and equestrian use. The key provision of the agreement is included below. Town maintenance would not change the prohibition on snowmobiles and horses.

From the National Grid License Agreement:
The term “Permitted Recreational Activities” shall include hiking, bicycling, cross-country skiing, snowshoeing, and similar pedestrian and non-motorized recreational activities, including provisions for providing access to persons with disabilities (which may include access by motorized ADA compliant wheelchairs of disabled persons, subject to any posted restrictions on the size, height and/or weight of vehicles allowed on the Trail), provided, however, that anything to the contrary contained herein, equestrian uses and motorized recreational uses are and shall remain prohibited hereunder.

[Knott, R. – Email - 3/20/18 - Comment # 4.9.1.2]
Comment:
Agreement does not really speak to enforcement, am I to assume that the state would develop and provide enforcement
of rules and regulations?

Response:

New York State will be developing a single set of trail use rules. The HRVG will circulate the draft rules to all involved local officials for review and comment. The rules will be adopted in a manner to be enforceable by all law enforcement entities (state, county, and town police forces).

A number of local law enforcement agencies have jurisdiction over portions of the AHET Trail route, including county sheriff departments and town and city police agencies. Local law enforcement agencies will respond to emergencies, security incidents, and complaints in the same way they respond to enforcement issues throughout their jurisdiction.

The HRVG has communicated with the New York State Park Police and other entities that own and maintain rail-trails and canalway trails in New York State. Generally speaking, these types of trails do not generate significant police enforcement needs. The HRVG notes that unauthorized use of National Grid’s property currently occurs in many locations along the AHET route, including illegal use by snowmobiles and ATVs. The creation of a public non-motorized trail will displace unauthorized existing activities.

While the HRVG supports pro-active patrol by law enforcement agencies on the AHET Trail, the HRVG realizes that police agencies have many enforcement priorities, meaning the ability to conduct proactive patrols will be very limited. While police agencies will be asked to respond to law enforcement incidents, the HRVG does not anticipate proactive patrolling will be required.

[Knott, R. – Email to - 3/20/18 - Comment # 4.9.1.3]

Comment:

Is the actual future costs [of trail maintenance by local governments] exempt from the State’s tax cap calculation?

Response:

The HRVG does not have expertise regarding implementation of the NYS property tax cap. Review of the property tax cap information on the NYS Department of Taxation & Finance website does not indicate that Town expenditures on maintaining the trail might be exempt from the tax cap calculation (the website lists only a few narrow exceptions that are not related to the trail project). The Town should contact the Department of Taxation & Finance for clarification on this issue.

[Krebs, D. – Email - 3/21/18 - Comment # 4.9.1.4]

Comment:

I am a Commissioner in the East Schodack Fire District assigned to follow the AHET trail, and as such am a coordinator for the responding fire/EMS services from our fire district for emergency calls along the rail trail. I realize the trail has evolved into the final planning stage. It may be prudent to have discussions with fire/EMS providers during this stage of your work to properly understand trail access points, size/weight limitations for our equipment, and how the Rensselaer County 911 system will be integrated into the rail trail to allow proper notification/location of an emergency scene along the trail. Our Fire District also needs to plan for acquiring adequate equipment to facilitate winter access to the trail/traverse the trail, in case of a winter emergency in off-road areas of the trail. Our Fire District realizes that there could also be the need for fire/EMS services during the construction phases as well as after the trail is in use by the general public.

Response:

Generally speaking, there is good cell phone connectivity along virtually all of the AHET route, meaning in the event of an emergency trail users will be able to contact 911 from their cell phone. The HRVG has discussed the AHET project
with Rensselaer and Columbia County personnel that operate their respective 911 systems. During trail construction, street name signs will be installed at places where the AHET Trail crosses public roads, to assist trail users in identifying their location. In addition, the County 911 systems have mechanisms for instantly identifying the location of cell phone callers, in the event a trail user does not know their location – allowing 911 dispatchers to provide location information to local EMS providers.

The HRVG met with a group of Rensselaer County first responders to discuss the proposed AHET Trail. Twelve (12) people attended, including representatives of the East Schodack Fire Company; Nassau Ambulance; Nassau Fire Department, and the Castleton Volunteer Ambulance Squad, along with the Schodack Town Supervisor. Generally speaking, the participants responded positively to HRVG’s initial EMS response approach: 1) the trail will be designed with adequate width and load capacity to carry EMS vehicles, up to a full-sized ambulance or fire truck; 2) all bridges will be HS-25 load rated, which accommodates any weight vehicle that can legally drive on a public road; 3) most trail entrances from public roads will be non-gated, with the exception of the 6 new bridges which will have bollards installed. Gate keys will be provided to the appropriate first responding agency if necessary. Prior to the start of trail construction, the HRVG will develop a draft AHET EMS Plan for review and comment by all involved first responders.

[Vollmuth, G. - Public Hearing Speaker - 3/28/18 – Comment 4.9.1.5]

Comment:
I am pleased to hear that the State is now approaching the local towns to secure written agreements for maintenance, as I think a written plan detailing how this $45 million investment is going to be maintained is critical to its success. But our towns face their own financial problems, operating under the State-imposed budget cap. It might have been more helpful to spend less on the trail and provide some additional funds to the town to secure their crucial role in maintenance and upkeep.

Response:
See response to Comment # 4.9.12

[Krebs, D. - Email - 3/28/18 - Comment # 4.9.1.6]

Comment:
1. What will be the width and load bearing capabilities of the bridges on the trail?
2. Will the access points on the trail allow us to drive onto the trail? Meaning, will the bollards be easily removable? The preliminary plans call for bollards to be installed. Will other controlled entry devices be used?
3. Will all bollards be secured with a locking mechanism? Will all bollards be keyed alike? If a locked bollard system will be used, what precautions will be taken to ensure the lock’s access and mechanism will remain clear of salt, corrosion, etc.? If the bollard keyed lock is inoperable due to corrosion or vandalism, will we be allowed to cut the lock off? Or do we have to travel onto the trail by foot? What about bollards that become frozen in place during the Winter months?
4. On similar trails within New York, how is the 911 reporting system utilized?
5. Will we have to notify National Grid when we enter the trail for an emergency call? Will NGrid require a periodic report on any calls we receive on the trail?

Honestly, we do not anticipate having several emergency calls/year on the trail. We are trying to be proactive to properly prepare for any calls during the construction phase and usage of the trail.

Response:
See response to Comment # 4.9.1.4
[Hanley, J. – AHET website – 4/5/18 - Comment # 4.9.1.7]

Comment:
To propose such a substantial trail with no forethought for future maintenance is simply neglectful. I have traveled the trails in Massachusetts and they are well utilized and extremely well maintained. For a project like this to be successful into the future, it is a MUST to have a maintenance unit prepared to check, clean, prune, and maintain the trail on a full time basis. If left to volunteers the demise of the trail will be inevitable. If you're going to do it, do it right, from the beginning.

Response:
See response to Comment # 4.9.12

[Bopp, D. – Email - 4/6/18 - Comment # 4.9.1.8]

Comment:
...We have reached-out to the following first responders:
- Stuyvesant Falls Commissioners and Officers
- Stuyvesant Commissioners and Officers
- Valatie Rescue Squad Officers

...Trail Access is a priority for these organizations.

Response:
HRVG met with representatives of the Stuyvesant Falls Fire District in May 2018. See response to Comment # 4.9.1.4.

[Anonymous] – AHET website - 5/7/18 - Comment # 4.9.1.9]

Comment:
I am a resident of the Town of Greenport and an owner of property abutting the proposed AHET Trail. I share concerns that have been raised regarding the possibility of an increase in crime near the proposed AHET Trail and the ability of law enforcement personnel to access and police the trail. According to the DEIS, rules will be established for the entire trail (e.g. no motorized vehicles, do not enter private property adjacent to the trail, the trail open dawn to dusk, etc.), which local law enforcement agencies will be responsible for enforcing. In my area, however, the local law enforcement agencies have indicated that they are not equipped to police the off-road trail and enforce these rules.

Response:
See response to Comment # 4.9.1.2 and 4.9.1.4

[Anonymous] – AHET website - 5/7/18 - Comment # 4.9.1.10]

Comment:
I am a resident of the Town of Greenport and an owner of property abutting the proposed AHET Trail. I share concerns that have been raised regarding how the trail will be maintained and who will be responsible for maintenance costs. According to the DEIS, the AHET Trail will operated and maintained by a collaborative partnership, including the HRVG, county, town and village governments, and interested trail groups and volunteers. I understand that the HRVG is paying for the entire cost of constructing the trail and will also be responsible for long-term capital improvements, but the HRVG does not have staff to conduct regular trail maintenance, such as mowing and litter removal. I further understand that HRVG is currently initiating conversations with local governments regarding trail maintenance
agreements, but these agreements are not yet in place and in my community the Town of Greenport does not have the capacity to assume ongoing maintenance responsibilities and has already stated that it will not be responsible for litter removal on the trail.

Response:
See response to Comment # 4.9.12

[Clyne, J.  – AHET website & Letter– 5/7/18 – Comment # 4.9.1.11]

Comment:
There is an inadequate description of the fiscal impact on municipalities. There will be significant ongoing financial obligations to local municipalities concerning the trail, and the benefits are, at best, questionable. Costs associated with police, fire, and ambulance services for the trail are not assessed or adequately discussed. Ongoing maintenance issues—especially in the areas hereinafter mentioned—will be significant. The initial cost associated with the construction, especially in the areas hereinafter mentioned, will likewise be significant.

Response:
See response to Comment # 4.9.12

[Trigg, G. – Letter - 5/7/18 – Comment # 4.9.1.12]

Comment:
This firm represents the Town of Stockport (the "Town"). I am writing you with regard to the above-referenced Project. The Town is generally supportive of trail development and the endeavors of the Hudson River Valley Greenway (the "Greenway") on a conceptual level, and is looking forward to the Project's eventual success.

In relation to maintenance of the trails, however, we understand it is the Greenway's position that routine maintenance (i.e., mowing, etc.) of the Project will be borne by the municipality. At a public presentation explaining the Project, you presented an estimate of the projected maintenance costs. It is anticipated by the Greenway that maintenance costs will be approximately $6,382.00 annually for the portion of the Project located in the Town Stockport. As with most small towns across the State, and particularly in Columbia County, the Town operates on a tight budget and cannot afford such additional annual expenses without imperiling other critical services. In fact, if the Town was required to take on this burden, it would exceed its general fund tax cap of 1.86%. The Town is proud that since the imposition of the tax cap requirement in 2011, it has never exceeded the cap.

The Town is simply unable to cover the cost of trail maintenance unless it is compensated by an external funding source (i.e., State funding, grants, etc.). Thank you for your consideration.

Response:
The AHET will be operated and maintained by a collaborative partnership including the Hudson River Valley Greenway (HRVG/Lead Agency), town and village governments, and interested trail groups and volunteers. There are two categories of maintenance that will be required after the AHET Trail is constructed and opened to the public:

1. Periodic Capital Maintenance and Repairs. New York State will retain responsibility for undertaking long-term “capital maintenance” such as when asphalt and stone dust need to be resurfaced or safety fencing needs to be replaced (typically once every 15+ years). Similarly, in the event major repairs are needed (for example if a drainage culvert should fail or a bridge requires maintenance), New York State will be responsible for making capital repairs.

2. Routine Annual Maintenance. The AHET trail will be designed using durable construction methods, which minimize the need for routine maintenance activities. However, certain routine maintenance tasks will be required, such as
mowing a narrow strip of grass along the trail (typically 2-4 feet wide on each side of the trail) between four and ten times annually, “weed whacking” with hand held string trimmers (one to two times per year), removing downed trees and limbs, picking up litter to the extent it occurs. In February 2018, the HRVG released a Draft AHET Trail Maintenance Plan for public comment. The plan lists annual maintenance needs and projects the cost of annual maintenance will range from $825 to $1,675 per mile of trail. The HRVG will establish a collaborative approach to routine trail maintenance:

- **Local Governments.** HRVG has requested that the involved towns and villages along the 36-mile AHET route assume responsibility for mowing and related annual maintenance of their respective trail sections. Participation by local governments is entirely voluntary. Several local governments have agreed to accept maintenance responsibility – the HRVG greatly appreciates their participation. Other local governments have determined they are not in a position to absorb the cost of trail maintenance. The HRVG acknowledges and respects their decision.

- **Non-Profit Partners.** HRVG has initiated conversations with several non-profit organizations who have expressed potential interest in maintaining sections of the AHET Trail, focusing on segments where local governments are not able to do so. HRVG will foster the development of partnerships and “friends” groups to undertake trail maintenance, encourage community involvement, and pursue trail adoption programs.

- **Maintenance Equipment.** HRVG will donate trail maintenance equipment, such as commercial-grade mowers, string trimmers, and trailers, to local governments and non-profit organizations that accept responsibility to manage sections of the AHET Trail.

HRVG believes local governments and non-profit partners will agree to conduct annual maintenance along the entire 36-mile AHET Trail route. However, HRVG retains ultimate responsibility for maintaining the trail, including mowing and related activities. In the event that specific trail segments are not maintained by a local sponsor, HRVG will directly conduct routine maintenance activities by either hiring seasonal staff or contracting with a commercial landscaping firm. HRVG will ensure that a maintenance plan is in place for the entire AHET Trail prior to bidding construction of the project.

(Please also see Appendix D: Maintenance Plan).

**Growth Inducing Impacts – Fiscal and Economic Impacts (DEIS Section 5.0)**

No comments were presented either at the Public Hearing or during the written comment period regarding this section.

**Unavoidable Adverse Impacts (DEIS Section 6.0)**

No comments were presented either at the Public Hearing or during the written comment period regarding this section.

**Irreversible and Irretrievable Commitment of Resources (DEIS Section 7.0)**

No comments were presented either at the Public Hearing or during the written comment period regarding this section.

**Analysis of Alternatives (DEIS Section 8.0)**

The following addresses comments on DEIS Section 8.0.

[Passman, R. – Email – 3/12/18 - Comment # 8.1]

Comment:
I’m emailing to check for any update. I see the Schodack Town Board update set for the 22nd, and am wondering if it will be discussed. I noticed the map now shows no trailhead at the lake, but it is up near the trailer court. On first impression it looks like a setback.

Response:

At the time of writing the DEIS section on Trailheads, the HRVG anticipated constructing a trailhead parking area at Amelia Court in the Town of Schodack, on a property owned by Rensselaer County. Since the DEIS issuance, the HRVG has been working with the Rensselaer Land Trust (RLT). The Land Trust is attempting to acquire several parcels of land adjacent to Nassau Lake, with the goal of authorizing HRVG to construct a trailhead at this location. The FEIS identifies an area along County Route 7 to the west of Nassau Lake as the location for a future trailhead parking area in the Town of Schodack.

[Forte, G. – Email – 3/14/18 - Comment # 8.2]

Comment:

I was reviewing the final concept plan for the AHET and noticed that in the Appendix section which listed all of the changes to the plan as a result of public comments, concerns, and meetings, there was a line that read that there were no changes to the portion of the trail that lies within the Village of Nassau. I question that assessment as I was under the impression that there had been several changes, including siting the parking for the trailhead at the Village Commons close to the corner of Fairgrounds St and John St rather than stressing the existing parking at the ballfield, as well as addressing the concerns of adjacent landowners – especially some of the folks on Elm Street, and the Deckers who own the swampy area behind the Senior Housing on Fairgrounds St and on the east side of the southern end of the trail in the Village – there was talk of creating an access for them that crossed the trail to a paper road east of the trail as the right of way is their only access to that property. Since the plan was released I have received several calls asking about these details. Are those changes still part of the plan and will the final plan be updated with these changes? It would be optimal to address these now and avoid conflict during construction.

Response:

The above comment refers to the Albany Hudson Electric Trail Final Concept Plan, which HRVG issued in January, 2018. Following the adoption of the Concept Plan, the HRVG and their consultants continued to facilitate public outreach meetings and individual meetings with trail neighbors. This process resulted in additional trail alignment and trailhead design changes that were described in detail in the DEIS and further appended in this FEIS. See DEIS Section 2.3 and Section 2.0 of this FEIS. The HRVG will continue to communicate with Village officials and adjacent owners regarding the design details of the AHET Trail and a designated trailhead parking area within the Village of Nassau.

[Pelletiere, A. - Public Hearing Comment Form - 3/28/18 – - Comment # 8.3]

Comment:

An alternate route is suggested.

Response:

The preferred route for the AHET trail will follow the route identified in Section 2.3 of the FEIS. Appropriate signage will be provided.


Comment:

My name is David Dew Bruner and I rent the Valatie Trolley Station. I’m a retired landscape architect and artist, and that’s my studio. And I’m just here to encourage the design team to keep looking at a solution that surrounds that trolley.
If everybody is familiar, it's just less than a mile down the road. And when they built Main Street to hook up to, they had to rise that intersection, at the highest, probably five feet. So the trolley station now sits below grade, and if they build a ramp that surrounds it, it is going to have to have a railing system on it, which will then mean that the trolley will be even more sunken by the 54-inch rail that is around it. If you'd like to see what a 54-inch rail will look like in front of the trolley, I've put up some stakes with yellow ribbons so you could see how much more of a visual impact it is going to have on that station. When I order pizza from LeBella’s, the delivery guys can’t find the station. So it's already sort of hidden, and I kind of think it's kind of a cool introduction to the city of Valatie -- Town of Valatie, and I think it needs to keep a much more open appearance. So I just encourage the design team to keep looking at solutions where the trail can go around the trolley station instead of in front of it. Thank you.

Response:

The HRVG has completed a site visit and several follow-up conversations with Mr. Bruner, regarding the detailed design of the AHET Trail as it passes the historic Trolley Station building in Valatie. The HRVG is also reviewing several options with NYSDOT for exactly how the AHET Trail will cross Main Street in Valatie, in the vicinity of the State Route 9 intersection. The trail at this location will be designed to maximize the safety of pedestrians and bicyclists. Design elements will be included to minimize visual impacts on the historic Trolley Station, consistent with providing the safest possible road crossing.

[Anonymous – AHET website - 5/7/18 - Comment # # 8.5]

Comment:

I am a resident of the Town of Greenport and an owner of property abutting the proposed AHET Trail. In my area, the AHET Trail route in the DEIS has changed significantly from the route proposed in the Draft Concept Plan issued in August of 2017. Instead of ending at the intersection of the National Grid ROW and Atlantic Avenue (County Route 20) in Stottville, the route will now continue as an off-road trail running south from Atlantic Avenue through Stockport and into Greenport. The off-road trail will end at the intersection with Kipp Lane South. At that point, the AHET Trail will follow a new separated sidepath along the east side of Fairview Avenue. Before the AHET Trail can follow the proposed sidepath along Fairview Avenue, however, it must first follow a sidepath along Kipp Lane South. But Kipp Lane South is a private roadway, and the proposed sidepath to run alongside it will be outside the National Grid ROW, so on what legal basis will the AHET construct a sidepath in that area?

Response:

The HRVG has researched property ownership at this location and confirmed that Kipp Lane is a privately-owned road (it is not a public roadway). The HRVG does not have the right to construct the AHET Trail on privately-owned property, unless the landowner affirmatively provides permission (which is not the case with Kipp Lane). As identified in Section 2 of this FEIS, the HRVG will identify a different trail configuration in the Town of Greenport, which does not impact the Kipp Lane private ownership.

[Harris, D. – Email- 5/9/18 - Comment # # 8.6]

Comment:

At a 3/22/18 presentation, the Schodack Town Board asked the HRVG to review whether Kraft Road and the former Red Oaks property might be a feasible trail route, as an alternative to our current proposal to build a sidepath along Miller Road.

Response:

In response to this request, the HRVG and their design consultant (GPI) reviewed whether Kraft Road and the former Red Oaks property might be a feasible trail route, as an alternative to the current proposal to build a sidepath along Miller Road. Substantial engineering constraints exist on both the west side of the I-90 corridor north of Kraft Road and
on the Red Oaks property. As such, the HRVG has concluded that the Red Oaks route is not a feasible alternative. See Appendix C2: Alternative Additions, Miller Road.

The HRVG has initiated detailed coordination with NYSDOT, to confirm the specific roadway and I-90 ramp crossing treatments proposed on Miller Road, to assure that the treatment will meet/exceed applicable state and federal safety standards.

Appendices (DEIS Section 9.0)

No comments were presented either at the Public Hearing or during the written comment period regarding this section.

3.4 FEIS Public Comment Period

The following section addresses all comments regarding the Albany-Hudson Electric Trail project received during the 30-day FEIS public review period that began on July 17, 2018 and ended on August 16, 2018. The majority of comments received during the FEIS public comment period were supportive. Out of a total of twenty-two (22) comments, sixty-four percent (64%) were supportive of trail development; and nine percent (9%) were supportive of trail development but expressed some individual concerns about the trail’s proximity to their property.

Conversely, five written comments, which equates to twenty-seven percent (27%) of the comments received, expressed concern or opposition to the project based on perceived impacts on adjacent property owner’s privacy, safety or current property use.
3.5 Comment Referencing

Comments that were received during the public review period are referenced within the FEIS by stating the individual’s last name, first initial, the date of the correspondence or letter, and a unique comment number. For example, a comment made by John Doe in a hard copy letter is referenced as [Doe, J., - Letter - Date - Comment # XX]. A comment made by Jane Smith in an email is referenced as [Smith, J. - Email - Date - Comment # XX]. In general, the comments and responses are organized below by the category or topic of discussion based on the organizational structure of the DEIS. All comments are generally presented in their entirety, verbatim as submitted to the HRVG. The one exception is that any comments using offensive language have been redacted from this document. Copies of the received hard copy letters and email comments are included in Appendix G4.

3.6 Responses to Comments on the FEIS

Consistency with Community Character (DEIS Section 4.9)

[Panetta, T. – AHET website – 7/26/18 - Comment # 4.9.48]

Comment:

I am a property owner adjacent to the trail in Valatie. I do have concerns about privacy. I have maintained the Nat Grid ROW as my backyard for 40 years. My children grew up playing whiffle ball on “the field” that we made on the trail. We have had many happy years in our backyard, as I live outdoors almost year round. Our 2.5 yr old Border Collie has grown up on the field chasing balls and Frisbee’s. She is never on a leash because she is a well trained and behaved dog who loves to run all day! So I was wondering if I could meet on-site to get your thoughts as to what can be done to diminish the blow to our privacy. I have always loved our extremely private lot in the middle of the village but I know the days are numbered. I’m very supportive of the trail though. I was one of the half dozen people that made River Street Park a reality. We started with meetings, design and build back in 2000 and we worked with the Village of Valatie, and many volunteers throughout the years. It is an amazing little trail along the Kinderhook Creek that runs from St Lukes Dr. to River St. You would think you were in the Adirondacks back there. Thank you for listening, I’ll be waiting for a reply.

Response:

The HRVG planning team conducted a site visit on 7/31/18 with the property owner. Based on the results of the field review of existing conditions, the HRVG has determined that the property line is mostly shielded by natural trees and bushes, with some breaks in the vegetative buffer where mowing has occurred. As a general matter, the Greenway is not installing privacy or security fencing along the 36-mile AHET Trail route. Based on statewide experience with rail-trails and canalway trails, trail users have a high rate of compliance of staying on the trail and not entering adjacent private property. Trail usage signs stating, “Respect Private Property” and “Stay on Trail” will be installed at select locations. Dogs will be allowed on the AHET Trail, but for the safety of trail users, dogs must be kept on leash at all times.

[Brennan, J. – AHET website – 8/6/18 - Comment # 4.9.49]

Comment:

I support the development of this trail. It will create many benefits for citizens including enhanced recreation opportunities for walkers and cyclists, transportation alternatives and economic growth through Bike tourism.

Response:

Comment noted.
[Cummings, S. – AHET website – 8/13/18 - Comment # 4.9.50]

Comment:
I strongly support the Hudson River Valley Greenway effort to create this trail. I live in Stuyvesant and began promoting the idea of this trail in 2009; the Stuyvesant Town Board appointed me to represent the Town in the Kinderhook-Stuyvesant-Stockport Recreational Trail Project. We studied the feasibility of developing the trail through those towns. I’ve also gone door-to-door and spoken to many of the residents who live along the right-of-way in the Town of Stuyvesant and some residents of Stockport as well.

Several landowners who live along the section of trail from Stuyvesant Falls south to Chittenden Falls want it re-routed so that trail users would instead take County Rte. 25 – on the opposite side of the Kinderhook Creek. There’s absolutely no need for re-routing. Their attorneys, along with some Stuyvesant and Stockport town officials, have voiced concerns that have already been addressed by state officials:

Farm access will not be affected: farmers with land along the right-of-way, will not be denied access to their land once the trail is operational. People who disbelieve this should visit the Harlem Valley Rail Trail just south of Copake Falls – where numerous farms straddle the trail, yet farm equipment regularly crosses the trail safely. The town supervisors of Stuyvesant and Stockport should go see for themselves – talk to farmers in Copake and ask them if the rail trail there has hurt their operations.

Washouts, erosion, wetlands: Landowners (and their lawyers) along this stretch claim the trail is not feasible at some points because of erosion, washouts, and the presence of wetlands. I’ve walked every inch of this trail section several times; yes, some parts will need clean fill, culverts, and drainage improvements. The Greenway has adequately addressed these concerns in this document.

Easements and “traditional” uses: Several landowners along this stretch claim they possess deeds showing that they actually own parts of the National Grid right-of-way – or have been granted permission to use it. The Greenway has conducted due diligence on this project. They’ve done the legal research to prove that the landowners lack a legitimate ownership claim to the right-of-way. The AHET project represents a legal agreement between National Grid and the State of New York. The State is not required to secure easements or permission from adjacent landowners. Nor are they taking anyone’s land by eminent domain.

The trail is a history trail: The Albany-Hudson Electric Trail commemorates the opening of the Albany-Hudson Electric Railroad in 1895, which was powered by the Stuyvesant Falls Hydro Plant. If the trail does not include the section from Stuyvesant Falls to Chittenden Falls, trail users will not even be able to glimpse the Stuyvesant Falls Hydro plant or make the connection to the hydro plant at Chittenden Falls. This is our history; we should have access to it.

Miscellaneous: The Greenway has already responded in this document to citizen concerns that the trail will: adversely affect wildlife or endangered species, like the bald eagle; that law enforcement agencies will not be able to provide adequate coverage; and, that local zoning takes precedence over a state project.

Excelsior – let’s move forward with a project that will transform and connect our communities!

Response:
Comment noted.

[Paden, P. – Letter - 8/15/18 - Comment # 4.9.51]

Comment:
On behalf of Columbia Land Conservancy (CLC), I am submitting comments on the Final Environmental Impact Statement (FEIS) for the Albany Hudson Electric Trail. The FEIS describes three possible alternative alignments of the trail in Columbia County between Hudson Avenue in Stuyvesant Falls (County Route 25A) and Rossman Road in Stockport. We
concur with the recommended alignment, the National Grid corridor, for this section of trail.

CLC has a long history of working with communities to create rail-trails, providing a way for people to connect with the outdoors and appreciate the beauty of our rural county. We served as an early proponent of the Harlem Valley Rail Trail, working with New York State to acquire the old rail bed and managing early studies and planning. We organized a countywide trails conference in 2011, and subsequently convened regular roundtables for community trail groups. In the past 3 years, we have coordinated a Trails Task Force bringing together trails groups and local leaders to support the vision of an interconnected trail network throughout the county.

Local leaders and trail advocates have spent countless hours planning the Albany-Hudson Electric Trail over more than ten years. In addition to creating a tremendous amenity for the communities along the trail, constructing this trail is a major advance in the countywide trail network sketched out seven years ago at the Columbia County Trails Conference.

For trail users, the difference between a multi-use path entirely separate from roads, and the alternatives described here, is the difference between night and day. Only the most experienced cyclists would navigate the roadways proposed in the alternatives, dramatically reducing the usage of the trail in this area, and excluding, due to safety concerns, a majority of potential trail users. As is well documented across the nation, most cyclists are cautious about cycling and avoid the busiest and fastest roads.

The three alternatives also fail to provide safe travel for pedestrian trail users, who would have walk on the shoulders of the roads. The analysis of the alternatives notes that none of the three alternatives meet the goal of user safety, for various reasons: “Due to being off-road, Alternative 4 will provide by far the safest and most enjoyable trail experience for bicyclists and pedestrians. Alternatives 1 thru 3 have significant safety issues as trail users would need to share narrow and high-speed roadways with motorists,” (FEIS, Appendix C3, "Alternative Additions: CR 25/NYS Route 9 Alternative").

The recommended alternative in this section of the Albany Hudson Electric Trail is consistent with the mission of the Hudson River Valley Greenway and the vision for the Empire State Trail, of which this trail is a part. By walking or biking the National Grid corridor in this area, the visitor will enjoy a path that is not only away from the concerns of traffic, but also provides extensive views of the highly scenic Kinderhook Creek, a major tributary to the Hudson River. The three alternatives direct trail users away from the creek, and thus these views would be lost.

We believe it is important to keep the trail accessible for safe use by the widest range of possible users, as well as to allow users to enjoy the natural beauty of the Columbia County rural landscape. We strongly support the recommended alignment, the utility corridor for this section of trail.

Response:

Comment noted.

[McLeod, K. – AHET website – 8/15/18 - Comment # # 4.9.52]

Comment:

I have recently had the opportunity to experience The Cape Cod Rail Trail and I want to strongly support the idea of the Electric Trail. Walking or riding a bicycle along the Rail Trail pathway is such a glorious experience. It is quiet, clean and most of the participants are respectful of the land and of other participants. It carves a narrow space through the landscape, which allows one to really touch base with the landscape and its flora and fauna. My experience of the trail is that it is calming and a wonderful way to escape the tensions of our lives today, calm down, get centered and interact with others who also appreciate the ability to be in touch with the natural world we live in. If we are to protect our world, we must understand what it offers us. The Electric Trail is a big opportunity. I saw no vandalism, no trash. Just respect and appreciation in the time I had on the Cape Cod Rail Trail over a period of two weeks. Thank you for making this a reality.
Response:
Comment noted.

[Sweningsen, C. – AHET website – 8/16/18 - Comment # 4.9.53]

Comment:
A pedestrian-safe, family bike and hike rail is an important public-benefit use of the National Grid Right-of-Way as a trail for everyone, not just a privileged few. Rail Trails co-exist very peacefully with neighbors in other rural parts of the County and around the world. This trail, expected to host nearly half-a-million users annually, will not only benefit the citizens of New York and others, but will be an economic benefit to our towns.

Response:
Comment noted.

Community Services (DEIS Section 4.9.1)

[Hewig, A. – Email – 7/18/18 - Comment # 4.9.1.13]

Comment:
My name is Art Hewig and I am the Treasurer of the North Chatham Fire District. The proposed bike trail will pass through our fire district and we have begun planning for the financial impact it will have on our fire and rescue resources. I hope you would be able to direct us to possible funding sources based on your experience. With the Tax Cap in place we are limited in our ability to raise revenue through taxes and stay under the cap. Your help will be greatly appreciated.

Thank You.

Response:
On July 25, 2018, HRVG staff met with Mr. Hewig and other representatives of the North Chatham Fire District which has jurisdiction on the section of the AHET Trail running south from the Rensselaer County border (e.g. the Thruway bridge over Route 203) to Kinderhook Lake, comprising approximately 1 mile of the trail. The group reviewed the detailed AHET trail maps and discussed the how the trail will be designed to accommodate emergency vehicle access. The two new bridges in their coverage area (Little Lake Road and the Waldorf Cattle crossing) will accommodate their largest vehicles, will have removable bollards, and HRVG will provide the fire district with keys to the removable bollards. In general the meeting was positive and the meeting attendees did not express any concerns with the trail or their ability to respond to emergencies within their jurisdiction. HRVG is not aware of any state funding sources specifically targeted at providing emergency responder grants for recreational trails.

[Frankoski, J. – AHET website – 7/23/18 - Comment # 4.9.1.14]

Comment:
In a letter received July 21 you have Rensselaer Volunteer Ambulance Service as the ambulance providing services to the City of Rensselaer. Please be advised that the current contracted service is Mohawk Ambulance Service.

The Rensselaer Police Department is in support of the Albany-Hudson Electric Trail and as an informational piece the department utilizes 2 ATV’s which we always offer to any agency and would be offered if needed to help in any way with the trail.

Response:
Comment noted. This correction has been made.
[Vollmuth, G. – Email – 8/1/18 - Comment # 4.9.1.15]

Comment:
On p.18 of the final DEIS in the chart showing fire companies and emergency medical support it looks to me as if there might be an error. The North Chatham Fire Department does provide fire protection to the North Chatham Fire District, but the chart seems to imply that the Chatham Rescue Squad provides emergency medical support. That is not the case. The Valatie Rescue Squad provides those services.

Response:
Comment noted. This correction has been made.

[Krebs, D. – Email – 8/1/18 - Comment # 4.9.1.16]

Comment:
The Board of Fire Commissioners from East Schodack reviewed your draft emergency response overview earlier this week, and were satisfied with your proposed activities. Thank you for your efforts.

Response:
Comment noted.

Analysis of Alternatives (DEIS Section 8.0)

[Pulver, L. and M. – AHET phone – 8/8/18 - Comment # 8.7]

Comment:
Summary of comments received by phone: Concern is expressed regarding shared access to the adjacent National Grid ROW and the need for a gate. Pulver stated there is a whole group of residents that use the ROW in the winter to get out because they can’t get up the hill on East Shore Dr. Residents are in favor of the trail, but they are concerned that the access will get used by the trail folks and that they will need a gate across to keep folks out.

Response:
The HRVG planning team conducted a site visit on 8/14/18 with the property owner. The design team has reviewed this area and is recommending standard ‘split’ treatment which will introduce a median raised island along with a signage package and ADA amenities as will be implemented at various other road crossings throughout the 36 mile trail corridor. The HRVG will be continuing this treatment further to the South to accommodate usage of Niagara Mohawk Way to local residents as it currently does.

[Ingham, C. – AHET phone – 8/8/18 - Comment # 8.8]

Comment:
Summary of comments received by phone: Ingham is Pulver’s neighbor to the immediate south. He is one of those who use existing driveway and private parking area. He supports Pulver’s request. And he is also in favor of the trail. However, he does have an issue with termination of 24’ shared roadway proposed termination point at station 39+10. His mother’s property has an address on SR 203 but she has a tenant who lives in a modular structure behind her house adjacent to the Grid ROW and currently parks along NG right of way.

Response:
See response to Comment # 8.7 above.
3.0 Comments and Responses

[Rich, R. – AHET website – 8/9/18 - Comment #8.9]

Comment:
I fully support the FEIS Analysis of Alternatives recommendation for the AHET Town of Stockport section north of Rossman Rd to Stuyvesant Falls. The Analysis recommends use of the National Grid ROW to create a 2.3 mile off road section that will maximize pedestrian and bicyclist safety while offering unparalleled views of the Kinderhook Creek, the Stuyvesant Falls Hydropower Plant (which powered the entire original electric railroad) and Chittenden Falls. County Rte. 25/25A would unnecessarily create an on-road route with no shoulders and require crossing the Kinderhook Creek on a one lane bridge with a 48 inch wide steel deck walkway which does meet AHET design requirements. Route 9 presents unacceptable safety challenges associated with high speed vehicle traffic and narrow shoulders.

Response:
Comment noted.

[Meltz, T. – AHET website – 8/15/18 - Comment # 8.10]

Comment:
I am a resident of the Town of Stockport. I live on Route 9, approximately 1/2 mile from the proposed trail route, and 1 mile from an access point to the trail. I fully support the development of this trail and look forward to being able to use it. I have traveled to several states where I have had the opportunity to run and bike on trails like the one planned in Columbia County. I have been looking forward to being able to participate in these activities close to my home. I understand there is some concern from neighbors, especially along the section from Woods Road to Rossman Road in the northern portion of the town. However, the alternate routes proposed are definitely more dangerous, and will not provide the economic, recreational, and alternate transportation benefits the off-road trail will. This section of the trail connect two hydro-power stations, at least one of which was a power source for the original electric railroad. This is central to the very being of the original railroad and now trail. This section also provides the only access point to the trail from the Kings Acres residential development, which is one of the most high density residential areas in the town. Moving this section from off-road to Route 25 would deny use of the trail to a significant percentage of Stockport’s residents. Not having this section between Woods Road and Rossman Road would be a huge blow to us.

Response:
Comment noted.

[Jamison, L. – AHET website – 8/15/18 - Comment # 8.11]

Comment:
I am a resident of 18 Riverview St in the Town of Stuyvesant who has been active with Stuyvesant Pathways/OSI, a community action group under Open Space Institute, raising funds and organizing volunteers to build and maintain trails and shorelines in our in our Township. We were active in supporting an earlier plan to develop a hiking path along the old Electric Rail Trail in Kinderhook, Stuyvesant and Stockport. So, I eagerly embraced the idea of the proposed Greenway Empire Trail along this very route with the Grid. I was especially interested in our Townspeople having access to a safe, off-road path for families. I understand that certain landowners in Stuyvesant object to the location of the trail along what was the Albany-Hudson Electric Railway and its pedestrian safe, historic and scenic environment. We taxpayers are funding this multimillion dollar project and we reap no particular benefit if we are only offered the dangerous shoulder of US Rt 9 or County Rt 25. I realize that it would be nice for there to be a consensus about the beneficial impact of this Trail, however the intent of a safe, accessible trail for families should prevail. I am familiar with the original trail route and realize some drainage and culvert
work would be needed at the Stuyvesant Falls/Stockport border area. I have heard that there is concern that perhaps eagle habitat might be impacted there. I would observe that there is more than enough documented, active eagle and shoreline habitat by my property in Nutten Hook and Stuyvesant Landing along the Hudson River to compensate for any minimal disturbance in Stuyvesant Falls. Please continue with your excellent Electric Rail Trail Project.

Response:
Comment noted.

[Meltz, D. – AHET website – 8/15/18 - Comment # 8.12]

Comment:
I am a resident of the Town of Stockport. Live on Route 9, approximately 1/2 mile from the proposed trail route, and 1 mile from an access point to the trail. I fully support the development of this trail and look forward to being able to use it for recreation, and to occasionally travel to work. I believe this trail will be an enormous benefit to our small rural town. I understand there is some concern from neighbors, especially along the section from Woods Road to Rossman Road in the northern portion of the town. However, the alternate routes proposed are definitely more dangerous, and will not provide the economic, recreational, and alternate transportation benefits the off-road trail will. This section of the trail connect two hydro-power stations, at least one of which was a power source for the original electric railroad. This is central to the very being of the original railroad and now trail. This section also provides the only access point to the trail from the Kings Acres residential development, which is one of the most high density residential areas in the town. Moving this section from off-road to Route 25 would deny use of the trail to a significant percentage of Stockport’s residents. I have talked to at least a dozen of my family members and friends who live in this area, and are very excited about the trail being so close to our homes, and available for our use so soon. We never thought this trail would be built so quickly. Not having this section between Woods Road and Rossman Road would be a huge blow to us.

There are many residents in our town that are not familiar with rail trails, do not use them, and are simply fearful of change. I believe their fears are unfounded. This trail will be the best thing that has happened to Stockport that I can remember, and I've lived here my entire life - nearly 60 years.

Response:
Comment noted.

[Sheedy, D. – AHET website – 8/15/18 - Comment # 8.13]

Comment:
When I first heard of the proposed rail trail in my area I was thrilled. I have enjoyed riding my bike on other rail trails when vacationing. I see this as a positive investment in our community and for our recreation. I understand there may be a section between Woods Road and Rossman Road that may be excluded. This seems like it would interfere with the intent of the trail and will have a negative impact on the entire project. My hope is that this area will be included on the trail.

Response:
Comment noted.

[Meltz, C. – AHET website – 8/16/18 - Comment # 8.14]

Comment:
I am a resident of the Town of Stockport and have been my entire life. When I first heard my father mention the possibility of the trail coming so close to our house (we live about 1 mile from where the access point would be) I was so
excited. I have recently learned that there is some concern from others who live in the area about this project—specifically along the section from Woods Road to Rossman Road in the northern portion of the town. I can not understand why anyone would want to keep any part of this project from happening. It would be such an important part of our community. It would be amazing to have a safe place for those who live here to go and be active and it would be the best thing to happen to the area possibly ever.

Response:
Comment noted.

[Widjeskog, B. – AHET website – 8/16/18 - Comment # 8.15]

Comment:
I strongly support the AHET project concept and goals. An off road shared use path for the AHET route connecting Stuyvesant to Stockport on the National Grid right of way along the Kinderhook Creek is the obvious choice to insure the safest and most enjoyable trail experience for generations to come.

Response:
Comment noted.

[Gordon, S. – AHET website– 8/16/18 - Comment # 8.16]

Comment:
I am writing as an interested party from the Aldi’s Hudson Plaza at 300 Fairview Ave. We are concerned that a bike path on the east side of Fairview Ave. will take away the green space that buffers plaza patron parking from Fairview Ave and that the path crosses two heavily trafficked entryways into the commercial plaza. The plan raises questions of safety for bike riders and walkers on the path, lost aesthetics for the plaza and will make it more difficult for patrons to enter and exit the plaza at both entrances and exits. What has the DOT suggested about safety to pedestrians and bike riders as cars turn in and out of the north entry to the plaza. Is there knowledge of recently added tenants in the plaza which will add to the current car counts? Will there be any grass strip left if the NY state ROW on the east side of Fairview Ave in front of the plaza becomes the path? If cars pull into a plaza parking space that now abuts the new bike path, on whom is the liability if someone on the path is injured? Will a safety rail be put up? Who will put it up? Who will maintain it? If plowed snow piles melt near the path, the path will be icy. Who will maintain this? And while the green space in front of the plaza may be part of the NY State ROW, it feels there is an implied implication it would remain green. The aesthetic value of the plaza parking lot abutting an asphalt path and then an asphalt road is not attractive for the plaza or for Fairview Ave. Moving a green strip further into the plaza lot may not be a legal possibility given Town codes. Customers may be deterred from entering the plaza if they have to wait for a break in walkers/bikers at the north entrance or have longer wait times at the south signalized entrance as bikers cross Fairview Ave. Thank you for your response.

Response:
The HRVG planning team has initiated a dialog with Ms. Gordon regarding the design details of the AHET Trail section that will be constructed along 300 Fairview Avenue (Route 9) in Greenport. The AHET Trail in this location will be a sidepath, at least 8 feet wide, constructed on the eastern side of Fairview Ave. In response to the detailed questions and comments in this comment:

- This section of the AHET Trail will be developed within NYS-owned Right-of-Way (ROW). HRVG is securing a precise property boundary survey to confirm all AHET improvements will be installed on state-owned land.

- The trail in this location will be carefully designed by HRVG and its engineering consultants to assure the design meets all applicable pedestrian and bicycle facility safety standards, including analysis of the impacts of motor vehicles entering and exiting 300 Fairview Avenue. In addition, NYSDOT will complete an independent
engineering review of the AHET Trail design along Route 9, as part of its permitting and approval process for improvements on state-owned ROW.

• Before finalizing the sidepath design, the HRVG planning team will determine whether any specific features are merited to restrict vehicles from entering the trail from the parking lot.

• Pedestrians and bicyclists currently travel along Route 9 to access adjacent commercial and retail businesses and residential areas. Currently there are no sidewalks or other facilities for non-motorized users, forcing bicyclists and pedestrians to utilize Route 9’s narrow shoulders in a shared roadway condition. Construction of the AHET sidepath along this section of Route 9 will provide a safer route for pedestrians and bicyclists, advancing New York State’s goal of creating “complete streets” for non-motorized transportation.

• Bicycle and pedestrian safety is a fundamental goal of the AHET Trail project. Construction of the new Route 9 sidepath by necessity will displace a narrow “grass strip” that currently exists on state-owned ROW adjacent to 300 Fairview Avenue.

• The HRVG will maintain insurance for any liability resulting from the public’s use of the AHET Trail. In addition, New York State has enacted a Recreational Use Statute (General Obligation Law Section 9-103) stating that private landowners do not have “duty of care” to provide for the safety of hikers, bicyclists, and other trail activities on private property.

• Adjacent private property owners do not have a right to plow snow onto state-owned ROW.

The HRVG planning team will continue to communicate with the owners of 300 Fairview Avenue during the process of finalizing the AHET Trail design at this location.

[Stout, R. – Letter – 8/16/18 - Comment # 8.17]

Comment:

This firm represents the Town of Stockport (the “Town”). As the Town has previously expressed, it is generally supportive of trail development and the endeavors of the Hudson Valley Greenway (the “Greenway”) on a conceptual level and is looking forward to the Project’s eventual success. The Town has previously expressed its concern to you relative to its inability to absorb anticipated maintenance costs related to the Trail. Those concerns remain.

More recently, the Town has become aware of the specific concerns of several of its residents, some of whom are actively engaged in agricultural uses along the proposed route of the Project as it traverses that Town. The Town believes these concerns are significant and understands that the concerns will be further detailed in correspondence submitted to the Greenway by counsel for the residents. Farmland and open space protection are critically important to the Town, as reflected in the Town’s Comprehensive Plan, which expressly identifies preservation of existing agricultural resources as a goal. Consistent with the Comprehensive Plan, the Town’s Zoning Code expressly requires that existing farms be buffered by at least 50 feet. See Stockport Town Code 120-20.6. Such buffer is impossible for the Project as currently proposed. The Town believes the presence of the Project in its proposed location is incompatible with these surrounding uses.

The Town also believes the alternatives analysis to date has not adequately considered alternatives to Project routing. Further, the Town believes the review factors have been arbitrarily applied in an uneven fashion to the proposed alternatives, with insufficient justification being provided for the selected alternative. Specifically, the Board favors locating the trail along County Route 25A from the bridge in Stuyvesant Falls to Rossman Road. The Town believes this can be done in a manner that is safe for the traveling public as well as safe for pedestrians and bicyclists who will use the trail in the future. The Town thanks you for your consideration of these concerns.

Response:

The HRVG respects the Stockport Town Board’s comments, and has carefully completed a detailed review of the Town’s stated preference for designating the AHET Trail route on County Route 25 from Stuyvesant Falls to Rossman Road.
The HRVG and its engineering consultant (GPI) conducted an additional detailed review of two alternatives: a) constructing an off-road trail on the 2.3-mile section of National Grid’s property from Rossman Road in the Town of Stockport to New Street in Stuyvesant Falls (Town of Stuyvesant); or b) eliminating this section of off-road trail, and instead designating the AHET as an on-road route on County Route 25 from Rossman Road to Stuyvesant Falls.

After carefully reviewing the two alternatives, the HRVG concluded it is appropriate to construct an off-road trail on National Grid’s property from Rossman Road to Stuyvesant Falls:

- The fundamental goal of the AHET project is to construct an off-road “rail-trail” wherever practical and feasible, to provide a safe and enjoyable trail experience to bicyclists and pedestrians of all ages and abilities. Development of an off-road trail on National Grid’s property from Rossman Road to Stuyvesant Falls does not pose any special engineering challenges. To the contrary, the construction design and cost of developing this 2.3-mile section of off-road trail is entirely consistent with the cost of developing other off-road sections of the 36-mile AHET route.

- In contrast, designating the AHET route on County Route 25 from Rossman Road to Stuyvesant Falls would require bicyclists and pedestrians to ride or walk in the road’s travel lanes, in a shared roadway condition (CR25 literally has no paved shoulders – the white fog line marking the edges of the vehicle travel lanes are located at the immediate edge of the pavement). Utilizing County Route 25 in this section would not achieve the project’s goal of providing an off-road trail experience where practical and feasible.

- HRVG has concluded that construction of the AHET Trail in Columbia and Rensselaer Counties will not have significant adverse impacts on adjacent agricultural land. The AHET Trail is being designed to allow adjacent landowners to continue the practice of driving agricultural vehicles across the trail where necessary to access adjacent farm fields. While HRVG concurs that the buffer from the trail edge to adjacent privately-owned farmland will be less than 50 feet in one short section of the trail in Town of Stockport, HRVG notes it is common practice in the Towns of Stockport and Stuyvesant for farmers to plant, cultivate, and harvest agricultural products immediately adjacent to public roadways, without creating undue negative impacts. In fact, on the very section of County Route 25 that the Town of Stockport proposed designating as the AHET route, large cornfields are currently maintained with a buffer of less than 10 feet to the roadway -- demonstrating that it is not necessary to maintain a 50 foot buffer between a trail route and agricultural fields.

- HRVG has identified a number of design features that will be incorporated into the AHET Trail to address concerns raised by the three adjacent landowners in Stockport, including: signage and fencing will be installed in key locations to reinforce that bicyclists and pedestrians must stay on the trail and respect private property; “No Parking” signs will be installed at the trail intersection with Rossman Road (any unauthorized parked vehicles will be subject to ticketing by law enforcement agencies and/or towing); HRVG is willing to install ornamental plantings in select locations to create vegetated screening if requested by the landowners; HRVG will install a gate to restrict trail users from entering the access road to Chittenden Falls if requested by the adjacent landowners; and for landowners that own property on both sides of the National Grid fee corridor, marked crossings will be designated to allow the landowners to continue to access their properties.

- HRVG respects and carefully reviewed the Town’s and adjacent landowner’s stated concerns. However, HRVG notes that a number of individuals submitted comments during the FEIS public review period expressing strong support for developing the off-road trail route from Rossman Road to Stuyvesant Falls, to create a major new recreational amenity in the Town of Stockport. Eight individuals submitted comments specifically supporting construction of the off-road trail from Stuyvesant Falls to Rossman Road, representing 36% of all comments submitted on the FEIS.

The HRVG respectfully disagrees with the comment that “the Town believes the review factors have been arbitrarily applied in an uneven fashion to the proposed alternatives, with insufficient justification being provided for the selected alternative.” To the contrary, the HRVG has completed an exhaustive review of the pros and cons of the two
alternatives – and the HRVG has explained its conclusion that constructing an off-road trail on National Grid’s property from Stuyvesant Falls to Rossman Road is the alternative that best achieves the HRVG’s goal of developing a non-motorized, off-road trail where feasible and practical.

The HRVG planning team has conducted multiple site visits to document the 2.3-mile off-road trail section, which has confirmed that construction of this section does not pose any unusual engineering challenges. The cost of constructing this trail section is comparable to the cost of constructing the entire off-road AHET Trail:

- The HRVG’s detailed construction estimate for the 2.3-mile section is $2,075,000, which equates to $902,175 per mile of trail construction.
- For comparison, the total estimated construction cost for the entire 36-mile AHET Trail is $32,540,000, which equates to $903,888 per mile.

HRVG staff met multiple times with the involved adjacent landowners, and has offered to conduct additional on-site meetings to identify features that can be incorporated into the AHET Trail design in response to their individual site-specific concerns.

Regarding future trail maintenance, the HRVG respects and accepts the Town of Stockport’s decision that it is not in a position to participate in mowing and other routine maintenance activities. The HRVG is entirely responsible for future maintenance of the AHET Trail in the Town of Stockport, which will be accomplished through a combination of New York State expenditures and support for a non-profit Friends Group currently being created to support the AHET in Columbia County.

[Better, W.J. - Letter – 8/16/18 - Comment # 8.18]

Comment:

I represent the above individuals and [B.E. Maas, C.A. Stokinger, E.A. Keil and Glencadia Farms Ltd and A. and B. Graziano] and am writing in response to the FEIS submitted for the Albany Hudson Electric Trail (the Trail) and the alternative analysis contained therein. All of my clients own land between New Street in Stuyvesant and Rossman Road in Stockport. I further write as a follow up to the discussions which took place at our meeting on August 7, 2018, which was centered around the concerns of my clients and which identified impacts not previously discussed or which were inadequately addressed in the environmental review process.

First, I find your response laying out the alternatives to incorporating travel on New York State Route 9 and Columbia County Route 25A to be inadequate. It is filled with inaccuracies, especially as it relates to Route 25A. Route 25A has more than a one-foot wide shoulder. Portions of Route 25A currently have a 55-mph speed limit. However, it is a County highway and the speed limit can be lowered without difficulty. Given the fact the Greenway is willing to direct bicycle and pedestrian traffic on Route 25A south of Rossman Road, I find your approach to the Route 25A alternative north of Rossman Road completely inconsistent and indefensible. When I pressed you at our meeting about the thought process that lead to the conclusion that Route 25A would be utilized south of Rossman Road, you indicated that the use of the rail trail there was "not viable. " When pressed further, you were unable or unwilling to supply concrete analysis, or descriptive characteristics of what constitutes "not viable." In short, there is no standard. A lack of a standard means a decision can be arbitrary or capricious.

Furthermore, you were unable to articulate the basis upon which you agreed not to go through the Williams farm (Wilroc) but were willing to go through Ed Keil’s farm. Both of these farms involve the historical location of livestock and the use of farm equipment. Your plan would avoid one farm yet jeopardize another. Also, you and your consultant were unaware of the various cattle and farm crossings including underground thoroughfares to allow animals to cross the east and west sides of the proposed trail. These historic obligations benefit my clients and are further complications which need to be addressed and/or complied with by the Greenway. The lack of knowledge of the back title of the National Grid property means that one cannot assess, let alone eliminate or mitigate, any impacts associated with the title to the
property in question.

The Town of Stockport has refused to share in maintenance of the Trail. In the absence of assistance from the Town, you indicated that a variety of non-profit organizations, and ultimately the Greenway, would be responsible for maintenance. The FEIS is devoid of analysis showing what the Greenway will ultimately be required - and what it will be able to pay - on an annual basis. Throughout the DEIS and FEIS there is an absence of any thorough economic analysis.

The following comments are specific to my individual clients:

1. Graziano Property: A. and B. Graziano have owned their property since 1990. Their conveyance includes numerous easements over the property allegedly owned by Niagara Mohawk. The Grazianos also have used their property in an open, notorious, and hostile manner. They have mowed their entire property claimed by National Grid over and abutting their existing property. The Grazianos have exercised dominion over this property. The poles constructed in what was formerly the Niagara Mohawk property and encroached on my client's property, and if not the actual poles than the guy wires. There is a washout, which may extend onto the property conveyed to the Grazianos. The Grazianos are the beneficiaries of a farm crossing and a cattle crossing which they have used and expanded. The cattle crossing underpass is inadequate in size for future agricultural use and needs to be expanded. However, it is the contention of the Grazianos that they already own the property claimed by Niagara Mohawk.

2. Mass / Stockinger Property: B. Mass and his wife, C. Stockinger, have owned their property since January, 2005. During that time, they have regularly mowed, plowed, used, and exercised dominion in a hostile fashion. In addition, my clients own access to the dam and waterfall contiguous to the proposed trail. There is no description in the EIS about any steps to ensure that any user of the Trail will not enter upon my clients’ property and either be injured or trespass in an unlawful manner. There is no discussion of any method to ensure public safety or managing trespassers.

3. Property of E. Keil/ Glencadia Farm: E. Keil and his family members have been using this property for approximately 70 years. In the 1960s, Niagara Mohawk sold to Ed Keil’s brother an easement, which in turn now benefits Ed Keil. Pursuant to that easement and pursuant to various farming rights indicated on the maps of Niagara Mohawk Property Corporation and otherwise, my client has openly, notoriously, and continuously (in a hostile fashion) for over 30 years, used this property in a manner adverse to that of National Grid and its predecessor, Niagara Mohawk. My client has constructed ponds on this property, installed water lines, fences for livestock, and regularly uses this property for the conduct of his farming operation. The same type of activity resulted in the decision by the Greenway not to access Wilroc farm. There is an inconsistency and, indeed, an arbitrary and capricious thought process of jeopardizing one farm (the Keil farm) while going around the WilRoc Farm and subjecting trail users to the dangers of Route 9.

At the meeting on August 7, 2018, there was an acknowledgement that you have not done title searches to determine all the various parties that have interest and access to that which is claimed by Niagara Mohawk. I believe that if you do this, you will find that there are significant title issues and will result in title litigation. Finally, at the Town Board meeting held on August 7, 2018, the Town Board of the Town of Stockport adopted a resolution demanding the Greenway to locate the trail on Route 25A, from Stuyvesant Falls to Rossman Road. Route 25A is the chosen method south of Rossman Road to Urban Road. There was no analysis why Route 25A is unacceptable north of Rossman Road, yet acceptable south of Rossman Road.

In addition, Town of Stockport is a right-to-farm community, as is the entirety of Columbia County. What is being contemplated has an impact on farm activities. The Town of Stockport has a local ordinance that requires a 50-foot buffer zone from agricultural uses. As Mr. Keil actively engages in agriculture on both sides of what is claimed by National Grid, there needs to be a 50-foot separation with the proposed Trail. This Trail is being proposed by your agency pursuant to a license agreement. I believe that National Grid would still have to submit to the rules of the local jurisdiction. There is an absence of any local planning involvement. There is an absence of any adherence to the ordinances of the Town of Stockport. While I understand that the Greenway considers itself exempt from local statute,
the owner of the property (National Grid) is not.

From an environmental review standpoint, the deficiencies in the FEIS include the following:

1. You have not considered in your analysis the possibility of reducing the speed limit along Route 25A from Stuyvesant Falls to Rossman Road;
2. You have not articulated the thought process between the use of Route 25A north of Rossman Road vs south of Rossman Road;
3. You have not done an analysis of what approvals may be needed under the Town of Stockport laws;
4. You have not included a discussion about the impact on agricultural uses of the Keil farm;
5. You have not done an exhaustive title search to determine any other title claims between Rossman Road in Stockport and New Street in Stuyvesant concerning title to the property and claims by my clients or others;
6. You have not submitted an analysis of the cost of the construction as contemplated vs the cost of locating on Route 25A. Your analysis of alternative routes is devoid of any harm analysis of expenditures.

For all these reasons, the environmental FEIS remains deficient and requires further work.

Response:

The HRVG planning team has held multiple meetings, discussions, and site visits with the involved landowners – Mr. Keil, Mr. Maas, Ms. Stokinger, and Mr. Grazziano and their attorney, Mr. Better -- regarding the engineering design details of the 2.3-mile AHET Trail section that will be constructed from Rossman Road to Stuyvesant Falls. In response to specific comments in Mr. Better’s letter:

- **Stuyvesant Falls to Rossman Road/Consideration of Route 25 Alternative.** As discussed in Comment #8.17 above, the HRVG has completed an additional alternatives review of the request to eliminate the off-road trail segment from Stuyvesant Falls to Rossman Road, and the request to designate the AHET route on County Route 25 (CR25). The HRVG has determined CR25 does not achieve the goal of developing the AHET route as an off-road trail wherever feasible and practical. Note: the comment refers to “Route 25A”, but this section of roadway is numbered “Route 25” (see Appendix C3).

- **County Route 25 – Current Condition.** The HRVG planning team conducted an additional site review, which confirmed CR25 has zero-width shoulders between Stuyvesant Falls and Rossman Road (the white fog line delineating the vehicle travel lanes are located at the immediate edge of the road’s pavement edges), meaning bicyclists and pedestrians currently are forced to ride and walk in the vehicle travel lanes in a shared roadway condition. In addition, CR25 has steep grades with sharp turns and poor site distance immediately to the east of the Stuyvesant Falls Bridge, and approaching Rossman Road from the north, creating significant safety concerns. The HRVG disagrees with the statement that the current 55-mph speed limit on portions of CR25 “can be lowered without difficulty.” New York State administers a complex process for changing posted roadway speed limits, and there is a large body of evidence that reducing the posted speed limit on a given section of road, absent accompanying physical alterations to the roadway, often does not result in desired reductions in actual vehicle speeds. In order to determine the actual averages for travel speed along a roadway section, on August 20, 2018, the HRVG hired a consultant to measure the speed in this area, which resulted in a clear distinction between the speeds on CR25 north of Rossman Road and South of Rossman Road (see Appendix C4). The results of the study indicated the following:
  - CR25 at the intersection of Feltner Road and Route 25: The 85th percentile speed northbound is 49.6 mph and southbound is 50 mph.
  - CR25 at the intersection of Van Buren Road and Route 25: The 85th percentile speed northbound is 36.4 mph and southbound is 38 mph.
• County Road 25 Between Rossman Road and Urban Road. It is correct that the HRVG intends to designate AHET route on CR25 for a distance of 1.5 miles south of the intersection with Rossman Road (a new off-road trail section will be constructed running south toward Stottville from the intersection of Urban Road and Loomworks Road). However, the HRVG disagrees with the comment that the route selection is based on a lack of a standard or is arbitrary or capricious. To the contrary, the HRVG is utilizing this section of CR25 because it is not feasible and practical to construct an off-road trail on National Grid’s fee corridor between Rossman Road and Urban/Loomworks Road. Factors supporting this decision include:
  o The railroad bridge that historically crossed Claverack Creek no longer exists. Installing a new pedestrian/bicycle bridge at this location, which would require a span exceeding 250 feet, would cost in excess of $2.5 million.
  o The railroad bridge that historically crossed Fitting Creek no longer exists. Installing a new pedestrian/bicycle bridge at this location, which would require a span exceeding 70 feet, would cost on the order of $500,000.
  o The railroad bridge that historically crossed Kinderhook Creek no longer exists. Installing a new pedestrian/bicycle bridge at this location, which would require a span exceeding 200 feet, would cost in excess of $2.0 million.
  o In the hamlet of Stockport, real property tax parcel records maintained by Columbia County indicate there is a break in National Grid’s fee ownership – the County’s records indicate a section of the utility corridor is owned by adjoining property owners, who have indicated they are not willing to grant HRVG authority to construct the AHET Trail on their private property.
  o Immediately south of Rossman Road, a private residence has been built on the historic trolley rail bed. National Grid’s utility lines deviate from the historic rail bed in this area – their utility poles are located on steep slopes that exceed acceptable grades for a bicycle/pedestrian shared use path.

In summary, the HRVG has determined the apparent break in National Grid’s fee ownership corridor, combined with the prohibitively high cost of installing three new bridges (exceeding $5.0 million for the bridges, plus the cost of constructing 1.5 miles of off-road trail), precludes construction of an off-road trail between Rossman Road and Urban/Loomworks Road.

• Wil-Roc Farm in Stuyvesant. The HRVG disagrees with the statement that the Keil property and Wil-Roc Farms are analogous situations. Wil-Roc Farms is among the largest dairy farms in Columbia County, hosting more than 2,000 dairy cows, requiring continuous operation of industrial scale agricultural equipment. In contrast, Mr. Keil maintains approximately five cattle on his property. On August 23, 2018, traffic counts were conducted at the entrance of the Keil Farm (US Route 9 and Keil Road) and at Wil-Roc Farm (south of Smith Road on the National Grid ROW) to quantify the level of motor vehicle traffic motor vehicle that would conflict with trail users at each location. Traffic counts were conducted on a typical weekday, Thursday August 23, 2018, between the times of 6:00 AM and 8:00 PM. The counts showed that 54 vehicles a day entered the Keil Rd location. Of these vehicles, all were passenger cars or pick-up trucks, some with trailers. No heavy vehicles were observed (0% trucks). In contrast, at the Will-Roc Farm location, 204 vehicles were observed crossing the National Grid ROW that would conflict with trail users if the trail was constructed within that ROW. Of that traffic, 143 were entering and exiting vehicles and 61 were internal vehicles crossing the ROW as part of daily operations. For this site, more than half the traffic was heavy vehicles (56% Trucks). Based on a review of the traffic at each of these sites, it is clear that Will-Roc Farms not only has nearly 3 times the entering and exiting traffic than is found at the Keil Farm location, but has an additional 61 internal conflicts, which by itself is a greater number of conflicts than can be found along Keil Rd. In addition, the Will-Roc Farms had more than 110 heavy vehicles that would conflict with the trail location, whereas the Keil Rd location had none. Given this data, it is clear that there are
considerably more conflicts at the Will-Roc Farms location, many of which are of a type (heavy vehicles conflicts) that poses a significant safety risk for trail users (see Appendix C5, for further details).

- **Cattle and Farm Crossings.** The comment notes that several culverts, providing a way for cattle to pass underneath the electric trolley line, were installed when the rail line was constructed in the 1890s. A recent HRVG site inspection confirms these culverts still exist, although they are heavily overgrown indicating the adjacent landowners have not used them for decades. As part of the design of the AHET Trail, designated crossings will be created to allow private landowners to continue to drive agricultural equipment and other vehicles to access their adjacent property.

- **Economic Analysis.** The HRVG disagrees with the statement that it has not analyzed the costs of constructing and maintaining the AHET Trail. To the contrary, the HRVG has developed detailed construction cost estimates, which document the project can be constructed within the $42 million New York State funding allocation for the project (the AHET Trail is funded through a portion of a larger $200 million NYS appropriation for creation of the Empire State Trail enacted in 2017). In addition, the HRVG has issued a draft AHET Trail Maintenance Plan which provides detailed estimates of annual routine maintenance costs for the trail (see Appendix D).

- **Graziano Property.** The HRVG has conducted real property ownership research and surveys that confirm National Grid maintains fee ownership of its utility corridor through the Graziano property. National Grid has executed a written agreement authorizing HRVG to construct the AHET Trail on its property. The AHET Trail design will designate a crossing the allow the property owner to drive motor vehicles across the trail to access adjacent private property. Mr. Graziano’s residence is located approximately 600 feet west of the National Grid corridor, creating a large buffer to the AHET Trail.

- **Maas/Stockinger Property.** The HRVG has conducted real property ownership research and surveys that confirm National Grid maintains fee ownership of its utility corridor through the Maas/Stokinger property. National Grid has executed a written agreement authorizing HRVG to construct the AHET Trail on its property. HRVG will install signage and fencing in key locations to emphasize trail users must stay on the trail and not enter private property. If requested by the landowners, HRVG will install a gate blocking access to the hydro-electric dam property and Kinderhook Creek shoreline. There are hundreds of miles of existing rail-trails and canalway trails in New York State – longstanding experience demonstrates that trail users respect private property and do not leave the trails. HRVG will also install “No Parking” signage at this location, emphasizing trail users are prohibited from parking vehicles on private property.

- **Keil Property.** The HRVG has conducted real property ownership research and surveys that confirm National Grid maintains fee ownership of its utility corridor through the Keil property. In the 1960s, Mr. Keil’s parents purchased an easement to cross the National Grid’s property at the location where Keil Road crosses the utility corridor. Construction of the AHET Trail will not restrict Mr. Keil’s use of his access easement. In addition, the HRVG is designing the AHET Trail to allow Mr. Keil to continue to utilize portions of National Grid’s fee corridor to drive agricultural vehicles to allow Mr. Keil to access farm fields adjacent to the trail. The HRVG has met twice with Mr. Keil on his property, and has offered to conduct additional site visits to identify reasonable steps HRVG can implement to mitigate his concerns.

- **Compliance with Local Planning and Zoning Laws.** The HRVG is a NYS agency, and construction of the AHET Trail is a NYS project, funded entirely through state funds. After careful analysis and a balancing of the various factors, the HRVG has determined the AHET Trail project is not subject to local ordinances. However, the HRVG has implemented an extensive public engagement effort over the past twelve months, including numerous meetings with local elected officials, adjacent landowners, and interested members of the public, to secure public input into the design and development of the AHET Trail.
APPENDICES

Appendix A: FEIS Updated Figures
Appendix B: Trail User Projections
Appendix C: Alternative Additions
   C1: City of Rensselaer Bike Route Alternative
   C2: Miller Road Alternative
   C3: CR 25/NYS Route 9 Alternative
   C4: Speed Studies: 1. CR25/Van Buren Road  2. CR25/Feltner Road
   C5: Supplemental Traffic Analysis
Appendix D: Maintenance Plan
Appendix E: SHPO Documentation
   E1: Hartgen Updated Phase 1
   E2: Letter of No Impact dated March 14, 2018
   E3: Letter of No Impact dated June 26, 2018
Appendix F: Wetland Documentation
Appendix G: Public Comments
   G1: Public Hearing Transcript
   G2: Hard Copy Letters and Email Received
   G3: GPI DEIS Comment Summary Memo
   G4: FEIS Public Comments
Revised Figure ES 4.3
Town of East Greenbush - Rensselaer County AHET Alignment

Legend:
- Gray: Shared Use Path
- Purple: Sidewalk
- Blue: Existing Sidewalk
- Blue/White: Existing Shoulder
- Green: Walk/Bike Roadway
- Yellow: Shared Roadway
- Green/White: NG ROW (Not Used)
- Yellow/Blue: Connection to Future EST
- Green/Orange: Raised Marked, Signed, & Yield Crosswalk
- Orange: Marked, Signed, & Yield Crosswalk
- Red: Shared Shoulders
- Black: Bike Lanes
- Black/Blue: Existing Bike Lanes
- Black/White: Existing Shoulders
- Black/Yellow: Bike Path
- Gray/Yellow: Shared Use Path
- Orange/Yellow: Signal Improvements/Installation
- Black: Intersection Improvements
- Blue/Yellow: RRFB (Rectangular Rapid Flash Beacon) Crossing
- Orange/Yellow: Marked & Signed Crosswalk
- Orange/Yellow: Marked,Signed, & Yield Crosswalk
- Orange: Raised Marked, Signed, & Yield Crosswalk
- Yellow: Marked & Signed Crosswalk
- Yellow: Marked, Signed, & Yield Crosswalk
- Yellow: Trailhead
- Yellow: Stream
- Yellow: Village Boundary
- Yellow: Town Boundary
- Yellow: County Boundary

Town of East Greenbush Trail Statistics

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<tr>
<td>Bike Lane Mileage</td>
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<tr>
<td>Walk/Bike Roadway Mileage</td>
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Produced for Planning Purposes Only.
Data provided by NYS GIS Clearinghouse & Other Third Parties.

September 12, 2018

Sidewalks From Bruen Court to Town/City Line, Included Under PIN 1043.58, Completed By December 30, 2020.

Proposed Bridge.

East Greenbush Trail Statistics

- 2.31 miles Shared Use Path Mileage
- 0.94 miles Sidewalk Mileage
- 1.36 miles Bike Lane Mileage
- 1.10 miles Walk/Bike Roadway Mileage
- 5.71 miles Total Trail Mileage

Produced For Planning Purposes Only.
Data provided by NYS GIS Clearinghouse & Other Third Parties.

September 12, 2018

Sidewalks From Bruen Court to Town/City Line, Included Under PIN 1043.58, Completed By December 30, 2020.

Proposed Bridge.
Village of Nassau Trail Statistics

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Town of Nassau Trail Statistics

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Revised Figure ES 4.5

Town & Village of Nassau - Rensselaer County AHET Alignment

Legend:
- Shared Use Path
- Sidepath
- Bike Lanes
- Existing Bike Lanes
- Shared Sidewalk
- Walk/Bike Roadway
- Shared Roadway
- NG ROW (Not Used)
- Connection to Future EST
- Signal Improvements/Installation
- Intersection Improvements
- RRFB (Rectangular Rapid Flash Beacon)
- Raised Marked, Signed, & Yield Crosswalk
- Marked, Signed, & Yiel Crosswalk
- Marked & Signed Crosswalk
- Proposed Bridge
- Large Washout
- Trailhead
- Streams
- Village Boundary
- Town Boundary
- County Boundary

Produced For Planning Purposes Only.
Data provided by NYS GIS Clearinghouse & Other Third Parties.

September 12, 2018
Town of Chatham Trail Statistics

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Revised Figure ES 4.6
Town of Chatham - Columbia County AHET Alignment

Legend
- Shared Use Path
- Sidepath
- Sidewalk
- Existing Sidewalk
- Bike Lanes
- Existing Bike Lanes
- Shared Shoulders
- Walk/Bike Roadway
- Shared Roadway
- NG ROW (not used)
- Connection to future EST
- Signal Improvements/Installation
- Intersection Improvements
- RRFB (Rectangular Rapid Flash Beacon) Crossing
- Marked, Signed, & Yield Crosswalk
- Marked & Signed Crosswalk
- Proposed Bridge
- Large Washout
- Trailhead
- Stream
- Village Boundary
- Town Boundary
- County Boundary

Produced For Planning Purposes Only.
Data provided by NYS GIS Clearinghouse & Other Third Parties.

September 12, 2018
**Town of Kinderhook Trail Statistics**
- Shared Use Path Mileage: 2.21 miles
- Sidepath Mileage: 0.33 miles
- Total Trail Mileage: 2.54 miles

**Village of Valatie Trail Statistics**
- Shared Use Path Mileage: 1.00 miles
- Sidepath Mileage: 0.11 miles
- Sidewalk Mileage: 0.13 miles
- Bike Lane Mileage: 0.33 miles
- Walk/Bike Roadway Mileage: 0.13 miles
- Total Trail Mileage: 1.49 miles

**Village of Kinderhook Trail Statistics**
- Shared Use Path Mileage: 1.37 miles
- Sidewalk Mileage: 0.25 miles
- Bike Lane Mileage: 0.25 miles
- Total Trail Mileage: 1.93 miles

**Albany Avenue (CR 21) Crossing**

**Sidewalks & Bike Lanes Along US Route 9**

**Revised Figure ES 4.7**
**Town of Kinderhook, Villages of Valatie & Kinderhook - Columbia County AHET Alignment**

**Legend**
- Shared Use Path
- Sidepath
- Sidewalk
- Existing Sidewalk
- Bike Lanes
- Existing Bike Lanes
- Shared Sidewalk
- Walk/Bike Roadway
- Shared Academy
- NG ROW (Not Used)
- Connection to Future EST
- Signal Improvements/Installation
- Intersection Improvements
- RRFB (Rectangular Rapid Flash Beacon) Crossing
- Marked, Signed, & Yield Crosswalk
- Marked & Signed Crosswalk
- Proposed Bridge
- Large Washout
- Stream
- Village Boundary
- Town Boundary
- County Boundary
Town of Greenport Trail Statistics

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Revised Figure ES 4.10
Town of Greenport - Columbia County AHET Alignment

Section To Be Constructed By NYS DOT Under PIN BEST12

Legend
- Shared Use Path
- Sidepath
- Sidewalk
- Existing Sidewalk
- Bike Lanes
- Existing Bike Lanes
- Shared Driveways
- Walk/Bike Roadway
- Existing Roadway
- Haul Roadway
- Existing Haul Roadway
- Connections to Future EST

- Signal Improvements/Installation
- Intersection Improvements
- RRFB (Rectangular Rapid Flash Beacon) Crossing
- Raised, Marked, Signed, & Yield Crosswalk
- Marked, Signed, & Yield Crosswalk
- Marked & Signed Crosswalk
- Connection to future EST
- Proposed Bridges

Produced For Planning Purposes Only.
Data provided by NYS GIS Clearinghouse & Other Third Parties.

September 12, 2018

Directions:
- North
- South
- East
- West

Legend:
- Large Washout
- Trailhead
- Stream
- Village Boundary
- Town Boundary
- County Boundary

Scale:
- 0
- 250
- 500
- 1,000

Feet

Data provided by NYS GIS Clearinghouse & Other Third Parties.
Appendix B

Trail User Projections
TRAIL USER PROJECTIONS
ALBANY-HUDSON ELECTRIC TRAIL
JUNE 12, 2018
TRAIL USER PROJECTIONS

The Hudson River Valley Greenway is developing the Albany-Hudson Electric Trail (AHET), which will be a new 35-mile rail-trail from the City of Rensselaer to the City of Hudson, in Rensselaer and Columbia Counties. Detailed information about the trail is available on the project website at [www.AHETtrail.org](http://www.AHETtrail.org). This Report provides a projection of the number of walkers, runners, and bicyclists that will visit the trail annually at seventeen (17) specific locations along the trail, along with a “trail-wide” visitor projection for the entire 35-mile route. Since the Albany-Hudson Electric Trail will be a new facility, no existing trail user information exists. Therefore, this report analyzes trail use data compiled at more than 50 other rail-trail and Canalway trail locations in New York State - extrapolating to create an estimate for the AHET Trail.

Trail users for the entire 35-mile Albany-Hudson Electric (AHET) Trail are projected to be approximately 490,000 users annually. Trail users at individual points along the Albany-Hudson Electric Trail are expected to range between 30,000 to 132,000 annually. The peak season for trail use is expected to be the Summer season between the months of June, July, and August with peak trail use occurring around noon over the weekends. It is anticipated that trail use will be noticeably lower during weekdays and the off-peak seasons. Peak seasonal trail user estimates are predicted on average to be approximately 200 trail users per day. Trail users are expected to be highest within East Greenbush and lowest between North Chatham and Nassau. Annual trail user estimates have been developed for 17 points along the AHET Trail, which are shown in the AHET Trail User Estimates map on page 4 and within table 1 on page 3.

The annual user projections in this report apply to off-road sections of the trail, which will be a ten to twelve foot wide path. At various locations along the 35 miles where physical constraints preclude creation of an off-road trail, sections of the AHET route will be designated on the shoulders of public roadways. While this report does not provide trail use estimates for on-road sections of the AHET route, it is anticipated that usage will be much lower for on-road sections. The majority of on-road use will be from experienced bicyclists comfortable riding on road shoulders, traveling on roads that connect off-road sections (most pedestrians will use off-road sections).
### Table 1: AHET Trail User Estimate Summary Table

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<th>SPRING AVERAGE DAILY (MAR., APR., MAY)</th>
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METHODOLOGY

Trail user estimates are typically conducted on existing trails or for extensions of existing trails. These estimates are based on trail user counts conducted using volunteers during peak hours or days, or by using automated trail counters. To project the number of trail users for the AHET Trail, a proposed trail, a methodology was developed to correlate existing trail counts elsewhere in New York State to the proposed trail.

Data from 54 annual trail user count locations across New York State were collected and mapped. These trail user counts were conducted by Parks and Trails New York (PTNY) during 2016 and 2017. These counts served as the primary basis for the AHET Trail user projection.

To correlate these existing points to the proposed trail, population density was used. Research has shown that there is a correlation between trail users and surrounding population density. Population density has also been used as a method to adjust trail counts to evaluate other trail characteristics, such as trail surface types.

Population densities of variable radii have been used to project or support trail user counts, typically ranging from 1 to 3 miles. Given the length and scope of the AHET Trail, Erie Canalway Trail, and Empire State Trail in general, and lack of other long distance shared use paths as alternatives in both the existing and projected count locations, a larger 3 mile radius was used. Population density for a 3-mile radius around each of these count locations was calculated by using population data from block groups within this radius and dividing it by the total area. To more accurately represent the density surrounding the AHET Trail, trail counts were limited to locations with a population density with less than 1000 people per square mile. The count conducted near the Walkway Over the Hudson, a destination and significant generator, was also excluded. The resulting trendline equation was used to generate annual trail user estimates at locations along the Albany-Hudson Electric Trail.

The scatterplot and trendline are shown in Figure 1 on page 6.

Adjustment factors developed through the National Bicycle and Pedestrian Documentation Project were used to develop peak monthly, daily, and hourly estimates for each of these points. To develop the trail user estimate for the entire Albany-Hudson Electric Trail, it was assumed that all user trips will start and end at the same location, creating an out-and-back user trip. It was assumed that the average pedestrian trip would be a round trip of 4 miles in length and that the average bicycling trip would be a round trip of 10 miles in length. A mode share of 65% pedestrians and 35% bicyclists was also assumed, based on trail user data collected by PTNY since 2005. Using these assumptions, each of the point estimates was adjusted to reflect an accurate distribution of pedestrians and bicyclists over the length of the trail to not discount or double count users at any one location.

---

1 https://www.ptny.org/publications/annual-reports
2 Seamless Travel: Measuring Bicycle and Pedestrian Activity in San Diego County and its Relationship to Land Use, Transportation, Safety, and Facility Type; http://www.path.berkeley.edu/sites/default/files/publications/PRR-2010-12.pdf
3 Trail Characteristics as Correlates of Urban Trail Use; Kim D. Reynolds, PhD; Jennifer Wolch, PhD; Jason Byrne, BA; Chih-Ping Chou, PhD; Guanjun Feng, PhD; Susan Weaver, MA, MPI; Michael Jerrett, PhD; https://activelivingresearch.org/sites/default/files/Reynolds_0.pdf
4 http://bikepeddocumentation.org/
Figure 1: Graph of Trail User Count Locations Used to Estimate AHET Trail User Projections

**Annual Trail Counts vs Population Density**

![Graph showing the relationship between annual trail counts and population density. The equation is $y = 160.73x + 12185$ with $R^2 = 0.3629$.](image-url)
DETAILED METHODOLOGY

POPULATION DENSITY

Population densities within a three mile radius of each existing trail count locations were calculated using the following steps:

1. Map 54 existing trail count locations conducted by Parks and Trails New York (PTNY) across Upstate New York. These trail counts were taken from Tables 16 and 17 of the 2017 Who’s on the Trail report and the 2016 Capital District Multi-Use Trail User Counts interactive map, both of which were produced by PTNY.

2. Input the population and area of all block groups within 3 miles of each existing count location. Select and extract all block groups that fall within a 3-mile radius of each existing count location. Join ACS 2016 5-Year Estimate Total Population data to all block groups (POP). Calculate area of each block group (SQMI).

3. Determine the population density for each individual existing count location. Select all block groups that are within 3 miles of each individual count location. Take the sum of the population (POP_SUM) and sum of the area (SQMI_SUM). Use these values to determine the unique population densities (POPDEN_PER_SQMI) associated with each individual existing count location by dividing the sum of the population by the sum of the area (POPDEN_PER_SQMI = [POP_SUM] / [SQMI_SUM]).

Population densities within a three mile radius of locations along the AHET Trail were calculated using the following steps:

1. Map 17 sample points along proposed off-road shared-use path along the AHET Trail. Due to the 3-mile radius used throughout the analysis, for off-road segments longer than 2 miles, sample points were placed at either end of the line segments and, for segments shorter than 2 miles, sample points were placed in the middle of the line segment. This resulted in 17 sample points along the route.

2. Input the population and area of all block groups within 3 miles of each existing count location. Select and extract all block groups that fall within a 3-mile radius of each existing count location. Join ACS 2016 5-Year Estimate Total Population data to all block groups (POP). Calculate area of each block group (SQMI).

3. Determine the population density for each individual AHET Trail sample count estimate location. Select all block groups that are within 3 miles of each individual sample count estimate location. Take the sum of the population (POP_SUM) and sum of the area (SQMI_SUM). Use these values to determine the unique population densities (POPDEN_PER_SQMI) associated with each individual sample count estimate location by dividing the sum of the population by the sum of the area (POPDEN_PER_SQMI = [POP_SUM] / [SQMI_SUM]).
POPULATION DENSITY AND TRAIL USER PROJECTIONS

Each of the 54 annual trail counts and the corresponding population densities were plotted. As shown on the graph to the right, the count taken near the Walkway Over the Hudson, with 670,000 users, is an outlier. To further refine the correlation between the existing trail count locations and the character of the proposed AHET Trail, the count locations were reduced to those with a corresponding population density of less than 1000 people per square mile. There are no points along the proposed AHET Trail that exceed that density. The graph and trendline used to develop trail user estimates at each of the 17 points along the AHET Trail is shown on page 6. This same methodology is commonly used in transportation engineering for trip and parking generation estimates.

Population densities at each of the 17 points along the AHET Trail were then entered into the equation (y = 160.73x + 12185; where x is population density and y is annual trail users). The resulting annual trail user estimates are shown in Table 1, column 2.

DETAILED TRAIL USER ESTIMATES

To more fully understand the projected AHET Trail user quantities, the annual trail user estimate was adjusted to provide trail user projections during several peak periods. Using trail user counts taken over multiple years and across the country, the National Bicycle and Pedestrian Documentation Project has developed adjustment factors that are widely used and accepted. These same factors were used here to develop the trail user estimates. While NBPD adjustment factors for peak month in Long Winter/Short Summer climate conditions is 14% of annual users in August, counts collected by PTNY in New York State over the last few years show a peak month factor of approximately 16%. For the peak month of August, 16% was used to estimate AHET Trail users. The other tables used from NBPD are included in References in this report.

Peak Month: Annual Trail Estimate * 16%

OVERALL AHET TRAIL USER PROJECTION

It is common for annual trail user estimates to be created by adding annual counts or annual count estimates at irregular intervals along a trail together. The fault with this common methodology is that the estimates will either duplicate trail users if count

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1 National Bicycle and Pedestrian Documentation Project Count Adjustment Factors (March 2009); http://bikepeddocumentation.org/application/files/6114/6671/7593/NBPD_Adjustment_Factors.pdf
locations are too close together or leave out trail users if count locations are too far apart.

To more accurately project the total number of trail users along the AHET Trail, each point location for annual user projections was adjusted to account for the likely distance a trail user will be using the AHET Trail. In order to accomplish this, trail users needed to be divided into bicyclists and pedestrians, since the average distance is different for these user groups. Data collected by PTNY and others along the Erie Canalway Trail since 2005 have shown variability in the mode share between these two groups but on average, this split is typically 65% pedestrians/joggers and 35% bicyclists. This mode share split was used for the AHET Trail.

In addition to this mode split, it was also assumed that the average round trip for a pedestrian would be 4 miles long (2 miles out and 2 miles back) and the average round trip for a bicyclist would be 10 miles long (5 miles out and 5 miles back). Lastly, it was also assumed that on-road sections of the Albany-Hudson Electric Trail would not generate any new users. These on-road portions are likely to have trail users as they travel between or to/from off-road portions of the trail, but are unlikely to generate users that are not already counted as part of the off-road estimates.

Each of the 17 annual user projections developed along the Albany-Hudson Electric Trail were divided into bicyclists and pedestrian projects, then adjusted for distance of off-road trail on either side of that point. Table 2 summarizes the annual estimates, distances, and calculations utilized to estimate the annual trail user estimates for the AHET Trail.
Table 2: Overall AHET Trail User Projection Summary Table

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<tr>
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<th>ANNUAL TRAIL USER PROJECTION</th>
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Total Annual Trail Users by Mode: 87377 405677

Total Annual Trail Users: 493053
## Table 1

### Hourly Adjustment Factors

**Multi-use paths and pedestrian entertainment areas by season**

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|        | 0900 | 7%  |
|        | 1000 | 9%  |
|        | 1100 | 9%  |
|        | 1200 | 9%  |
|        | 1300 | 9%  |
|        | 1400 | 9%  |
|        | 1500 | 8%  |
|        | 1600 | 8%  |
|        | 1700 | 7%  |
|        | 1800 | 6%  |
|        | 1900 | 4%  |
|        | 2000 | 2%  |
|        | 2100 | 2%  |
| **PED** | | |
| wkdy  | 0600 | 1%  |
| wkend | 0700 | 2%  |
|        | 0800 | 6%  |
|        | 0900 | 10% |
|        | 1000 | 10% |
|        | 1100 | 11% |
|        | 1200 | 11% |
|        | 1300 | 10% |
|        | 1400 | 10% |
|        | 1500 | 8%  |
|        | 1600 | 8%  |
|        | 1700 | 5%  |
|        | 1800 | 3%  |
|        | 1900 | 2%  |
|        | 2000 | 1%  |
|        | 2100 | 1%  |
Table 2  
**Daily Adjustment Factors**  

Note: Holidays use weekend rates.

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<tr>
<td>SUN</td>
<td>18%</td>
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Appendix C1

Alternative Additions: City of Rensselaer Bike Route Alternative
Profiles For NYS Route 150 Alternative Bike Lane Routes
Appendix C2

Alternative Additions: Miller Road Alternative
MEMO

To: Andy Beers, Hudson River Valley Greenway
From: Chris Cornwell, GPI
Date: May 9, 2018
Subject: AHET Miller Road Alternatives

This memo serves as design justification for the proposed alignment of the Albany-Hudson Electric Trail (AHET) along Miller Road, from Empire State Boulevard to Reno Road in the Town of Schodack, Rensselaer County. These findings are based upon an extensive review of site conditions by GPI staff.

Recommendation:

Following a review of both alternatives, the GPI design team recommends that the AHET route utilize the proposed option identified in the Final Concept Plan, running east to west from Empire State Boulevard:

• Utilize a newly constructed side path on the south side of Miller Road;
• Cross the Interstate 90 exit and entrance ramps (Exit 10);
• On the east side of the highway, turn south along the Interstate 90 ROW to the intersection with the National Grid Right of Way; and
• Follow the NG ROW as an off-road trail to reach Reno Road.

This memo provides a summary of the preferred alternative, as well as the less optimal Red Oaks alternative utilizing Empire State Boulevard, the western ROW (Right of Way) of Interstate 90, Kraft Road, and the Red Oaks property.

Alternatives Summary:

The GPI design team evaluated two alternatives based on the existing conditions shown in the attached map and photos. The potential alternatives shown in the attached map all begin at the intersection of Miller Road and Empire State Boulevard and terminate at Reno Road where the National Grid ROW parallels Reno Road.

Miller Road Alternative – As shown by the opaque line work on the attached map exhibit, the Miller Road alternative will begin with a side path on the northern side of Miller Road. The trail will cross to the south side of Miller Road, just east of the intersection with Empire State Boulevard via a HAWK Signal (High-Intensity Activated crosswalk signal) or a pedestrian phase in a newly constructed traffic signal. The side path will continue east crossing both the eastbound on-ramp and westbound off-ramp of Interstate 90. Once past the westbound off-ramp, an off-road path will continue south paralleling the Interstate 90 ROW until the intersection with the National Grid ROW. The trail will continue eastward along the National Grid ROW until the eastern terminus at the confluence of Reno Road. The total length of this alternative is 1.15 miles.

Red Oaks Alternative – As shown by the solid line on the attached map exhibit, the Red Oaks alternative would begin with a walk/bike roadway traveling south along Empire State Boulevard until the intersection with the National Grid ROW. The trail will continue off-road on the National Grid ROW until the National Grid ROW intersects with the Interstate 90 ROW. A new off-road trail would be constructed parallel to Interstate 90 southward, cross over the Moordener Kill on the existing bridge, and intersect with Kraft Road. Once at Kraft Road, the trail would become a walk/bike roadway for approximately 850 feet until the intersection with the abandoned roadway on the private
parcel (178.8-12.1) owned by Red Oaks. The trail would follow the abandoned roadway to the Red Oaks former swimming pool area where the roadway ends. Once the pool area is reached, a new section of off-road trail would need to be constructed through a heavily wooded area to reach the National Grid ROW at Reno Road. The total length of this alternative is 1.65 miles.

**Design Constraints:**

**Miller Road Alternative** – The two major design constraints with this alternative are the crossing of the eastbound on-ramp to Interstate 90 and the steep grades of 10% paralleling the east side of Interstate 90. To create a safe environment for both trail users and motorists an RRFB (Rectangular Rapid Flash Beacon) will be installed at the trail intersection with the eastbound Interstate 90 ramp.

Importantly, the Interstate 90 ramps on the south side of Miller Road have much lower traffic volumes than the ramps on the north side. The ramps on the south side average about 800 vehicles per day, which is only 26% of the 3,000 vehicles per day that utilize the ramps on the north side. This differential exists because of the close proximity eastbound (1.4 miles) to Interstate 90 Exit 11 which provides direct access to Route 20. Locating the AHET trail on the south side of Miller Road takes advantage of the low interstate ramp traffic volumes, and also avoids the need to cross the entrance to the Mobil Station which generates large numbers of vehicle trips.

The eastbound on-ramp to Interstate 90 is currently not stop controlled at the location of the trail crossing. The design solutions include installation of an RRFB and incorporation of MUTCD compliant signage and pavement marking to warn motorists and trail users of the approaching conditions.

In addition, stop signs will be installed on the trail, directing bicyclists and pedestrians to come to a complete stop before crossing Miller Road and both Interstate 90 ramps. Other design solutions include designing the geometry of the trail to create a perpendicular crossing and give trail users the optimal crossing location for sight distance to see on coming motorists.

A stop sign already exists where the westbound off-ramp reaches Miller Road. Additional signage will be installed on the off-ramp to alert motorists to be alert for trail users, and a new striped crosswalk will be installed where the trail crosses the ramp. Clear sight lines exist in all directions at this location, allowing trail users to see vehicles coming down the ramp, and allowing motorists to see approaching trail users.

At the point where the off-road trail turns south and follows the east side of Interstate 90, trail users will encounter a section of steep grades dictated by the existing ground topography. Proper design features will be implemented to allow for trail users of all abilities to use this portion of trail. These design features include signage of the non-standard grades, and installation of level rest areas every 100 feet along the steep slopes.

The table below summarizes the existing conditions of Miller Road within the project area.

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<td>• Concrete Gutter/catch basins</td>
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<td></td>
<td>• Ditches/Cross Culverts near I-90 Ramps</td>
<td>• Ditches/Cross Culverts near I-90 Ramps</td>
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<tr>
<td>Shoulders</td>
<td>• Existing shoulder is approx. 13 feet with 9-10 percent cross slope</td>
<td>• Existing shoulder is approx. 12 feet with 9 percent cross slope</td>
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Red Oaks Alternative – The design team walked and documented the entire alternative route. This proposed has a significant number of design constraints, listed below in sequential order starting at the point where the National Grid ROW reaches the Interstate 90 ROW, and traveling southeast from there to Reno Road:

**I-90 ROW Issues**

1. Development of an off-road path along the west side of the I-90 ROW from the NG ROW to Kraft Road (distance of .45 mile) has a number of steep topography changes, requiring extensive grading to achieve appropriate trail grades. Construction of retaining walls to hold up the trail would be necessary in some locations.

2. Along the entire Interstate 90 ROW (.45 mile), a chain link fence would need to be installed between the trail and I-90 to prevent trail users from approaching the highway.

3. FHWA & NYSDOT would require installation of significant lengths of guardrail, to eliminate risk of vehicles losing control and entering the trail.

4. As shown by NWI mapping, a large wetland located adjacent to the existing bridge over the Moordener Kill. Avoiding this wetland will cause the trail to run close to Interstate 90 in this location.

5. Utilizing the existing bridge over the Moordener Kill would require the trail to be in a constricted area close to the interstate.

**Red Oaks Parcel Issues**

6. It is unknown whether current owners of the Red Oaks parcels (178.-8-12.1 & 178.-8-9.2) would grant an easement or sell property for the trail. If an acquisition is possible, the acquisition cost could be significant.

7. The abandoned Red Oaks access road from Kraft Road to the former swimming pool area is largely intact, however it has several steep sections that would require attention. See the attached profile for the grades along this alternative.

8. A detailed field walk determined there never was an access road from the swimming pool complex running northeast to Reno Road. A corridor would need to be cut and cleared and the trail constructed for a distance of more than 1,000 feet through a heavily wooded area, which includes areas with steep grades and wetlands (see the attached profile for the grades along this alternative).

9. There is extensive ATV use throughout the Red Oaks property and eliminating ATV use on the trail route would be a major challenge in this remote area.
Assessment:

The Miller Road Alternative generally meets the requirements for pedestrian and bicycle use, and existing constraints can be resolved through a careful engineering approach consistent with NYSDOT and federal AASHTO design guidelines.

The Red Oaks Alternative has significantly more design constraints and would require constructing an additional 0.4 mile of trail. Even if the owners of the Red Oaks property were willing to convey a trail easement, addressing the many constraints on the I-90 ROW and through the Red Oaks property are cost-prohibitive.

After reviewing the information summarized above, the GPI design team recommend Miller Road as the preferred alternative for the AHET route connection from Old Miller Road to the Reno Road confluence.
Red Oaks Alternative Route
Pictures are ordered NW to SE (From Empire State Blvd to Reno Road)

Photo 1: NG ROW - looking west from I-90 ROW toward Empire State Blvd.

Photo 2: I-90 ROW looking south from NG line (note topography changes).
Photo 3: A large wetland would require a bicycle/ped trail to be placed on ROW side slope.

Photo 4: Further south, ROW constriction caused by North Branch of the Moordener Kill.
Photo 5: Moordener Kill culvert under I-90.

Photo 6: Looking North from Kraft Rd.
Photo 7: Kraft Rd. is a low speed, low volume road.

Photo 8: Red Oaks north access drive from Kraft Rd.
Photo 9: the Red Oaks north access road has several steep sections, but the gravel road bed is largely intact.

Photo 10: the Red Oaks north access road has several steep sections, but the gravel road bed is largely intact.
Photo 11: site of the former Red Oaks pool complex.

Photo 12: There is widespread ATV use on the Red Oaks property.
Photos 13 & 14: There is no or existing or former road access running northeast from the swimming pool complex to Rice Road. The entire area is heavily wooded, with some steep slopes and vernal pools.
Photos 15 & 16: Although an abandoned woods road starts at Reno Road, it quickly peters out.
Photo 17: The old woods road running south from Rice Road becomes a wildlife trail – it does not connect to the former Red Oaks swimming pool complex.
The distance of the wooded area from the swimming pool complex to Reno Road is more than 1,000 feet.
Previously Proposed Miller Road Segment Statistics

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Miller Road Alternative Statistics

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<td>Total Trail Mileage</td>
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### Miller Road Alternative Route - AHET
Town of Schodack - Rensselaer County

Legend:
- Shared Use Path
- Walk/Bike Roadway
- Sidepath
- Previously Proposed Shared Use Path
- Previously Proposed Sidepath
- 10ft Contour
- 2ft Contour

Legend:
- Existing Bridge
- Federal Wetland Boundary
- State Wetland Boundary
- Stream
- Parcel

April 06, 2018
Appendix C3

Alternative Additions: CR 25/US Route 9 Alternative
MEMO

To: Andy Beers, Hudson River Valley Greenway
From: GPI – AHET Design Team
Date: June, 2018
Subject: AHET Stuyvesant & Stockport Connection Alternatives

This memo serves as design justification for the proposed alignment of the Albany-Hudson Electric Trail (AHET) from Hudson Avenue (County Route 25A) in Stuyvesant Falls (Town of Stuyvesant) to the intersection of Rossman Road & County Route 25 in the Town of Stockport.

The AHET Trail Final Concept Plan (issued January 2018) and Draft Environmental Impact Statement (DEIS issued March 2018) recommend that the AHET Trail in this section be an off-road trail located on National Grid’s fee corridor, for a distance of approximately 2.3 miles.

During the public comment period on the DEIS, the Hudson River Valley Greenway received comments opposing the construction of AHET Trail on National Grid’s property in this area, and recommending that an alternate on-road AHET route be utilized.

The GPI Design Team, in consultation with the Hudson River Valley Greenway and Alta Planning + Design, has reviewed three alternative AHET routes in this area: the first two would utilize the shoulders of State Route 9, and the third would utilize the shoulders of County Route 25/25A (also known as Hudson Avenue). This memo presents the GPI Design Team’s analysis and findings, which are based upon an extensive review of site conditions of the four alternatives.

Recommendation:

Following a review of all alternatives, the GPI Design Team recommends that the AHET Trail route utilize the abandoned rail corridor, currently owned in fee by National Grid, to construct an off-road shared use path from Route 25a in Stuyvesant Falls to Rossman Road in Stockport. This memo provides a summary of the alternatives and analysis leading to the recommendation to utilize the National Grid corridor.

Alternatives Analysis:

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Functional Class</th>
<th>Pavement Width (ft)</th>
<th>Shoulder Width (ft)</th>
<th>Speed Limit (mph)</th>
<th>Pedestrian Accommodations</th>
<th>Annual Average Daily Traffic (veh/day)</th>
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<tr>
<td>US Route 9 (From New St to Pats Lane)</td>
<td>Urban Minor Arterial</td>
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<td>Varies 3’ to 4’</td>
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<td>4,322 (2014)</td>
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<td>US Route 9 (From Pats Lane to Rossman Rd)</td>
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<td>Varies 3’ to 4’</td>
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<td>4,322 (2014)</td>
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<td>Hudson Ave (County Route 25/25A) (From US Route 9 1,200’ south of Rybka Rd)</td>
<td>Urban Minor Collector</td>
<td>18</td>
<td>1’ and Varies</td>
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<tr>
<td>Hudson Ave (County Route 25/25A) (1,200’)</td>
<td>Urban Local Road</td>
<td>18</td>
<td>1’ and Varies</td>
<td>55</td>
<td>None</td>
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Alternatives Analysis:

The Design team evaluated four alternatives based on the existing conditions shown in Table 1 above, numerous site visits, and applicable state and federal trail and shared roadway design standards. Potential alternatives shown in the attached map all begin at the intersection of Hudson Avenue (County Route 25A) the Albany Hudson Electric Trail in the Town of Stuyvesant and progress south to the intersection of Rossman Road & County Route 25 in the Town of Stockport.

Alternative 1 (US Route 9 & National Grid ROW):

Alternative 1 begins as an off-road shared use path from Frisbee Lane to New Street, for approximately 1,200’. Once at New Street, the trail would be designated a shared roadway along New Street for approximately 550’ and then would be designated on the shoulders of US Route 9 for approximately 1.1 mile (5,800’). At the intersection with the National Grid Transmission overhead 145kV lines and US Route 9, the trail would continue easterly approximately 1,300’ off-road, eventually connecting back to the abandoned rail corridor. Once on the rail corridor, the trail would travel south for approximately 4,500’ towards Rossman Road. At the intersection with Rossman Road, the trail would be designated along Rossman Road in the direction of County Route 25.

Due to the low volume and speed of New Street, this section would function as a walk/bike roadway, sharing the road with motorists. US Route 9 is a high volume, high speed facility – the appropriate trail design treatment would consist of shared shoulders. The on-road facility would include appropriate signage and pavement markings to warn motorists of the shared-roadway with trail users. The off-road section paralleling the National Grid 145kV lines would require significant grading, rest areas, and/or retaining walls due to existing steep slopes exceeding 14%. Additionally, as shown in the attached profile, the abandoned rail corridor (National Grid corridor) needs several culvert replacements.

Alternative 2 (US Route 9 & Rossman Road):

Alternative 2 is similar to Alternative 1 as it begins as a shared use path from Frisbee Lane to New Street and then runs on-road along New Street for approximately 550’. The main difference between the two alternatives is that Alternative 2 would follow US Route 9 for the entire length, approximately two miles (10,500’), until the intersection with Rossman Road. Once at Rossman Road the Trail would continue on-road for approximately one-half mile (2,900’), to the intersection with CR-25.

This alternative avoids the steep grades along the National Grid 145kV overhead lines in Alternative 1, but extends the length of which trail users must share the roadway with motorists. As stated above in Alternative 1, US Route 9 would require bicyclists and pedestrians to use the highway shoulders. Motor vehicle speeds are even higher along the southern portion of this alternative as the posted speed limit is 55 mph until Pats Lane where it drops to 45 mph.
Along Rossman Road, the grades are in access of 10% as the roadway slopes downward towards CR-25 and the Kinderhook Creek.

**Alternative 3 (Hudson Avenue - CR-25/25A):**

Alternative 3 utilizes County Route 25/25A for approximately 2.31 miles (12,200’) as a shared roadway, running from the intersection of Hudson Avenue (County Route 25A) & Frisbee Lane to the intersection of Rossman Road & County Route 25. Approximately 800’ south of the intersection of Hudson Avenue (County Route 25A) & Frisbee Lane, Hudson Avenue crosses the Kinderhook Creek via a 207’ span, 16.5’ wide single lane bridge (BIN 3342250). The bridge has steel grated 4’ sidewalks on the west side, while no accommodations on the east side. Pedestrians would use the sidewalk and bicyclists would share the travel lane with motorists.

As stated in the table above, Hudson Avenue has no sidewalks or pedestrian accommodations along the entire 2.31-mile length of Alternative 3, except for the 4’ wide steel grate sidewalks on the bridge (BIN 3342250). Hudson Avenue (CR-25/25A) has narrow travel lanes and shoulders which leaves little room for pedestrians and bicyclists to use the shoulder, requiring trail users to share the travel lane with motorists. The posted speed limit from 1,200’ south of Rybka Road to 650’ north of the intersection of Rossman Road is 55 miles per hour, meaning trail users would share travel lanes with high speed vehicles.

**Alternative 4 (National Grid Corridor):**

Alternative 4 proposes a continuous 2.13 mile (11,250’) off-road shared-use path from the intersection of Hudson Avenue (County Route 25A) & Frisbee Lane in the Town of Stuyvesant along the National Grid right of way to intersect with Rossman Road in the Town of Stockport. The trail would continue approximately 100’ along Rossman Road as a shared roadway to the intersection with Hudson Avenue (CR-25). Note: County Route 25 south of the Rossman Road intersection is posted 35 mph.

As shown by the profile for Alternative 4, the slope is relatively flat (between 2-5%) along the National Grid corridor, except for the numerous culvert failures. New hydraulically-adequate culverts would be installed to restore the trail surface and prevent future culvert failures and washouts. This off-road alternative would provide much higher trail user safety and comfort in comparison to the on-road options identified in the other three alternatives, where pedestrians, bicyclists, and motor vehicles would share the roadway.

**Design Constraints:**

*Alternative 1 Design Constraints:*

a) US Route 9 lacks pedestrian accommodations, has no sidewalks, and has narrow shoulders.

b) US Route 9 is a high-volume, high-speed facility. Motor vehicle speeds of 55 mph and higher would create unsafe conditions. See Table 1 above for a summary of the traffic analysis & roadways conditions for US Route 9.

c) The public right of way narrows in several places along US Route 9, which leaves little to no room for a separate trail facility such as a sidewalk or side path.

d) Steep grades in access of 14% along the National Grid 145kV overhead lines are not compliant. This would require large amounts of fill to be brought into the site or a potential retaining wall. An underground natural gas pipeline is located on National Grid’s property in this location, providing additional design and construction complications.
e) The NG lease agreement in place with the HRVG currently does not permit use of this 145 kv Transmission line.

f) The intersection of US Route 9 and County Route 46 (Newton Hook Road) poses significant safety issues as sight distance is poor for those turning onto US Route 9. Adding trail users would create additional conflicts and safety concerns.

**Alternative 2 Design Constraints (Including the previously mentioned constraints of designating an on-road trail on US Route 9):**

a) Pedestrians and bicyclists sharing the roadway with motorists can be uncomfortable and unsafe, especially with the narrow lanes and high speeds along US Route 9 for the length of over 2 miles.

b) Rossman Road has no sidewalks or pedestrian accommodations.

c) Rossman Road has steep grade changes, in excess of 10%, which greatly exceed the preferred 5% maximum grade AASHTO Guideline for bicycle and pedestrian shared use paths.

**Alternative 3 Design Constraints:**

a) Hudson Avenue has no sidewalks or pedestrian accommodations and limited ROW to construct separate pedestrian accommodations.

b) Pedestrians and bicyclists would be required to share long stretches of 55 mph roadway with motor vehicles along Hudson Avenue (CR-25), creating an uncomfortable and potentially unsafe condition for trail users.

c) The Stuyvesant Falls Bridge (BIN 3342250) potentially creates conflicts between trail users and motorists as the bridge is only a single lane. The steel grate 4’ sidewalk does not comply with ADA Standards in its current condition.

**Alternative 4 Design Constraints:**

a) Several culverts would need to be installed and or repaired in existing washouts and to prevent future failures, including addressing a major gully that exists south of New Road.

b) There are currently several areas of shallow standing water along the corridor where drainage issues exist. Proper trail construction treatments would be required to allow water to flow off the trail to prevent further drainage issues.

c) As documented in a wetland delineation report attached to the DEIS, freshwater wetlands exist in several locations along the former trolley rail bed. Design treatments would be required to minimize/mitigate adverse wetland impacts.

d) An adjoining landowner has installed several encroachments on National Grid’s property in the vicinity of Keil Road.

**Assessment:**
Alternative 4 meets the requirements for pedestrian and bicycle use, and existing constraints can be resolved through a careful engineering approach consistent with NYSDOT and federal AASHTO design guidelines. Due to being off-road, Alternative 4 will provide by far the safest and most enjoyable trail experience for bicyclists and pedestrians. Alternatives 1 thru 3 have significant safety issues as trail users would need to share narrow and high-speed roadways with motorists.

After reviewing the information summarized above, the design team recommends Alternative 4, an off-road shared-use path as the preferred alternative for the AHET route connection from the intersection of Hudson Avenue (County Route 25A) & Frisbee Lane in the Town of Stuyvesant to the intersection of Rossman Road & County Route 25 in the Town of Stockport.

Cost Considerations

The Hudson River Valley Greenway requested that the GPI Design Team base its review on safety and trail user experience. Accordingly, the Design Team did not factor the cost of constructing each alternative into its review. However, the Design Team offers the following observations:

1. Alternative 1, 2 & 3: On-Road Options. Designating the AHET Trail along the shoulders of US Route 9 or County Route 25/25A would be the least expensive options, comprised of installing signage and pavement markings to inform motor vehicle drivers to be alert that bicyclists and pedestrians will be sharing the roadway, including utilizing travel lanes in some locations. However, as described above, these alternatives were not selected because they would result in significant safety and comfort issues for trail users.

2. Alternative 4: Off-Road Option. Constructing an off-road trail is more expensive than designating an on-road route. However, it provides by far the safest and most enjoyable trail experience, allowing this section of the AHET Trail to be utilized by bicyclists and pedestrians of all ages and abilities. The cost of constructing Alternative 4 is comparable with the cost of other off-road AHET Trail sections. The engineering challenges along Alternative 4 (drainage issues, failed culverts, eroded gullies, adjacent wetlands) are not unique. To the contrary, these issues routinely occur along the entire AHET route in Columbia and Rensselaer Counties. The Hudson River Valley Greenway budget for construction of the AHET Trail provides sufficient resources to address the construction challenges posed by Alternative 4 – to achieve the underlying goal of the AHET project, which is to develop the trail as an off-road facility to the maximum extent possible.
Photos

Photo 1: Looking North Along New Street

Photo 2: Looking East From the Intersection of US Route 9 & CR-46
Photo 5: Looking West Along the National Grid 145kV Overhead Line Corridor

Photo 6: Looking East Along Rossman Road
Photo 7: Looking North Along National Grid Corridor (Abandoned Rail Corridor)

Photo 8: Looking North Along National Grid Corridor (Abandoned Rail Corridor)
Photo 9: Looking South Along Hudson Ave at BIN 3342250, at the Travelway

Photo 10: Photo 9: Looking South Along Hudson Ave at BIN 3342250, at the Sidewalk
Photo 11: Looking North Along Hudson Avenue (CR-25/25A)

Photo 12: Looking North Along Hudson Avenue (CR-25/25A)
Photo 13: Looking North Along Hudson Avenue (CR-25/25A)

Photo 14: Looking North Along Hudson Avenue (CR-25/25A)
Transition from off-road to New Street

Intersection of US 9 & New St

Intersection of US 9 & Rossman Road

Rossman Road Bridge

Transition from US 9 to off-road path parallel to NG 145kV Lines

Transition from off-road path parallel to NG 145kV Lines to Rossman Road

Rossman Road Bridge

Transition from off-road to New Street

Intersection of US 9 & New St

Intersection of US 9 & Rossman Road

Rossman Road Bridge

Elevation Based On NYS GIS LIDAR

Elevation Based On NYS GIS LIDAR

Length (Feet)

Length (Feet)
Appendix C4

Alternative Additions: Speed Studies:

1) CR25/Van Buren Road 2) CR25/Feltner Road
**NORTHBOUND**

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* - Denotes speed measured at proposed access location with vehicles traveling under free flow conditions, in MPH

**FELTNER ROAD / ROUTE 25**

Posed Speed Limit: Unposted
(Between two 30 MPH zones)

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**85th Percentile Speeds**

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* - Denotes speed measured at proposed access location with vehicles traveling under free flow conditions, in MPH

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**VAN BUREN ROAD / ROUTE 25**  
**ON ROAD SEGMENT**  
Posed Speed Limit: 30 MPH
Appendix C5

Alternative Additions: Supplemental Traffic Analysis
AHET Supplemental Traffic Volume Analysis

The following traffic volume analysis was conducted for the purpose of providing a comparison of farming activity at two farm locations along the AHET and of roadway usage along County Road 25. The focus of these traffic volume reviews are as follows:

1. The trail is proposed to be positioned along the roadway at the Will-Roc Farm. The Trail is proposed to remain on the National Grid right-of-way along the edge of the Keil Rd Farm. Traffic volumes were reviewed to quantify the level of motor vehicle vs. trail user conflicts at each location.

2. Trail treatment varies along County Road 25 in the Kinderhook/Stuyvesant Falls area. A review of traffic volumes along County Road 25 at three locations was conducted to note traffic volume magnitudes and variations along County Road 25 for use in evaluating design alternatives for the Trail project.

Farm Traffic Activity Analysis

Traffic counts were conducted at the identified farm locations to determine the amount and type of motor vehicle traffic that could conflict with trail operations, if the trail were constructed within the National Grid right-of-way (ROW) at these locations. Traffic counts were conducted on a typical weekday, Thursday August 23, 2018, between the hours of 6:00 AM and 8:00 PM. Traffic count data from these counts is included as an attachment to this memo.

For the Keil Rd Farm, counts were conducted at the driveway entrance to the farm. As shown in the aerial layout on the next page, the National Grid ROW does not go directly through the agricultural field portions of the farm, but is on the edge of the farm, along the western woods line. The only traffic that could conflict with trail users are those going in or out of the farm along Keil Road (a private road).

For Will-Roc Farm counts were conducted along the National Grid ROW at an internal confluence of numerous farm roads. The National Grid ROW runs directly through the heart of the farm, so there are both entering and exiting vehicles that would cross the trail, as well as significant internal circulation that would routinely cross the trail. The count location for the Wilroc farm is indicated on the Aerial Layout on the next page.

The traffic counts were tabulated on an hour by hour basis, identifying the number of cars and heavy vehicles conflicting with potential trail operations. For the purposes of this study, heavy vehicles refer to not only multi-axle trucks and tractor trailers, but also heavy farm machinery, such as combines, back hoes, front loaders and tractors.
Keil Farm Counts

Overall the counts showed that approximately 54 vehicles per day were observed crossing the National Grid ROW that could conflict with trail operations at the Keil Rd location. Of these vehicles, all were passenger cars or pick-up trucks, some with trailers. There were no heavy vehicle observed (0% trucks) on the day of the counts.

Wilroc Farm Counts

For the Will-Roc farm location, 204 vehicles were observed crossing the National Grid ROW that would conflict with trail operations if the trail was constructed within that ROW. Of that traffic, 143 were entering and exiting vehicles and 61 were internal vehicles crossing as part of daily operations. For this site, more than half the traffic were heavy vehicles (56% Trucks).

Comparative Results

Based on a review of the traffic at the two farms it can be seen that there exists a clear difference between the operations at the Will-Roc farm verses the Keil farm. The Wilroc farm has roughly three times the entering and exiting traffic than that observed at the Keil farm location. Additionally, the Wilroc farm had 61 internal conflicts, which by itself is a greater number of potential conflicts than can be found along Keil Road at the Keil farm. The Will-Roc farm also has more than 110 heavy vehicles that could conflict with the trail location. The Keil Farm had no heavy vehicle conflicts on the same day. Given this data, it is clear that there are considerably more conflicts at the Will-Roc farm location, many of which are of a type (heavy vehicles conflicts) that poses a significant safety risk for trail users. For a graphical depiction of the hourly conflicting traffic at each location, see the graph below.
County Road 25 Traffic Analysis

Three locations along County Road (CR) 25 were counted on Thursday August 25, 2018, during the periods of 7-9 AM and 4-6 PM to identify peak hour traffic volumes. The locations included:

- Route 25 and Route 25A
- Route 25 and Rossman Rd

These locations are all located along County Road 25 between Stuyvesant Falls and Stockport. The Route 25A intersection and Rossman Rd intersection are located about 2 miles apart and the Rossman Rd intersection and Urban Rd intersection are located approximately 1.5 miles apart. At all locations, County Road 25 is a two-way undivided rural highway with little to no shoulder. The count data sheets for these counts are included as an attachment to this memo, as is a peak hour traffic volume figure showing the AM and PM peak hour traffic volumes at each location. Traffic volumes for each of the road segments are summarized in the table below. Please note, Average Annual Daily traffic (AADT) numbers are calculated from peak hour traffic assuming a k-value (ratio of peak hour traffic to daily traffic) of 0.09, which was derived from reviewing NYSDOT count station data for US Route 9 and other area roadways.

<table>
<thead>
<tr>
<th>CR 25 Road Segment</th>
<th>AM Peak Hour 2-Way Traffic Volume</th>
<th>PM Peak Hour 2-Way Traffic Volume</th>
<th>AADT</th>
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<tbody>
<tr>
<td>North of Route 25A</td>
<td>33</td>
<td>62</td>
<td>670</td>
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<tr>
<td>South of Route 25A</td>
<td>48</td>
<td>90</td>
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In all cases, County Road 25 is considered a low volume roadway with 1,000 vehicles per day being the highest AADT within the corridor.
### Keil Rd Farm Traffic Conflicts (8/23/18)

<table>
<thead>
<tr>
<th>Begin Time</th>
<th>IN Cars</th>
<th>IN Trucks</th>
<th>TOTAL IN</th>
<th>OUT Cars</th>
<th>OUT Trucks</th>
<th>TOTAL OUT</th>
<th>TOTAL TRAFFIC</th>
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### Will-Rock Farm Traffic Conflicts (8/23/18)

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<th>OUT Trucks</th>
<th>TOTAL OUT</th>
<th>Internal Cars</th>
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Truck totals include all heavy vehicles to include farm machinery and tractors.

Internal traffic refers to traffic that crossed the potential trail location during normal site operations, without entering or exiting the site.

There were no heavy vehicles observed at the Keil Rd Farm Entrance. Heavy vehicles represented 56% of the total conflicting traffic at Will-Roc Farm.
NOTE:
XX (XX) = AM (PM) PEAK HOUR TRAFFIC VOLUMES
### Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1

#### Peak Hour for Entire Intersection Begins at 07:00 AM

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#### Grand Total

| Total | 14 | 38 | 1 | 0 | 53 | 2 | 0 | 14 | 0 | 16 | 1 | 22 | 20 | 0 | 43 | 3 | 3 | 3 | 0 | 9 | 121 |
|       | 125 | 471 | 19 | 0 | 23.5 | 125 | 0 | 87.5 | 0 | 23.5 | 51.2 | 46.5 | 0 | 33.3 | 33.3 | 33.3 | 0 | 20 | 3 | 0 | 8 | 13 |
|       | 116 | 314 | 0.8 | 0 | 13.2 | 1.7 | 0 | 11.6 | 0 | 13.2 | 0.8 | 18.2 | 16.5 | 0 | 35.5 | 2.5 | 2.5 | 2.5 | 0 | 7.4 |

#### Cars

| Total | 11 | 37 | 1 | 0 | 49 | 2 | 0 | 11 | 0 | 13 | 1 | 21 | 19 | 0 | 41 | 3 | 3 | 3 | 0 | 9 | 112 |
|       | 78.6 | 47.4 | 100 | 0 | 92.5 | 100 | 0 | 78.6 | 0 | 81.2 | 100 | 95.5 | 95 | 0 | 95.3 | 100 | 100 | 100 | 0 | 92.6 |

#### Trucks

| Total | 3 | 1 | 0 | 0 | 4 | 0 | 0 | 3 | 0 | 3 | 0 | 1 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 9 |
|       | 21.4 | 2.6 | 0 | 0 | 7.5 | 0 | 0 | 21.4 | 0 | 18.8 | 0 | 4.5 | 5 | 0 | 4.7 | 0 | 0 | 0 | 0 | 0 | 7.4 |

---

**Route 25A** (From North) **Route 25A/Albany Ave** (From East) **Route 25** (From South) **Hotel Lane** (From West)

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**Greenman-Pedersen, Inc.**

**80 Wolf Road, Suite 300**

**Albany, NY 12205**

**518.453.9431**

File Name: Route 25 and Route 25A - AM Peak 0700-0900

Site Code: 2017132

Start Date: 8/23/2018

Page No: 1
### Groups Printed: Cars - Trucks

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**Peak Hour**
- **PHF**: 0.000
- **Greenman-Pedersen, Inc.**
- **80 Wolf Road, Suite 300**
- **Albany, NY 12205**
- **518.453.9431**

File Name: Route 25 and Rossman Road PM Peak 1600-1800
Site Code: 2017132
Start Date: 8/23/2018
Page No: 1
Appendix D

Maintenance Plan
Albany-Hudson Electric Trail
Trail Maintenance Plan
February, 2018 DRAFT For Public Comment
INTRODUCTION

The Hudson River Valley Greenway (the Hudson Greenway) is undertaking the planning, design, and construction of the Albany-Hudson Electric Trail (AHET), a 35-mile bicycling and pedestrian trail running from the City of Rensselaer to the City of Hudson in Rensselaer and Columbia Counties. Trail construction is slated to be completed in December, 2020. Detailed information is available on the trail project website: www.AHETtrail.org.

The total AHET Trail project cost, including planning, engineering designs, environmental review, permitting, construction contracts, and construction management/inspection, is estimated at $35 to $45 million. New York State is covering 100% of the design and construction cost, utilizing funding from a $200 million appropriation in the enacted FY2017-18 state budget for the Empire State Trail initiative (the AHET Trail will be one segment of the much larger 750-mile Empire State Trail).

The Hudson Greenway also retains financial responsibility for future capital rehabilitation and repairs to the AHET Trail. As a brand new trail incorporating durable design features, capital rehabilitation needs will be modest for the first five to ten years post construction. Eventually though, capital repairs will be needed, such as resurfacing asphalt and stonedust, replacing safety fencing that is damaged or ages out, maintaining bridges installed as part of the project, replacing missing trail signage, repair of any washouts or culvert failures that may occur, etc. During the spring of each year, the Greenway will complete annual end-to-end inspections of the AHET Trail to identify any needed capital repairs, and will also respond to any site-specific capital issues as they arise over the course of the year. The Greenway will provide National Grid and all Trail Managers information on how to contact the appropriate Greenway staff person in the event any problems or issues are identified along the trail corridor.

Although the Hudson Greenway is responsible for the cost of constructing the AHET Trail, along with its long-term capital maintenance, the Greenway does not have on-the-ground trail maintenance staff or capacity. As such, the Greenway is proposing that the involved town, village, and county governments and interested non-profit organizations assume responsibility for routine maintenance of the off-road sections of the trail.

This plan provides a detailed list of trail maintenance activities required for operation of the AHET Trail, including the frequency of each task. Routine maintenance needs for the Trail are modest. The largest item is mowing a narrow 2 to 4 foot strip of grass along the sides of the trail, along with grass edges along trail parking lots, benches, and other amenities, which will need to be done periodically during the growing season. Other needs include removing the occasional branch or tree that falls onto the trail and addressing any dumping of trash (to the extent it occurs).

The plan provides two frequencies – “Required” versus “Enhanced” – for some maintenance activities. For example, the grass margins and lawn areas along the trail should be mowed at least four times per year. However, an enhanced mowing schedule of every two weeks during the growing season (total of 10 times per year) is ideal, if staffing resources are available.
Based on experience with other rail trails in New York State, the Hudson Greenway estimates the annual cost of maintaining off-road sections of the AHET Trail is approximately $825 to $1,675 per mile (a detailed explanation of this cost projection is provided in Appendix A). The fact that the trail crosses through eight towns and three villages minimizes the impact on any single municipality (Appendix A provides a chart projecting annual cost for each municipality along the trail route). Moreover, volunteers can be utilized to undertake some routine maintenance costs, such as litter removal and trail clean-up days, reducing costs to local governments and non-profits.

The off-road sections of the AHET Trail are being developed on a utility corridor owned by National Grid, which maintains electric transmission lines and associated infrastructure along the corridor (formerly an electric trolley route). This document has been reviewed by National Grid to confirm that recommended trail maintenance activities are consistent with corporate safety and right-of-way maintenance activities. In various places in the plan, restrictions on maintenance activities are established to assure safety for off-road sections of the trail (examples include restrictions on the size of vehicles and motorized equipment allowed on the Right of Way, and procedures for removing any standing trees along the trail corridor).

The Hudson Greenway’s agreement with National Grid, authorizing construction of the AHET Trail, anticipates that routine maintenance of the trail will be a partnership effort between the Greenway, involved local governments, and non-profit trails and friends groups. Local government and non-profit organizations that accept responsibility for maintaining sections of the AHET Trail will enter into a formal three-way written agreement (signed by National Grid, the Hudson Greenway, and the local government or non-profit organization) and will provide insurance and liability protection to National Grid. Local governments and non-profits that enter into written maintenance agreements are referred to as “Trail Managers” in this document. A copy of the AHET Trail Manager Agreement, including liability and insurance requirements, is provided in Appendix B.

Note: This Maintenance Plan applies only to off-road sections of the AHET trail. Due to physical impediments that exist along the historic trolley line, in certain locations the designated AHET route runs along short sections of local roads (for example to by-pass missing bridges and interstate highways). Maintenance of on-road sections of the AHET route remain the responsibility of state, county, town, village, or city that owns the specific road section.

SECTION 1

ROUTINE MAINTENANCE

Restrictions on Vehicles and Motorized Equipment

Trail Managers are allowed to use vehicles and motorized equipment to undertake routine maintenance activities, as well as to undertake patrols of the trail. However, to ensure the safety of equipment operators and the public, the following restrictions apply to vehicle use on the off-road sections of the AHET Trail.
• **Eight Feet Maximum Vehicle and Equipment Height Restriction.** Federal and state safety regulations require vehicles and construction equipment to maintain minimum approach distances per the National Electric Safety Code. This is typically at least 10 feet vertical and horizontal clearance to energized utility lines (e.g. conductors) – to prevent equipment from contacting utility lines, and to avoid the possibility of electrical current arcing from energized lines to nearby objects. **To maintain safe conditions at all times, Trail Managers are prohibited from operating vehicles and motorized equipment with a height of more than eight feet (8’) on the National Grid corridor.** The eight feet height limit applies to both the vehicle itself, as well as to the maximum extension of any excavator arm, lift, bucket, or boom. In the way of example, Trail Managers are prohibited from utilizing excavators, dump trucks, bucket trucks, bobcats, or other vehicles with arms or equipment that can extend more than eight feet above ground surface.

• **Motor Vehicles.** The AHET Trail surface will be designed and constructed to an HS-20 loading standard, and bridges will be constructed to an HS-25 loading standard, which is sufficient to support standard motor vehicles up to a full-size ambulance or fire truck (Note: In the event any bridges are installed with less than HS-25 capacity, they will be signed with weight limits and designed to prevent use by overweight vehicles). The Trail Manager is allowed to utilize motor vehicles, such as sedans, pickup trucks, equipment trailers, and tractors on the AHET Trail, provided they comply with the maximum eight feet height restriction. Operators of motor vehicles used for maintenance purposes must be attentive for pedestrians and bicyclists, and should observe a 5-mph maximum speed limit. Note: The Trail Manager should avoid using motor vehicles on stonedust and asphalt sections of the AHET Trail during the spring thaw season, to avoid the possibility of rutting the trail surface.

• **Motorized Equipment.** Trail Managers are allowed to use motorized equipment, such as ride-on or stand-on mowers, small tractors, and utility vehicles such as golf carts and “gator” carts while undertaking trail maintenance activities. Handheld equipment such as weed whackers, hedge and string trimmers, and hand saws are also allowed.

• **Chain Saws.** Trail Managers are allowed to use chain saws to remove downed trees and limbs, provided that any personnel utilizing chain saws must be fully trained in their safe use and must use appropriate Personal Protective Equipment (PPE) at all times.

• **Plows & Snowblowers.** The AHET Trail is open to public use dawn to dusk, year-round. In winter months, the public will use the trail for cross-country skiing, snowshoeing, bicycling, or walking, depending on the trail’s condition. The AHET Trail will not be plowed or salted (in particular, plowing is not allowed on stonedust sections of the trail, which are susceptible to damage by snowplows). Snow and ice will be allowed to melt naturally.
**Safety Training & Personal Protection Equipment (PPE)**

Trail Managers shall maintain a comprehensive worker safety program, shall train all staff undertaking maintenance activities on the safe use of all pieces of equipment prior to their use, shall comply at all times with applicable Occupational Safety and Health Administration (OSHA) requirements, and shall provide appropriate Personal Protective Equipment (PPE) to all maintenance personnel.

**Routine Maintenance Activities**

Below is a narrative explanation of each Routine Maintenance Activity required for the Albany-Hudson Electric Trail.

1. **Grass Mowing: Required 4 Times/Year. (Enhanced frequency up to 10 Times/Year (e.g. twice per month)).**
   - The trail design includes a narrow grass margin, typically two to four feet wide, along both sides of the asphalt or stonedust trail. The mowed grass margins prevent vegetation from growing up and leaning into the trail, and provide space for users to move off the trail when stopping. The grass trail margins will be graded and compacted during construction of the trail, meaning they can be easily mowed with commercial landscaping equipment, such as a ride-on or stand-on mower or tractor capable of mowing a 24” to 48” swath in one or two passes.
   - Lawn mowing will also be required adjacent to the eight AHET Trail trailhead parking areas and at locations where the trail crosses major roads.
   - Personnel operating mowers must be attentive to guy wires that support National Grid’s utility poles. Generally speaking, the trail is being designed to avoid the need to mow under or around guy wires. However, personnel operating mowers must be trained to avoid striking guy wires, including anchor points where guys are attached to the ground.
   - In late fall, after trees have dropped their leaves, the trail manager may decide to remove leaves from the trail surface, either by utilizing a mower to blow them off, or using a mechanical sweeper. Removal of leaves is a recommended but not required activity (not required if budget constraints preclude leaf removal).

2. **Weed Whacking, Landscaping, and Trimming: Required 2 Times/Year (Enhanced frequency up to 4 Times/Year).**
   - Grass and weeds that grow up around signposts, benches, safety fencing, etc. that cannot be reached with mowers will need to periodically cut, typically with hand held string trimmers (e.g. weed whackers).
• The AHET Trail will be designed to require minimum landscaping management. The Greenway will not install flowerbeds or areas requiring regular planting, weeding, or mulching. Shade trees and shrubs, where planted, will be native species that are disease and drought tolerant.

• In some locations, the AHET Trail will pass near trees or shrubs that will need to be occasionally trimmed to prevent limbs from growing into the trail corridor (typically using hand-held loppers).

3. Removal of Fallen Trees and Limbs: As Needed, Low Frequency

• National Grid maintains an active vegetation management program along the AHET corridor to prevent the growth of trees that could impact their transmission lines and infrastructure. As such, removal of fallen trees and limbs do not present a major concern. However, in a small number of locations the AHET Trail will pass near/under mature trees, meaning there will be occasional situations where the Trail Manager will need to utilize chainsaws or hand tools to cut and remove downed trees or limbs. Downed trees and limbs can be left in an out-of-the-way location on the ROW, provided material shall not be piled or pushed into the proximity of poles, anchors, guy wires, or other utility infrastructure. Moreover, material shall not be deposited into environmentally sensitive areas.

4. Removal of Standing Trees or Branches: Will Be Removed by National Grid

• National Grid’s vegetation management program generally prevents mature trees from growing in proximity to the trail corridor. However, it is conceivable that an individual tree(s) in proximity to the AHET Trail could become diseased or damaged (for example by wind or ice), creating risk that a tree or limb could fall onto the trail. In the event a Trail Manager believes a standing tree presents a potential risk to trail users, the Manager shall review with National Grid and the Hudson Greenway. To avoid any risk of a tree striking electrical transmission infrastructure, any felling or removal of standing trees that could fall and strike a conductor and/or the removal of any branches within 10 feet of conductors (other than telephone or cable television (CATV)) will be undertaken solely by National Grid or its contractors.

5. Litter and Dumping: As Needed, Low Frequency

• Experience with other rail-trails in NYS indicates that litter is not expected to be a significant issue along the AHET Trail. To the extent litter does occur, personnel undertaking routine maintenance (mowing, weed whacking, etc.) will be expected to remove litter.

• Dumping is not a pervasive problem along the AHET ROW today (and should be even more infrequent after the trail is developed). However, there a handful of locations along the 35-mile trail route where dumping has been observed (typically individual
large items such as discarded furniture or tires). The Trail Manager will need to remove and properly dispose of dumped materials to the extent dumping occurs.

- Litter and trash removal is an excellent activity for volunteers, through “adopt a trail section” or annual clean-up days, reducing the need for the Trail Manager to use paid staff to keep the trail clean.
- The AHET Trail will be a “carry-in, carry-out” trail. The Hudson Greenway will not install trash cans, meaning the Trail Manager will not need to empty trash cans.

6. **Stonedust Surface Maintenance: As Needed, Low Frequency**

- The AHET Trail surface will be asphalt in high-use areas, and stonedust in lower-use rural areas. The asphalt and stonedust surfaces do not require routine maintenance.
- The majority of the AHET Trail will have a stonedust surface, which is a specified stone material (typically limestone) that is crushed to a powder. It is installed over a crushed stone sub-base, using paver and roller equipment, providing a highly stable and water-resistant surface similar to a commercial driveway and requiring little or no routine maintenance. Infrequently, potholes or ruts may develop on stonedust sections of the trail. To the extent this occurs, the Trail Manager is encouraged to address localized trail surface issues by manually applying stonedust to address potholes or ruts that may develop over time.

7. **Trail Patrol and Inspection: Integrated Into Mowing Activities**

- During the spring of each year, the Hudson Greenway will complete annual end-to-end inspections of the AHET Trail to identify any needed capital repairs to address potential safety hazards (trip and fall, fencing integrity, trail surface condition, damaged/missing safety signage, etc.), as well as monitor structural issues such as the condition of bridges, culverts and drainage structures. The Greenway and National Grid will jointly develop a written inspection checklist, to be completed annually by the Greenway.
- On a month-in, month-out basis, personnel operating mowing equipment will be asked to report any issues or concerns encountered along the trail to the Trail Manager (eliminating the need for separate trail patrol staff). The Trail Manager will address minor issues such as removal of downed trees and limbs or dumping, to the extent they occur. Any issues requiring capital repair (such as missing signage, damaged fencing, erosion, or failure of drainage structures) will be reported to the Hudson Greenway, which is responsible for addressing capital rehabilitation needs.

8. **Trailhead Parking Areas: Unique To Each Parking Area**

- The AHET Trail Concept Plan anticipates eight trailhead parking areas will be developed along the 35-mile route. While all parking areas will share some common elements, such as orientation and wayfinding signage and a list of key trail use rules,
each parking area will be unique. They will range in size from a modest 6-car gravel pull-off to a paved lot accommodating 15+ cars. Some are existing parking areas in municipal parks (one is an existing NYS DOT parking area), while others will be new construction. Given the narrow configuration of National Grid’s ROW, many of the parking areas will be located on adjacent property. The Greenway’s designation of AHET trailhead parking areas located on municipal property is dependent on approval by the involved local government, which will be responsible for maintaining the area, including maintaining the asphalt or gravel surface, mowing of lawn areas, litter removal, etc. Because each of the eight proposed AHET parking areas is unique, the cost of maintaining them is not included in the “per mile” routine maintenance cost estimate presented in Appendix A.

SECTION 3

Projecting Annual Routine Maintenance Costs

The Hudson Greenway has developed a projected annual cost estimate for the routine maintenance costs described above for the Albany-Hudson Electric Trail (see Appendix A). Key factors supporting the cost projection:

- The estimate is presented as a range, reflecting the fact that each Trail Manager has discretion on the frequency of maintenance activities (most notably mowing, which is required a minimum of 4 times per year, but may occur as often as 10 times per year if the Trail Manager has sufficient capacity).

- The cost estimate is presented on a “per mile” basis, allowing each Trail Manager to project their annual cost based on the length of the AHET trail under their jurisdiction (see Appendix A for the off-road trail length in each municipality along the AHET route).

- Labor is the largest component of routine maintenance. The cost estimate assumes an average labor rate of $25/hour for maintenance staff, including direct salary and fringe rate. Trail Managers with higher or lower staff costs can adjust the annual estimate accordingly.

The Hudson Greenway estimates the annual cost of maintaining off-road sections of the AHET Trail is approximately $825 to $1,675 per mile (a detailed explanation of this cost projection is provided in Appendix A). The fact that the trail crosses through eight towns and three villages minimizes the impact on any single municipality. Moreover, volunteers can be utilized to undertake some routine maintenance costs, such as litter removal and trail clean-up days, reducing local government costs.
SECTION 6

AHET TRAIL MANAGING ENTITIES

NYS/Hudson Greenway Responsibilities

The Hudson Greenway is responsible for completing long-term capital repairs and rehabilitation of the AHET Trail, as needs arise in the future. However, the Greenway does not have on-the-ground maintenance staff or capacity to undertake routine maintenance of the AHET Trail. As such, the Greenway is proposing that local governments and non-profit organizations enter into a partnership for the routine AHET Trail maintenance activities outlined in Section 1 above.

County/Town/Village Responsibilities

Local governments and non-profit organizations that accept responsibility for maintaining sections of the AHET Trail will enter into a formal three-way written agreement (signed by National Grid, the Hudson Greenway, and the local government or non-profit organization) and will provide insurance and liability protection to National Grid. Entities that enter into written maintenance agreements are referred to as a “Trail Manager” in this document. A copy of the AHET Trail Manager Agreement, including liability and insurance requirements, is provided in Appendix B.

Elected officials have asked whether funding is available to cover routine maintenance costs incurred by local officials. At this time, the Hudson Greenway does not have dedicated, recurring funding for trail maintenance activities. While the Greenway may request funding in future state budget cycles, local governments and non-profits that become Trail Managers should assume they will absorb staff and related maintenance costs.

To jumpstart local efforts, the Hudson Greenway can purchase and donate trail maintenance equipment, such as mowers and related equipment, to local governments and non-profit Trail Managers (this is a one-time commitment, funded from the AHET Trail capital construction budget).

Volunteers

The Hudson Greenway anticipates that volunteers will play an important role in maintaining the AHET Trail, ranging from the efforts of formal “Friends Groups” and organizations that “Adopt” a section of the trail, to actions by individual trail users who pick up the occasional piece of litter or report a trail condition problem.

While the Greenway welcomes citizen participation, volunteer efforts involving the use of motorized or non-motorized equipment need to be integrated into formal written Trail Manager agreements. In other words, individual citizens who undertake maintenance activities such as mowing or removing downed trees and limbs need to do so under the umbrella of a local government or non-profit that has entered into a formal written agreement with National
Grid and the Hudson Greenway (among other reasons, to include volunteers in insurance coverage).
Appendix A

Estimated Annual AHET Trail Routine Maintenance Costs

The Hudson River Valley Greenway has developed a projection of the annual cost for the routine maintenance activities for off-road sections of the AHET Trail. Costs are based on information from a variety of sources, including NY State Parks and Canal Corporation and the Rails to Trails Conservancy. Key assumptions underlying the cost projection are:

- The cost projection assumes an average labor cost of $25/hour. This figure includes hourly pay rate and fringe costs, plus an allotment for gas, supplies, etc. Trail Managers with higher or lower labor costs can adjust accordingly. The projected costs assume all maintenance work is completed by paid staff. Trail Managers that are able to secure volunteers for basic maintenance activities will realize cost savings.

- The projection is calculated on a per-mile basis, and indicates a range of frequency from Required (min) to Enhanced (max). For example, mowing is required 4 times per year, but if resources allow could be as frequent as 10 times per year under an enhanced approach.

- The cost projections do not include the cost of purchasing mowers and other maintenance equipment. The Hudson Greenway has committed to purchasing/donating mowers and related equipment to assist Trail Managers with start-up costs.

- The projections do not include the cost of maintaining designated trailhead parking areas, such as mowing and litter removal. Each trailhead is unique and will have its own annual maintenance cost (depending on the number of parking spots, surface material, amount of lawn requiring mowing, level of public use, etc.).

Based on these assumptions, the annual projected cost of routine maintenance activities for off-road sections of the AHET Trail ranges from $775 per mile (Required) to $2,075 per mile (Enhanced frequency).

<table>
<thead>
<tr>
<th>Maintenance Activity</th>
<th>Cost per mile/occurrence</th>
<th>Cost per mile/year</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mowing (mowing staff also cover patrol needs)</td>
<td>$50</td>
<td>$200-$500</td>
<td>4 min / 10 max per year</td>
</tr>
<tr>
<td>Leaf Removal (seasonal)</td>
<td>$25</td>
<td>$25</td>
<td>1 per year (fall)</td>
</tr>
<tr>
<td>Litter Clean-Up (can often be completed by volunteers)</td>
<td>$25</td>
<td>$50</td>
<td>2 per year</td>
</tr>
<tr>
<td>Weed Whacking, Landscaping, and Trimming</td>
<td>$250</td>
<td>$500-$1,000</td>
<td>2 min / 4 max per year</td>
</tr>
<tr>
<td>Miscellaneous (removal of fallen trees, maintenance of stone dust surfaces, etc.)</td>
<td>n/a</td>
<td>$50 - $100</td>
<td>As needed (assumes 2 to 4 hours per year)</td>
</tr>
<tr>
<td><strong>Total Annual Cost (Per-Mile):</strong></td>
<td></td>
<td>$825 - $1,675</td>
<td></td>
</tr>
</tbody>
</table>
The projected cost for maintaining the off-road segments of the Albany-Hudson Electric Trail is depicted on the chart below, reflecting the minimum and maximum costs in the above chart, multiplied by the miles of off-road trail in each municipality.

<table>
<thead>
<tr>
<th>Off-Road Miles</th>
<th>Low Cost</th>
<th>High Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF RENSSELAER</td>
<td>0.0</td>
<td>$0</td>
</tr>
<tr>
<td>EAST GREENBUSH</td>
<td>2.5</td>
<td>$2,090</td>
</tr>
<tr>
<td>SCHODACK</td>
<td>6.6</td>
<td>$5,435</td>
</tr>
<tr>
<td>VILLAGE OF NASSAU</td>
<td>0.8</td>
<td>$685</td>
</tr>
<tr>
<td>NASSAU</td>
<td>1.8</td>
<td>$1,453</td>
</tr>
<tr>
<td>RENSSELAER COUNTY</td>
<td>11.7</td>
<td>$9,663</td>
</tr>
<tr>
<td>CHATHAM</td>
<td>2.4</td>
<td>$1,982</td>
</tr>
<tr>
<td>KINDERHOOK</td>
<td>2.5</td>
<td>$2,021</td>
</tr>
<tr>
<td>VILLAGE OF VALATIE</td>
<td>1.4</td>
<td>$1,139</td>
</tr>
<tr>
<td>VILLAGE OF KINDERHOOK</td>
<td>1.4</td>
<td>$1,114</td>
</tr>
<tr>
<td>STUYVESANT</td>
<td>2.1</td>
<td>$1,724</td>
</tr>
<tr>
<td>STOCKPORT</td>
<td>3.8</td>
<td>$3,143</td>
</tr>
<tr>
<td>GREENPORT</td>
<td>1.7</td>
<td>$1,361</td>
</tr>
<tr>
<td>COLUMBIA COUNTY</td>
<td>15.1</td>
<td>$12,484</td>
</tr>
<tr>
<td>TOTAL</td>
<td>26.8</td>
<td>$22,147</td>
</tr>
</tbody>
</table>
Appendix B
National Grid Approval and Requirements:
Albany-Hudson Electric Trail Maintenance Agreement

MUNICIPAL/NON-PROFIT AHET TRAIL MAINTENANCE AGREEMENT

THIS TRAIL MAINTENANCE AGREEMENT (this “Agreement”) is made as of this ____ day of ___________, 2018, by and between NIAGARA MOHAWK POWER CORPORATION, a New York corporation having a usual place of business at 300 Erie Boulevard West, Syracuse, New York 13202 (hereinafter, “Licensor”) and [INSERT MUNICIPALITY’S OR NON-PROFIT’S NAME AND MAILING ADDRESS] (hereinafter, “Trail Manager”) and GREENWAY CONSERVANCY FOR THE HUDSON RIVER VALLEY, a New York State public benefit corporation having a usual place of business at 625 Broadway, 4th Floor, Albany, New York 12207-2995 (hereinafter, “Hudson River Valley Greenway”).

RECITALS:

WHEREAS, Licensor is the owner of certain real property located in Rensselaer and Columbia Counties;

WHEREAS, the Trail Manager has agreed to maintain a portion of Licensor’s Property described in Exhibit A (hereinafter, “Licensor’s Property”); [NOTE: Exhibit A will be a narrative description and map of the specific section of the AHET Trail that the municipality or non-profit has agreed to manage (e.g. the trail section in specific county, town or village).]

WHEREAS, Licensor owns, operates, and maintains electric distribution and transmission line infrastructure and related appurtenances on Licensor’s Property, including, by way of example only, one or more overhead electric lines carried on single poles, transformer stations, related infrastructure, and access/egress routes to facilitate inspection, maintenance, and repair of such infrastructure;

WHEREAS, to promote healthy lifestyles, enhance the conservation and enjoyment of natural or scenic resources, establish an alternative means of transportation, support recreation-based tourism and economic development activities, and further the general welfare of the public, Licensor has authorized the Hudson River Valley Greenway to construct, operate, and maintain a new linear recreational trail for use by the general public, named the Albany-Hudson Electric Trail (the “Trail” which, together with its related improvements, may be referred to collectively herein as the “Improvements”);

WHEREAS Licensor and Hudson River Valley Greenway entered into a License Agreement dated the 29th day of November, 2017 to authorize Hudson River Valley Greenway’s construction of a Trail and Improvements on Licensor’s Property;
WHEREAS, the Trail Manager has agreed to maintain the section of the Trail identified in Exhibit A; and

WHEREAS, Licensor is willing to enter into this Agreement as an accommodation to the Trail Manager and the Hudson River Valley Greenway.

NOW, THEREFORE, in consideration of the foregoing recitals, which are hereby incorporated herein and made a part hereof, and in further consideration for the mutual covenants contained herein, the parties agree as follows:

(i) Trail Maintenance Plan. The Hudson River Valley Greenway has developed the AHET Trail Maintenance Plan, dated ______________, which has been reviewed and approved by Licensor (attached as Exhibit B).

(ii) Trail Manager Maintenance. Licensor hereby authorizes the Trail Manager to undertake trail maintenance activities on the segments of the Trail and Improvements identified in Exhibit A. All maintenance activities undertaken by the Trail Manager shall comply with the AHET Trail Maintenance Plan.

TRAIL MAINTENANCE AGREEMENT PERIOD

(a) Initial Period; Renewal. The initial period of this Agreement shall commence as of the Effective Date and shall run through December 31 of the year next succeeding the Effective Date, and after which date shall, provided no Trail Manager Default exists hereunder, automatically renew on a year to year basis through December 31, 2075 unless earlier terminated pursuant to paragraph (b) below.

(b) Cancellation by Licensor. Licensor may terminate this agreement at any time, by delivering thirty (30) days prior written notice to the Trail Manager and to the Hudson River Valley Greenway. Upon delivery of such notice, this Agreement shall terminate and be of no further force and effect except those provisions expressly stated to survive the termination of this Agreement.

(c) Cancellation by Trail Manager. The Trail Manager may terminate this agreement at any time, by delivering thirty (30) days prior written notice to Licensor and to the Hudson River Valley Greenway. Upon delivery of such notice, this Agreement shall terminate and be of no further force and effect except those provisions expressly stated to survive the termination of this Agreement.

COMPLIANCE

The Trail Manager shall comply with all provisions of applicable federal, state, and municipal laws, statutes, codes, rules, regulations and ordinances and any successor laws, statutes, codes, rules, regulations and ordinances thereto affecting the Licensor’s Property and its occupancy, use, and maintenance thereof pursuant to the terms of this Agreement (the “Applicable Laws”). If any provision of this Agreement is less restrictive than the Applicable Laws, then the Trail Manager shall comply with the more restrictive Applicable Laws.
INDEMNIFICATION

The Trail Manager assumes all risks in the performance of all activities authorized by this Agreement and agrees to defend, indemnify and hold harmless Licensor, its officers, employees, agents and assigns (hereinafter, collectively the “Indemnitees”) from and against any and all claims, demands, suits, losses, costs, fees, fines, penalties, causes of action and liabilities (including, without limitation, attorneys’ fees and expenses) (“Claims”) for any damage to property or injury to persons of whatever kind and nature (including death, disability or dismemberment), whether direct or indirect, caused or contributed to by the Trail Manager and the Trail Manager’s contractors, vendors, materialmen, employees, agents, invitees and guests, and/or arising out of Trail Manager’s acts or omissions and/or Trail Manager’s performance (or failure to perform) pursuant to the terms of this Agreement, and/or any legal action against Licensor and/or the Indemnitees arising from the permission herein granted (including, but not limited to, use by the general public and third party challenges to the validity of this Agreement); provided, however, that the Trail Manager’s indemnity obligation shall not extend to any Claims which are the result of Licensor’s negligence or willful misconduct. The Trail Manager shall defend at Trail Manager’s sole cost and expense any action commenced for the purpose of asserting any Claims of whatever character arising out of this Agreement. The Trail Manager’s responsibility under this section shall not be limited to the required or available insurance coverage.

The indemnification requirements of this Agreement shall survive the termination of this Agreement such that any event that would form the basis of a claim which arises during the term of this Agreement, irrespective of when such claim is actually made, shall be included in the indemnification required by the immediately preceding paragraph.

INSURANCE

The Trail Manager shall comply with the Insurance Requirements set forth in the attached Exhibit C, incorporated herein by reference and made a part hereof. The Trail Manager agrees that Licensor shall have no obligation to insure the Improvements. The Trail Manager shall not conduct any work or other activities upon the Licensor’s Property unless and until it has obtained the insurance required by this Section and has delivered a certificate of insurance evidencing the required insurance to Licensor. For the avoidance of doubt, the provisions hereof shall apply to any contractor performing work at the request or on behalf of the Trail Manager.

NOTICE

All notices required or permitted under this Agreement shall be in writing and either delivered in hand or mailed (a) by certified mail (return receipt requested) with the United States Postal Service, or (b) by Federal Express or other nationally recognized overnight mail carrier furnishing evidence of receipt, to:
Licensor: Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, NY 13202
Attention: Real Estate

With a copy to: c/o National Grid USA Service Company, Inc.
40 Sylvan Road
Waltham MA 02451
Attention: Legal Department – Real Estate Group

With a copy to: National Grid
1125 Broadway, Albany, NY 12204
Attention: ROW and Survey Engineering

Trail Manager: [Insert name and mailing address]

And: Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12207-2995

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective duly authorized officers upon the date first above written.

LICENSOR: NIAGARA MOHAWK POWER CORPORATION

By: ____________________________
Name: __________________________
Title: __________________________

TRAIL MANAGER: [INSERT NAME OF MUNICIPALITY OR NON-PROFIT]

By: ____________________________
Name: __________________________
Title: __________________________

GREENWAY CONSERVANCY FOR THE HUDSON RIVER VALLEY

By: ____________________________
Name: Andy Beers
Title: Director, Empire State Trail
Exhibit A

Description and Map of Licensor’s Property Subject to this Trail Maintenance Agreement
Exhibit B

Approved AHET Trail Maintenance Plan
Exhibit “C”
National Grid/Niagara Mohawk Insurance Requirements

1. From the commencement of the Agreement, through final expiration or longer where specified below, Grantee shall provide and maintain, at its own expense, insurance policies, intended to be primary (with no right of contribution by any other coverage available to National Grid USA its direct and indirect parents, subsidiaries and affiliates (the “Insured Entities”)), covering all Operations, Work and Services to be performed under or in connection with this Agreement, issued by reputable insurance companies with an A.M. Best Rating of at least B+, which at least meet or exceed the requirements listed herein:

(a) **Workers’ Compensation and Employers Liability insurance** as required by the State in which the work activities under this Agreement will be performed. If applicable, Coverage shall include the U.S. Longshoreman’s and Harbor Workers Compensation Act, and the Jones Act. The employer’s liability limit shall be at least $500,000 each per accident, per person disease, and disease by policy limit.

If Grantee is exempt from having to obtain and maintain workers’ compensation coverage due to their legal status as a sole proprietor or partnership, Grantee shall obtain:

1. Long term disability insurance covering any illness or injury incurred in connection with this Agreement that prevents Grantee from working, with benefits of at least 50% of the Grantee's monthly income on the last day before the disability begins.

2. Health Care Insurance, covering any loss occasioned by bodily injury, sickness or disease, and medial expense, with limits, coverage, deductibles, co-insurance payments, and any other cost sharing features customarily maintained by other entities of a similar size and business nature.

(b) **Commercial General Liability (CGL) Insurance**, covering all operations to be performed by or on behalf of Grantee under or in connection with this Agreement, with **minimum** limits of:

- **Bodily Injury (BI)**: - $1,000,000 per occurrence
- Property Damage (PD): - $500,000 per occurrence
- OR
- Combined Single Limit: - $1,000,000 per occurrence
- OR
- BI & PD per Occurrence General Aggregate & Product Aggregate: - $1,000,000
- - $2,000,000 each

- Coverage shall include: contractual liability (with this Agreement, and any associated verbal agreements, being included under the definition of “Insured Contract” thereunder), products/completed operations, and if applicable, explosion, collapse and underground (XC&U).
- If the products-completed operations coverage is written on a claims-made basis, the retroactive date shall not precede the effective date of this Agreement and coverage shall be maintained continuously for the duration of this Agreement and for at least two years thereafter.
- Additional Insured as required by Article 3 below.
- The policy shall include a separation of insureds condition.
• In the event Grantee is a governmental entity such as a Town, County, Municipality etc., and such entity’s liability to a third party is limited by law, regulation, code, ordinance, by-laws or statute (collectively the “Law”), this liability insurance shall contain an endorsement that waives such Law for insurance purposes only and strictly prohibits the insurance company from using such Law as a defense in either the adjustment of any claim, or in the defense of any suit directly asserted by an Insured Entity.

(c) **Automobile Liability**, covering all owned, non-owned and hired vehicles used in connection with all operations, work or services to be performed by or on behalf of Grantee under or in connection with this Agreement with minimum limits of:

- **Bodily Injury** - $500,000 per occurrence; 1,000,000 aggregate
- **Property Damage** - $500,000 per occurrence

OR

- Combined Single Limit - $1,000,000 per occurrence

Additional Insured as required in Article 3 below.

(d) **Umbrella Liability or Excess Liability** coverage, with a minimum per occurrence limit of $4,000,000. This coverage shall run concurrent to the CGL required in Article 1(b) above, shall apply excess of the required automobile, CGL and employer’s liability coverage required in this Insurance Exhibit, and shall provide additional insured status as outlined in Article 3 below.

(e) **Watercraft Liability (not applicable)**.

(f) **Aircraft Liability (not applicable)**.

(g) **Contractors Pollution Liability (CPL)**: covering any sudden and accidental pollution liability which may arise out of, under, or in connection with this Agreement, including all operations to be performed by or on behalf of Grantee, or that arise out of the Grantee’s use of any owned, non-owned or hired vehicles, with a minimum liability limit of:

- **Bodily Injury (BI)** - $1,000,000 per occurrence
- **Property Damage (PD)** - $500,000 per occurrence

OR

- Combined Single Limit - $1,000,000 per occurrence

This requirement may be satisfied by providing either this CPL policy, which would include naming the Insured Entities, including their officers and employees, as additional insured’s as outlined in Article 3 below; OR by providing coverage for sudden and accidental pollution liability under the CGL and commercial automobile insurance policies required above - limited solely by the Insurance Services Organization (ISO) standard pollution exclusion, or its equivalent.

In the event grantee is unable to secure and/or maintain any or all of this sudden and accidental pollution liability coverage, Grantee agrees to indemnify and hold the Insured Entities harmless against any and all liability resulting from any coverage deficiency that is out of compliance with this insurance requirement.
(h) **Risk of Loss: Grantee** shall be responsible for all risk of loss to its equipment and materials, and any other equipment and materials owned by its employees or by other third parties that may be in their care, custody and control. If this coverage is excluded from the Commercial General Liability policy, then coverage will be acceptable under Grantee’s property policy. In the event that any equipment or materials (Goods) are supplied by the Insured Entities, an Insured Entities representative will provide the insurable value of the Goods to Grantee in writing, both cumulatively and on a maximum per item basis. Grantee will provide replacement cost insurance for these Goods under a blanket builder’s risk policy, an equipment floater, or other equivalent coverage, while such Goods are under the care, custody and control of Grantee. Such insurance shall cover all Goods outlined in the Agreement or as noted on subsequent contract amendments. The coverage limit shall apply on either a per location basis or a maximum per item basis, and shall name the Insured Entities, as a Loss Payee with respect to their insurable interest as required in Article 3 below.

(i) **Homeowners/Sole Proprietors Insurance:** In the event that Grantee is either a homeowner or sole proprietor, the requirements in section 1 A and D do not apply. However, these requirements do apply to any contractors that have been hired by Grantee to perform any work activities on the premises as defined in this Agreement.

In addition, if a Homeowners insurance company will not provide the additional insured status to National Grid as required in section 3, Grantee agrees to indemnify and hold harmless the Insured Entities for any liability that would have otherwise been covered had the insurance carrier recognized the additional insured status.

(j) **Limits:** Any combination of Commercial General Liability, Automobile Liability and Umbrella Liability policy limits can be used to satisfy the limit requirements in items 1 b, c & d above.

If the term of this agreement is longer than five (5) years, in the fifth year, and every five (5) years thereafter, the Commercial General Liability and Umbrella/Excess Liability insurance limits required above shall be increased by the percentage increase in the Consumer Price Index from the month the Agreement was executed to the month immediately preceding the first month of the year in which the increase is required.

2. **Self-Insurance:** Proof of qualification as a qualified self-insurer, if approved in advance in writing by an Insured Entities representative, will be acceptable in lieu of securing and maintaining one or more of the coverages required in this Insurance Section. Such acceptance shall become a part of this insurance provision by reference herein.

For Workers’ Compensation, such evidence shall consist of a copy of a current self-insured certificate for the State in which the work will be performed.

In order for self insurance to be accepted, Grantee’s unsecured debt must have a financial rating of at least investment grade. For purposes of this section, “Investment Grade” means (i) if Grantee has a Credit Rating from both S&P and Moody’s then, a Credit Rating from S&P equal to or better than “BBB-” and a Credit Rating from Moody’s equal to or better than “Baa3”; (ii) if Grantee has a Credit Rating from only one of S&P and Moody’s, then a Credit Rating from S&P equal to or better than “BBB-“ or a Credit Rating from Moody’s equal to or better than “Baa3; or (iii) if the Parties have mutually agreed in writing on an additional or alternative rating agency, then the equivalent credit rating assigned to an entity by
such additional or alternative rating agency that is equal to or better than “BBB-” from S&P and/or “Baa3” from Moody’s.

3. **Additional Insured and Loss Payee:** The intent of the Additional Insured requirement under the CGL, Auto, CPL, Umbrella/Excess, Aircraft and Watercraft policies is to include the Insured Entities, their directors, officers and employees, as Additional Insured’s for liabilities associated with, or arising out of, all operations, work or services to be performed by or on behalf of Grantee, including ongoing and completed operations, under this Agreement. The following language should be used when referencing the additional insured status: **National Grid USA, its subsidiaries and affiliates shall be named as additional insured.**

The Loss Payee language, as required in article 1.h above, shall read as follows: **National Grid USA, its subsidiaries and affiliates shall be included as a Loss Payee as their interest may appear.**

To the extent Grantee’s insurance coverage does not provide the full Additional insured coverage as required herein, Grantee agrees to indemnify and hold harmless the Insured Entities against any and all liability resulting from any deficiency in Grantee’s insurance coverage that may be out of compliance with this insurance requirement.

4. **Waiver of Recovery:** Grantee and its insurance carrier(s) shall waive all rights of recovery against the Insured Entities and their directors, officers and employees, for any loss or damage covered under those policies referenced in this insurance provision, or for any required coverage that may be self-insured by Grantee. To the extent Grantee’s insurance carriers will not waive their right of subrogation against the Insured Entities, Grantee agrees to indemnify the Insured Entities for any subrogation activities pursued against them by Grantee’s insurance carriers. However, this waiver shall not extend to the gross negligence or willful misconduct of the Insured Entities or their employees, sub-contractors or agents.

5. **Contractors:** In the event Grantee uses Contractors in connection with this Agreement, it is expressly agreed that Grantee shall have the sole responsibility to make certain that all Contractors are in compliance with these insurance requirements and remains in compliance throughout the course of this Agreement, and thereafter as required. Grantee shall remain liable for the performance of the Contractor, and such sub-contract relationship shall not relieve Grantee of its obligations under this agreement.

Unless agreed to in writing the by the Risk Management Department of National Grid USA Service Company, any deductible or self insured retentions maintained by any Contractor, which shall be for the account of the Contractor, and shall not exceed $100,000. In addition, Contractor shall name both the Grantee and National Grid USA, (including their subsidiaries, affiliates, officers and employees), as additional insured’s under the Commercial General Liability and Umbrella/Excess Liability insurance. If requested by National Grid, Grantee shall provide National Grid with an insurance certificate from its Contractor evidencing this coverage.

In the event any Contractor is unable to maintain all of the same insurance coverage as required in this insurance article, Grantee agrees to indemnify and hold the Insured Entities harmless against any and all liability resulting from any deficiency in Contractor’s insurance coverage that may be out of compliance with these insurance requirements.

6. **Insurance Certification:** Upon execution of this Agreement, Grantee shall promptly provide National Grid with (a) **Certificate(s) of Insurance** for all coverage’s required herein at the following address:
National Grid  
Attn: Risk Management Bldg. B-3  
300 Erie Boulevard West  
Syracuse, NY 13202

Such certificates, and any renewals or extensions thereof, shall outline the amount of deductibles or self-insured retentions which shall be for the account of Grantee. Such deductibles or self-insured retentions shall not exceed $100,000 unless agreed to in writing by the Risk Management Department of National Grid USA Service Company, whose approval shall not be unreasonably withheld, delayed or conditioned.

Grantee shall provide National Grid with at least 30 days prior written notice of any cancellation or diminution of the insurance coverage required in this insurance article.

7. **Insurance Obligation:** If any insurance coverage is not secured, maintained or is cancelled and Grantee fails immediately to procure other insurance as specified, National Grid has the right, but not the obligation, to procure such insurance and to invoice Grantee for said coverage.

8. **Incident Reports:** Grantee shall furnish the Risk Management Department of National Grid USA Service Company with copies of any non-privileged accident or incident report(s)(collectively, the “Documents”) sent to Grantee’s insurance carriers covering accidents, incidents or events occurring as a result of the performance of all operations, work and services to be performed by or on behalf of Grantee under or in connection with this Agreement, excluding any accidents or incidents occurring on Grantee property. If any of the National Grid Companies are named in a lawsuit involving the operations and activities of Grantee associated with this Agreement, Grantee shall promptly provide copies of all insurance policies relevant to this accident or incident if requested by National Grid. However, in the event such Documents are deemed privileged and confidential (Attorney Client Privilege), Grantee shall provide the relevant facts of the accident or incident in a format that does not violate such Attorney Client Privilege.

9. **Other Coverage:** These requirements are in addition to any which may be required elsewhere in this Agreement. In addition, Grantee shall comply with any governmental site specific insurance requirements even if not stated herein.

10. **Coverage Representation:** Grantee represents that it has the required policy limits available, and shall notify National Grid USA Service Company’s Risk Management Department in writing when the minimum coverage’s required in this article herein have been reduced as a result of claims payments, expenses, or both. However, this obligation does not apply to any claims that would be handled solely with in Grantee’s deductible or self-insured retention.

11. **Responsibility:** The complete or partial failure of the Grantee's insurance carrier to fully protect and indemnify the Insured Entities per the terms of the Agreement, including without limitation, this exhibit, or the inadequacy of the insurance shall not in any way lessen or affect the obligations of the Grantee to the Insured Entities.

12. **Coverage Limitation:** Nothing contained in this article is to be construed as limiting the extent of the Grantee’s responsibility for payment of damages resulting from all operations, work and services to be performed by or on behalf of Grantee under or in connection with this Agreement, or limiting, diminishing, or waiving Grantee’s obligation to indemnify, defend, and save harmless the Insured Entities in accordance with this Agreement.
June 19, 2018

1744 Washington Ave Ext
Rensselaer, NY 12144

Christopher Cornwell, P.E., LEED AP
GPI
80 Wolf Road, Suite 300
Albany, NY 12205
p. 518.898.9512
e. ccornwell@gpinet.com

Subject: Albany-Hudson Electric Trail Project, Rensselaer and Columbia Counties, NY
Additional Phase I Archeological Investigation
OPRHP 17PR07529

Dear Mr. Cornwell,

Hartgen Archeological Associates, Inc. conducted additional Phase I archeological investigations for route changes in the proposed Albany-Hudson Electric Trail (AHET), located between the Cities of Rensselaer and Hudson, Rensselaer and Columbia Counties, New York.

The additional Phase IB work followed the testing protocol developed with guidance from the NYS OPRHP, focusing upon the most sensitive portions of the Project, areas in proximity to water or map-documented structures pre-dating 1850.

The initial testing program was completed in early 2018. In all, 623 tests were excavated and no archeological resources identified. Subsequently, several minor modifications have been made to the proposed project alignment. These are generally within 10 feet of the original proposed alignment and within the power line corridor or along existing sidewalks and roadways. Previous testing has provided adequate coverage for these change.

Hartgen has identified three areas of deviation from the original alignment within the most sensitive areas that required additional testing. This testing program is the subject of the current letter.
The additional Phase IB archeological field reconnaissance was completed on June 11, 2018. The field crew consisted of Jamie Penk and David Wendell. Elizabeth Gregory acted as Field Supervisor. Matthew J. Kirk, R.P.A. was the Principal Investigator. The crew focused on three major areas

- North of Rossman Rd. in Stockport, NY ("Area 1");
- Northeast of the Kinderhook Village Park, through Samascott Orchards and along Sunset Ave. and Railroad Ave. in Kinderhook, NY ("Area 2");
- North of Main St. in Valatie, NY ("Area 3").

Of the 29 shovel tests that were flagged, twenty-six (26) total shovel tests were excavated at 50-ft (15 m) intervals throughout the three sections of the modified alignment (2001-2016, and 2020-2029). Excavated areas are shown on Maps 1a-1c (USGS 2015). Shovel test records are presented in Appendix 1. The artifact inventory for this additional work is in Appendix 2.

The majority of Area 1 had been tested during the initial survey, as part of the initial alignment in this vicinity was inaccessible. Two shovel tests, 2001-2002, were excavated at 50-ft (15 m) intervals along the northernmost stretch of the Area 1 APE (Map 1c). Both shovel tests contained fill to depths greater than 75 cm, and both were negative for significant artifacts.

Area 2 consisted of three segments (Map 1b). The first started at the northernmost point of Rothermel Park, through Samascott Orchards, to Sunset Avenue. Tests 2003-2014 were excavated in this segment, and archeologists encountered natural soils. A single piece of whiteware, located in the plow zone, was noted.

The typical soil profile consisted of a dark to very dark greyish brown sandy loam plow zone to about 38 cm below the ground surface, underlain by yellowish brown sand. Two shovel tests (2015-2016), both negative, were excavated in the area along Sunset Avenue in Kinderhook. Tests 2017-2019 were not excavated, as Hudson Greenway confirmed that the trail will follow the existing sidewalk and roadway and there will be no other impacts to this area.

The third segment within Area 2 included Tests 2020-2025. This segment crossed Mills Park in Kinderhook, the former site of a historical mill, which appears on an 1858 map of Kinderhook as the “J.P. Chrysler & Co’s Steam-Cotton Fac.” (Beers, et al. 1858) (Figure 1). The office and workers’ cottages, (“Factory Houses”) were located opposite the factory along the present-day Railroad Avenue; at least one cottage survives today. These will not be impacted by the Project.

A history of the town written in 1914 does not give a definitive construction date for the “brick cotton mill of Hoes and Chrysler, George D. Earll, and E. R. Handy.” The mill does not appear on the 1851 Otley map (Otley 1851). Ownership of the mill changed several times before it was destroyed by fire on May 5, 1882 (Collier 1914: 520-521). A “personal reminiscence” in the book states that the cotton mill “stood about on the site of the present Albany Southern station house” (Collier 1914: 317-318). The typical soil profile within this park consisted of a dark greyish brown sand or sandy loam, underlain by a yellowish brown silty sand. In Tests 2023 and 2024, densely packed rubble and fill provided evidence of the former factory building on that site. Artifacts recovered from Test 2023 included a variety of ceramics, porcelain, glass, wire nails, scrap metal, faunal bone, and clam shell. Similar artifacts were recovered in Test 2024, in addition to numerous pieces of brick, mortar, and slag (Appendix 2).

Tests 2026-2029 were excavated in Area 3, located north of the former depot in Valatie. Remains of a former mill or factory, and an associated dam, were visible immediately to the east of the APE. These may have been associated with the “Cotton Factory” visible on the 1858 Beers map (Figure 2).
Bedrock was very shallow in Area 3, and shovel tests were excavated to 10-23 cm below the ground surface before termination due to bedrock. Test 2026 produced various artifacts including porcelain, vessel and window glass, cut nails, slag, and plastic. Evidence of dumping was seen nearby. One artifact, a single porcelain fragment, was recovered from Test 2027 (Appendix 2).

No significant artifacts were recovered from Areas 1 (Stockport) and 3 (Valatie). No further work is recommended for these areas. Similarly, no further work is recommended for the Samascott Orchards or Sunset Avenue segments of Area 2 (Kinderhook). Finally, although large amounts of rubble likely associated with the J.P. Chrysler & Co Factory were noted in Tests 2023-2024, no intact features were found. It is unlikely that this rubble will yield any other important archeological information. Additionally, the depths of impact are shallow for the majority of the trail. No further work is recommended in Area 2.

Sincerely,

Matthew Kirk
Principal Investigator

Bibliography:
Beers, S. N., D. J. Lake and F.W. Beers
1858 Map of Columbia County, New York. A. Balch, Philadelphia.

Collier, Edward A., D.D.

Otley, J.W. and F.W. Keenan

United States Geological Survey (USGS)
2015 USGS The National Map Topo Base Map - Large Scale. USGSTopo (MapServer), The National Map Seamless Server, USGS, Sioux Falls, South Dakota,
http://services.nationalmap.gov/arcgis/rest/services/USGSTopoLarge/MapServer.
Maps
Remains of former mill or factory

Within Roadway

2-foot Contour

Map-Documented Structure Concentration

(Orley 1851; Regerson 1954)

10-foot Contour

Area Within 300 Feet of Water

Original alignment (previously tested)

Modified alignment

Legend

Shovel Test (ST)

Photo Angle

Albany-Hudson Electric Trail Project, Rensselaer and Columbia Counties, NY
Phase I Archeological Investigation

G:\5201-31\GIS\Documents\HAA_5201-31_Modified_Map1a.mxd, 6/21/2018 10:47:21 AM

100 0 100 200 300 Feet

30 0 30 60 90 Meters

Map 1a

Project Map (original page 2-39)

(Hartgen 2017; NYSITS 2015; ESRI 2018)
Photographs
Photo 1. Archeologists excavate two shovel tests at the northern end of the route change north of Rossman Rd. in Stockport, NY. Most of this route had been previously tested, and old shovel tests were visible at the ground surface. View looking south.

Photo 2. Archeologists excavate two shovel tests north of Rothermel Park in the Village of Kinderhook. The route continues through the orchard to the left of this photo. View looking northeast.
Photo 3. Testing continued through the eastern portion of Samascott Orchard, in the Village of Kinderhook. View looking north.

Photo 5. The trail continues down Sunset Avenue in Kinderhook, NY, and will utilize the existing roadway and sidewalk. No improvements are proposed in this area. View looking northwest.

Photo 7. Archeologists excavate shovel tests north of the former depot on Main Street in the Town of Valatie. View looking south.
Figures
Figure 1. This inset on the 1858 Beers map depicts the “J.P. Chrysler & Co’s Steam-Cotton Fac.” [Beers, et al. 1858]. Presently, this area is the site of Mills Park in Kinderhook, NY. The blue line shows the approximate route of the Albany Hudson Electric Trail, west of Mills Park.
Figure 2. This inset on the 1858 Beers map shows an office and cotton factory, and what appears to be the extant dam in the vicinity of Area 3. It is unclear whether this cotton factory is the stone structure near the tested area (Beers, et al. 1858). These features are outside the APE and will not be impacted by the Project.
Appendix 1: Shovel Test Records
<table>
<thead>
<tr>
<th>Ending Depth (cm)</th>
<th>Level</th>
<th>Soil Type</th>
<th>Soil Inclusions</th>
<th>Munsell Color</th>
<th>Termination Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>16</td>
<td>silt sand</td>
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<tr>
<td></td>
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<tr>
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<td>32</td>
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<tr>
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<td>36</td>
<td>clay</td>
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<tr>
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<td>2002</td>
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<td>gravel</td>
<td>10yr 6/3, 1Gley 4/N</td>
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<tr>
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<tr>
<td>2005</td>
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<td>sand</td>
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<tr>
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<td>52</td>
<td>sand</td>
<td>gravel</td>
<td>10yr 4/4</td>
<td>dark yellowish brown, subsoil</td>
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## Shovel Test Records

<table>
<thead>
<tr>
<th>Ending Depth (cm)</th>
<th>Level</th>
<th>Soil Type</th>
<th>Soil Inclusions</th>
<th>Munsell Color</th>
<th>Termination Reason</th>
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<tr>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td></td>
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<tr>
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<td></td>
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<tr>
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## Shovel Test Records

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Appendix E2

E2: Letter of No Impact dated March 14, 2018
March 14, 2018

Mr. Kurt Weiskotten
Albany-Hudson Electric Trail
Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12207

Re: OPRHP
Albany-Hudson Electric Trail-AHET
Rensselaer, East Greenbush, Schodack, Nassau, Chatham, Valatie, Kinderhook, Stuyvesant, Stockport, Greenport and Hudson
Rensselaer and Columbia Counties
17PR07529

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 Phase IA/IB Archaeological Investigation Report, prepared by Hartgen Archaeological Associates and dated March 6, 2018, 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 its implementing regulations (6NYCRR Part 617).

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

If you have any questions, I can be reached at (518) 268-2179.

Sincerely,

Nancy Herter
Archaeology Unit Program Coordinator
e-mail: nancy.hert@parks.ny.gov
June 26, 2018

Mr. Kurt Weiskotten  
Albany-Hudson Electric Trail  
Hudson River Valley Greenway  
625 Broadway, 4th Floor  
Albany, NY 12207

Re: OPRHP  
Albany-Hudson Electric Trail-AHET  
17PR07529

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 Additional Phase I Archaeological Investigation Letter Report, prepared by Hartgen Archeological Associates and dated June 19, 2018, 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 its implementing regulations (6NYCRR Part 617).

No archaeological sites were identified by this additional study. Therefore, the OPRHP continues to recommend that this project will have **No Impact** upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If you have any questions, I can be reached at (518) 268-2179.

Sincerely,

Nancy Herter  
Archaeology Unit Program Coordinator
To: Kurt Weiskotten, GPI

From: Gregory S. Liberman and Robert Wojcikiewicz

Date: July 5, 2018

Reference: Albany Hudson Electric Trail
Wetland Delineation Supplement

Comments: As you know, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services D.P.C. (EDR) wetland scientists delineated 63 wetlands within the 35-mile long Albany Hudson Electric Trail (AHET) corridor in the fall of 2017. Descriptions of these wetlands, along with a summary of our delineation methodology, are summarized in our Wetland Delineation and Ecological Report dated February 2018. This memorandum is intended to summarize additional wetland field work related to the AHET project completed by EDR after February 2018.

On April 27th, 2018 two EDR biologists returned to the AHET corridor to further delineate water resources within a 0.4-mile long section that runs from north of Keil Road to Frisbee Lane (“Supplemental Study Area”) (Figure 1). Through this delineation effort four wetlands and three stream features were identified. Information pertaining to each wetland/stream complex is summarized in Table 1 below and is presented graphically in Figure 2.

The Supplemental Study Area is located in a residential area and shows signs of historic disturbance, which is consistent with conditions throughout the AHET corridor. For instance, garbage and deep tire ruts were observed. Wetlands in the Supplemental Study Area are generally channelized and run parallel to the corridor's boundaries. All the wetlands are emergent or have emergent sections, with only wetland 6B having a scrub-shrub section. Wetland vegetation in the Supplemental Study Area includes the invasive species common reed (Phragmites australis) as well as the native species jewel weed and skunk cabbage (Impatiens capensis and Symplocarpus foetidus). In upland areas the invasive species garlic mustard (Alliara petiolata), Japanese barberry (Berberis thunbergii), bedstraw (Gallium molugo) and Morrow’s honeysuckle (Lonicera morrowii) were observed. The vegetation observed in the Supplemental Study Area is consistent with vegetation observed throughout the AHET corridor. Hydric soils sampled in the Supplemental Study Area are generally dark grayish brown (10YR 3/2) clay loams. Hydric soil indicators in the wetlands include redox dark surface (F6), and depleted matrix (F3).

Streams within the Supplemental Study Area are intermittent channels, that generally flow west to east, discharging into wetland 6B. Stream 6C drains wetland 6C before flowing out of the Supplemental Study Area and into a steep gully. It is assumed that these wetlands and streams ultimately discharge off-site into Kinderhook Creek.

The Wetland Delineation and Ecological Report referenced above contains an assessment of wetland functions and values. The following is a discussion of wetland functions and values observed in the Supplemental Study Area. Historic disturbances have resulted in low biodiversity and high prevalence of invasive species within the wetlands. The wetlands are also segmented by roads and residential development, and are generally no bigger than 0.1 acre. For these reasons, the wetlands identified do not provide functions such as aquatic habitat, wildlife habitat, or nutrient transformation. The four wetlands do, however, provide basic functions such as groundwater recharge and flood flow alteration. Wetland values provided to the public are limited because they are located on privately owned land and/or
National Grid ROWs, meaning there is little to no public access to these wetlands as well as limited visibility/aesthetic value.

Attachments:
Table 1: Delineated Wetland and Stream Resources
Figure 1: Supplemental Study Area Location
Figure 2: Delineated Wetlands and Streams
Figure 3: Site Photographs

Copies To:  Chris Cornwell,
GPI (Via E-mail, with attachments)
Table 1: Delineated Wetland and Stream Resources

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<sup>1</sup>Field ID assigned by EDR.

<sup>2</sup>Wetland community types are based upon the Cowardin et al. (1979) classification system: PSS = Palustrine Scrub-Shrub, PEM = Palustrine Emergent, POW = Palustrine Open Water, and PFO = Palustrine Forested.

<sup>3</sup>Stream types are based upon the Cowardin et al. (1979) classification system: R2=Riverine Lower Perennial, R3 = Riverine Upper Perennial, R4 intermittent.

<sup>4</sup>Based on visual observation of hydrologic connectivity in the field and review of available spatial data. Final jurisdictional determination to be made by USACE.

<sup>5</sup>Based on existing NYSDEC mapping of freshwater wetlands and streams.

<sup>6</sup>Based on visual observation of hydrologic connectivity in the field and review of available spatial data. Final jurisdictional determination to be made by the USACE.

<sup>7</sup>Based on existing NYSDEC mapping of freshwater wetlands and streams. Final determination to be made by NYSDEC.
Albany - Hudson Electric Trail
Town of Stuyvesant Falls, Columbia County

Figure 1: Supplemental Study Area Location

Notes: 1. Basemap: ESRI ArcGIS Online “World Topographic Map” map service.  2. This map was generated in ArcMap on July 5, 2018.  3. This is a color graphic. Reproduction in grayscale may misrepresent the data.
Figure 2: Delineated Wetland and Streams

Notes: 1. NYSDOP “2014” orthoimagery map service. 2. This map was generated in ArcMap on July 5, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.
Albany - Hudson Electric Trail
Town of Stuyvesant Falls, Columbia County, New York

Figure 3: Site Photographs

Photo 1
View of scrub-shrub section of wetland 6B

Photo 2
View of wetland 6D
Figure 3: Site Photographs

Photo 3
View of wetland 6D, looking west

Photo 4
View of area where wetland 6D becomes increasingly channelized and stream 6D begins
Photo 5
View through PSS section of wetland 6B to where streams 6B and 6D collect in PEM section of wetland 6B

Photo 6
View of wetland 6C
Figure 3: Site Photographs

Photo 7

View of wetland 6A, note the ponding water in tire ruts that run through the wetland
Appendix G1
Public Comments: Public Hearing Transcript
In The Matter Of:

Empire State Trail (EST)

ALBANY-HUDSON ELECTRIC TRAIL (AHET)

March 28, 2018

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ALBANY-HUDSON ELECTRIC TRAIL (AHET)

----------------------------------:

Empire State Trail (EST)

ALBANY-HUDSON ELECTRIC TRAIL (AHET)

----------------------------------:

Wednesday, March 28, 2018

6:30 p.m. - 7:34 p.m.

HELD:

Ichabod Crane High School

2910 U.S. 9

Valatie, New York  12184

PRESENTERS:

ANDY BEERS, Empire State Trail Director,
Hudson River Valley Greenway
(Lead Agency)

JOHN MONTAGNE, RLA, AICP, LEED AP, GPI

Reported by: Deborah M. McByrne
MR. BEERS: Good evening. My name is Andy Beers. I want to thank you all for coming this evening. I am the Director of the Empire State Trail and I'm an employee of the Hudson River Valley Greenway, which is a New York State organization, a government organization. We are the lead agency on the planning, construction, design construction of the Albany-Hudson Electric Trail. As such, we are also administering the, as part of that overall project, we are administering the environmental review process that we are here to talk about this evening and hear your public comments.

I'm joined this evening my John Montagne. John and I are going to be sitting up here and kind of just facilitating this public hearing. John works for one of our engineering consultants on the firm GPI, which is a large engineering firm located in Latham, and they are doing all of the design, environmental review, permitting, wetlands, mitigation, all sorts of things related to the trail.
There are other, many other staff, some of them standing in the back, they were out at the boards, manning the tables, as well. We have staff from the Greenway here, we have staff from the Office of Planning and Design, another one of our consultants, who is supporting our statewide effort on this project and the larger Empire State Trail, and we have staff, a number of staff from GPI, as well.

I just want to remind folks that tonight we are not giving a long presentation. This is really a chance for you to provide your comments to us, but there is, our flyer is up front. And most importantly, on the back of the flyers is our website address. If you've never been there, it's www.AHETtrail.org, or you can simply Google in your search engine to search Albany-Hudson Electric Trail, and you will find our website. It is a project website just designated for this project. You'll find all sorts of information that includes our concept plan, maps, the draft Environmental Impact Statement that we are here to take
comment tonight, questions and answers, identification of summary of public comments we've received over the first four or five months of the project and our response. A whole wealth of information is there. And there also is a "submit a comment" function, where at any time you can submit, if you have a question or comment, you submit it there. Or if you just want to --

We do on the website also post notice of all upcoming hearings and meetings, public events. If you want to just get on. We also send out periodically e-mail distribution blasts on updates on the trail or upcoming meetings. If you simply want to start receiving those, you can go to the website and simply type in "please put me your e-mail distribution list", put your e-mail address and hit the "submit" button and at that point you'll receive all the materials going forward.

Okay. This one. Good.

Tonight's agendas is this. John and I are going to do a very short presentation,
perhaps ten minutes, just a very brief overview of the Environmental Impact Statement, and then we're going to go immediately into the public hearing part of the meeting. Many of you were here for the open house we had, maybe some of our other meetings, as well. Those are very interaction kind of based, question and answer, maps, we take questions and answer. This is a formal public hearing. We have a stenographer here who is going to be recording all the notes for public record. So in this part of the meeting tonight, we are simply going to have people come up one at a time and provide your comments on the draft Environmental Impact Statement, or more generally on the project, for us to hear and receive. We are not going to be --

It is not a question and answer session. We are not going to be responding to your questions or comments in this public hearing. It gives a chance to anyone who is interested to share your ideas, concerns, whatever you want to share with us.
This is, we are going to quickly --
I am going to run through a couple
slides. John is going to give a very brief
overview of the Environmental Impact Statement.
Not go into detail. You've seen, if you've
looked at it out at our desk, it's quite
voluminous, as they typically are. And then we
are going to go into the public hearing.

Okay. The Albany-Hudson Electric
Trail. Most of you know it by now, but it is a
project that is part of the Empire State Trail.
The Empire State Trail is an initiative
Governor Cuomo launched in 2017, to create a
continuous 750-mile bicycle and pedestrian
route crossing the state. The Albany-Hudson
Electric Trail is one section of that larger
project, and we are funded from the statewide
appropriation for the Empire State Trail. Our
project is 35 miles long, through Rensselaer
and Columbia County. Approximately 26 miles of
that is off-road, will be off-road trail.
Those sections where the former right of way is
no longer usable to us, we will be on an
on-road condition and all sorts of conditions. Sometimes shared roadway, sometimes sidewalks, sometimes separate side path along more busy roads.

The trail passes through two counties, portions of two counties, Rensselaer and Columbia County, it passes through eight towns, three villages and one city. And in a nutshell, the trail will be primarily built on the former Electric Trolley Line, the railroad bed that operated from 1899 to 1929. Went out of --

Stopped operating as the railroad way back in 1929, but it continues the ownership by National Grid, and they use it as a utility distribution corridor for wooden poles, they carry power lines. The trail itself will be 10 to 12 feet wide. It will be either asphalt or stone dust. Different conditions, depending on intensity of use and other things. And it's going to be suitable, moderate grade suitable for users, bicycle, pedestrians of all ages and abilities. It will be a non-motorized trail.
We are not allowing snowmobile, ATV or other use, and we are not allowing equestrian use either on the trail. It will be fully acceptable under ADA.

Okay. I am going to now turn the mike briefly over to John, who is just going to walk through just a little bit of context for tonight's hearing about where we are and the environmental impact process, what you can expect to see and what comes after this evening.

MR. MONTAGNE: Thank you, Andy, for the introduction.

I also want to point out that Ichabod Crane School District very graciously allowed us to use their auditorium again tonight, and I want to send out a special thanks to them for that.

As Andy eluded to, we are here tonight for the public hearing on the draft Environmental Impact Statement.

Whenever a project is funded, as you see here, any action that is undertaken, funded
or granted, or requires approvals by any agency, a state agency, a municipality, a county, you go through the environmental review process. And the process is primarily to look at the impacts of construction of a project on the environment. Right?

And so what you need to do when you do an impact statement, is first you need to look at --

It requires that you look at the potential environmental impacts of the project, and then if you evaluate that there may be potential impact, through design, you either look to avoid or to mitigate that.

And the EIS process itself is an interim process. It starts with a draft, it goes through and evaluates the impacts, it sets them down, puts out a draft document for both agency and public review, which is why we're here tonight. Those comments then become part of what's known as the final Environmental Impact Statement, which will be the next step in this process.
So the steps that we've taken so far, are the ones at the top of this list, and you'll see in the middle, we are at the DEIS public comment period. The one that's highlighted. And as I said to you, the steps that will follow, will be the ones that are used to complete the final impact statement and do findings on the project.

The comment period that we are in right now is a 60-day comment period. And that comment period closes on May 8th. Yes, May 8th. I wanted to make sure I had the right date.

So there's quite a bit of time here for you to still make comments. As Andy has said, there's many ways to make comments. We have a website, we have comment sheets out on the table that you could do a written comment and hand it in today. You could take a form and you can mail it into Greenway, to Andy's attention. You can e-mail us. We are really looking for as much feedback, as much comment as we can get.
When I told you there are a lot of agencies, you can see here, it is a list. These are just the state agencies and municipalities that are involved that we have reviewing this trail and all of the documentation that goes into it. So I am not going to go through them all, but you could see it's every one of the municipalities, it's all of the state agencies. There are two federal agencies, and one of our biggest partners is, obviously, National Grid.

National Grid owns the right of way and we are leasing to have the rights to put the trail on the right of way. The National Grid will continue to own the right of way, and that's 26 miles of the 36-mile trail.

The Environmental Impact Statement starts with a review called an Environmental Assessment Form. That's just the form that the State DEC puts out that allows an applicant or a project sponsor, in this case we are the sponsors, to review all of the things that the State requires under the State law to be
evaluated and looked at for environmental impacts.

If you go through that form, it bring you through and links you to a number of databases that the State has directly linked to that application form. And from that, you put a list together of the areas that you feel the trail may have some impacts. And this is our list. We look at topography and geology and bedrock. There are reviews for storm water management, potential for storm water runoff, wetlands, water bodies, which would be your streams, any of the other areas where any former bridges would pass. We have floodplains, endangered plants and animal species, there are a number of agricultural properties we go through that we evaluate, and we also look at historic archeological resources, we look at transportation network in the area, we look at human health, consistency with community plans, whether or not there's any potential for the trail to cause a big growth in an area, which obviously it's not for
the trail, but a lot of projects do have that potential.

We look at consistency with community character, and then we look at both short-term and long-term environmental impacts. And in this case, there's always requirements to look at irreversible and irretrievable commitment of resources. Our trail, though, is going to go down the center of the right of way, so it really will not be any impacts in that area.

And so that's all I am going to say on the impact statement. That's just what the content is. I know the document itself looks onerous out there. You see this big two-volume set. But I think you'll find that there is a very well crafted executive summary at the very beginning of it. And if you were to read through that, it's probably about 20 pages of the entire document, that would give you really the guts of everything that we're talking about here tonight.

And so with that, I am going to turn it back over to Andy, just to get everybody
oriented on the format for the project for putting in your comments.

MR. BEERS: Thank you, John.

Okay. So for the hearing, this is a recorded session, as I said. You have a stenographer here who's making a public record. If you want to speak and you didn't --

If we didn't intercept you and explain in the front, at the desk, they are still out there. There are cards that are numbered, and we asked people to pick up one of those cards. And we are just going to call people up to speak in the order of that they picked up the card. So number one card, number two card, number three card and so forth.

We ask you to just introduce your name for the record. If you want to tell us what town you're from, you can. You don't need to. If you're here representing or speaking on behalf of an organization, it would be nice to indicate that. If you are just here as individual citizens, that's welcome, as well. You know, that's fine.
We are asking you to try to limit your comments to three minutes, just so that we can make sure to get through everyone who wants to speak in a reasonable amount of time. I will say, we have about 20 people that picked up cards. Is that the number, about 20?

So, you know, try to keep it to three minutes. If you need to go a little longer, okay. We are not going to turn the microphone off. But I would ask people to try to be concise, just in respect to other people who are waiting to share their comments. We recommend, not require, if someone else has already made your comment for time efficiency, you may want to just say that I agree with that comment, you know, shorten it up. Your decision though.

We are accepting oral comments tonight, written comments in the box, written comments to the website through May, mailed comments. All comments are afforded the same weight, whether they are, you know, you speak tonight or send something in writing. And
obviously just put --

   We'll have a variety of opinions expressed tonight. We've gotten a lot out of these public sessions. We've heard a lot. We've learned a lot. We've made some adjustments to the trail, some refinements that have really improved it. It's been a positive experience for us. Not everyone is thrilled, we understand. A lot of people are, some aren't. But we would ask that everyone just be respectful of whatever opinions are shared tonight.

   So again, if you want to speak and you didn't realize, in the back are cards. You pick up the card.

   We are just going to call up person number one. If you would please come up, and we ask that you speak here at the stand here, at the microphone, speak into the microphone. I'll bend it back a little bit.

   And away we go. Thank you.

   When you come up with your card, if you could just give the card to our
stenographer so that she could get the correct spelling of your name as best she can. Thank you.

CHRISTINE VANDERLAN: All right. I am not sure where this should be exactly.

So my name is Christine Vanderland, and I am the community projects manager with the Columbia Land Conservancy, and my comments tonight are on behalf of CLC.

So the Land Conservancy is a nonprofit land trust working throughout Columbia County, and core to our mission is creating opportunities to connect people to the land and to the outdoors and foster an appreciation for this very special place that's a very rural county where we live.

And the Land Conservancy has a long history of being supportive of trails, rail trails in particular, and in helping to foster a sense of the opportunity around an interconnected trail network for the county. We organized a trails conference in 2011. Coming out of that was a countywide trail
vision, and there are many groups working on aspects of that trail vision in their communities, along, in many cases, supported by their officials. And Albany-Hudson Electric Trail was one trail that had a different name, but certainly one key part of that countywide trail vision.

The Albany-Hudson Electric Trail is an idea that has been in the works for a long time and a number of people in this room know about it and have put in a lot of time and effort into making this trail happen for their community, particularly in the towns of Kinderhook, Stockport, Stuyvesant and Valatie, and in the Village of Kinderhook. And as a former rail corridor that's been turned into electricity infrastructure and a corridor for power lines, it's sort of surprising that it will turn into a remarkably beautiful interconnecting trail for communities.

Another aspect of that is that it will have, relative to creating a brand new trail and a brand new corridor, a relatively low
environmental impact, by utilizing this utility corridor.

At CLC, we've been a supporter of this trail in particular for many years, as well, and joined the local trail committee about ten years ago, trying to support this trail and this vision for this trail.

Through all those years, I don't think anyone really deeply involved in the process imagined that New York State would take on constructing this trail and also linking it to the Erie Canal Way Trail across the state. But that development is something that is, it's something we commend and support. It's a terrific opportunity to have this linked into the regional statewide trail in many ways and we are very supportive of the Hudson River Greenway being the trail developer and manager of this trail, in an organization that has a long history in the Hudson Valley, in working with communities and supporting the vision of trails throughout the valley and an appreciation of the scenic, cultural and
historic resources of this area.

The trail is a major advance in the countywide trail network that was sketched out about seven years ago at the trail's conference organized in Columbia County, and we're really pleased to see it moving forward. We are excited to see this process as a whole and to hear and watch as the design changes to reflect the input of the communities and land owners along the way.

Creating this trail, opening up the Albany-Hudson Electric Trail as a multi-use task throughout the communities that it will be connecting, strengthens an approach to economics development, helping create communities that are good for live, work and play, and also respecting the special character of our communities and the beautiful landscape that we find ourselves in.

But beyond that and those opportunities, it's going to be open everyday for local residents to walk and bike and enjoy time outside and cross paths with each other,
and as a way to strengthening communities and
fostering an appreciation of the outdoors. We
certainly applaud it. Thank you.
MR. BEERS: Thank you. Speaker number
2?

ANNE MARIE MINK: Hi. My name is
Anne Marie Mink, and I live over on Electric
Park area on Kinderhook Lake, and the rail
trail sounds wonderful, but I'm talking about
specifics in our communities, and each of us
have very specific needs. I am going to be
talking about Kinderhook Lake's needs right
now.

We have a community hall on Kinderhook
Lake. Not everybody knows about it, but it's
been there for about 83 years. We do lots of
fund-raising there and the trail will be going
right past us. We are going to lose parking
spots, and we have some issues and concerns
about liability. As our section is going to be
a shared roadway, many people will be driving
on that road, as well as biking and walking.

So some of my concerns are about
liability. Where does that liability fall in place? Will we lose parking? If people are interested in going on the trail and there's no parking nearby, they are going to park in front of our community hall. And if we have events there, we won't have any parking. I'm concerned about --

Lots of our neighbors have spoken about putting up fences, just to keep their dogs in, cats, whatever. But we don't --

We're not really sure where our cutoff is of the property, because over the years we've all encroached a little bit on that trail, because of just the way, you know, the earth shifts and moves. So we were asked --

I was asked to mention that perhaps we could get some markings to know where that roadway is going to be so that we can prepare for that and not put up a, you know, $3,000 fence, and then find out it needs to be moved.

One of the other things, too, is the speed involved and signage, and I did get some answers tonight, but I just saw today when I
was walking the dog, that people coming up Electric Park can move very quickly in their cars. And what if somebody is going by on a bike? Who's liable? Who's liable if they come onto the property and, you know, determine that they want to look at something? Which, you know, things are going to have to work out as best as we can make them work. It's coming. None of us had a choice. We have to make this work.

As I said many, many years ago, Electric Park was the place to be. There was trollies coming through and for many, many years no one cared about those train tracks, those trolley tracks. They were abandoned. We all started utilizing them, and I think it's great that they are going to do something with it. However, we have to work together. I don't want to see the demise of our community hall, the Kinderhook Lake Improvement Association, come from the same trolley tracks and train tracks that started it. Thanks.

MR. BEERS: Thank you.
Number three.

JOSEPH DURKIN: Hello. I'm Joseph Durkin, a member of the Board of the Rensselaer Land Trust. I am here to express support for the Albany-Hudson Electric Trail, and the conclusions expressed in the draft Environmental Impact Statement.

Rensselaer Land Trust is a traditional member-supported public land trust. Our mission has been, in years past, to preserve open space in that habitat throughout Rensselaer County, but several years ago we added to that mission statement, connecting people with nature, and it's the connecting people with nature element that has prompted our support for the Albany Electric Trail. I mean, it's obvious the trail will connect people, that is the motivating factor for us. In fact, at this point we're considering what role the Rensselaer Land Trust should play in the management and maintenance of the trail once it is built.

Since the hearing is about the
Environmental Impact Statement, I should just say this. Regarding the Draft Environmental Impact Statement, I reviewed it and believe that it addresses the areas of environmental concern and the possible adverse impacts. It provides detailed analysis of the issues both from an overall and from a location-specific perspective. Based on what I know about the project and the draft Environmental Impact Statement, I believe that it is ready to be adopted as a final Environmental Impact Statement.

I would like to conclude very quickly from a personal perspective. What we are seeing both here with respect to this trail and around the capital district - I'm involved in a number of other organizations - is what I like to call peaceful recreational infrastructure. We use the word 'passive recreation'. I like to change that to 'peaceful recreation'. And if you think about a trail, really what it is, it's a linear park, and provides access to a park to multiple locations. So you don't have to go to
a park, you have the park at easy access points, and I think that's something to keep in mind for all of us, and I'm looking forward to what role the Land Trust could play in helping to maintain this trail system. Thank you.

MR. BEERS: Thank you, Joe. Speaker number four?

BERNADETTE POWIS: Good evening. My name is Bernadette Powis, and I'm speaking in favor of the trail. We live --

I'm speaking as a private citizen.

We live along Route 9 in the Village of Kinderhook, and the traffic on Route 9 is considerable. And I'm really looking forward to having access to a trail where when my grandchildren come to visit, we can just go over and get on the trail. They can bring their bicycles and I don't have to have worry about them losing control of the bicycle, ending up in the street. And so for me, this is something that I'm really looking forward to. I really like the idea that Joseph mentioned about a linear park, and I think it's
a wonderful thought that I can walk from the Village of Kinderhook, all the way to the Village of Valatie, without being on a major roadway. And then if you are really feeling adventurous, you could hike it in either direction. I think that's really a wonderful thing.

I also think that it will definitely help us economically. I think that people will at some point leave the trail and go in and visit local restaurants and historic sites and other stores, whatever.

I would also like to thank the dedicated group of local residents who have labored for, I believe, over 15 years working on the Town of Kinderhook Trails Committee and the Friends of the Town of Kinderhook to really set up and kind of identify the foundation of this trail, because I think their work has been invaluable and I feel that they are an example of proactive citizen involvement and commitment to developing recreational opportunities in our town, and I think this trail deserves our
support. Thank you very much.

MR. BEERS: Thank you.

Five?

SHANE ZONI: Hello, Mr. Beers. I apologize.

MR. MONTAGNE: John Montagne.

SHANE ZONI: John Montagne.

My name is Shane Zoni. I live here in Kinderhook and I am an adjacent property owner. And so it's the concept of a trail, I understand the people who have spoken, why they support it. The idea, generally speaking, is a good idea. But when it's running 15 feet from your back property line, it becomes an issue. About five years ago my wife and I bought a house at the end of a cul-de-sac, worked real hard to get it, little shy of two acres. Doesn't matter how much the land is, but it was our little, you know, peaceful corner.

I got two kids, little kids, and, you know, people can't tell me who is going to be on that trail, who's not going to be on that trail when I am at work, when my wife's in the
backyard in the garden, when my kids are out there playing. 99 percent of those people are going to be peaceful, nice, decent people. But there is going to be an increased volume on that trail. That's just a fact and it's a concern for safety of my family and it's also a concern for privacy. It's 15 feet up a slope, and that's the Electric Rail Line.

And so some speakers have used terminology like low economic environmental impact and the different interconnection of trails and all that, and I get that. I understand that. I understand your vision. It's a nice vision. But, you know, it has an extreme environmental impact on me and my family.

I am going to have to put up a fence. Whether you think I am crazy to do that or not, for my peace of mind, I am going to have to do that. Mr. Beers, I turn to the State of New York and ask if you're going help me with that, because, you know, I'm an attorney - I am not a land use attorney - and I understand eminent
domain. I know that this is an eminent domain. But I understand that my right to enjoy my private property, my use, my privacy is being impacted. And as one of the other speakers said, I didn't have a choice in this. I understand this trail is going to be built, but it's upsetting, it's concerning to me, and it's upsetting and concerning to my family. I have spoken to a nice gentleman. I'm terrible with names.

MR. BEERS: That was me.

SHANE ZONI: Well, briefly. I had a long conversation with another gentleman. He was very nice and he will be getting a call from me to address my concerns and I am sure he will. And I appreciate you guys coming out and that's all I have to say.

MR. BEERS: And as I said, we are not responding this evening. But just as a point of information, and I know we spoke to this gentleman. If anyone is an adjoining landowner and hasn't yet contacted us and has concerns, we schedule one-on-one site visits. We are
happy to come out and look at the property adjacent to you, the trail adjacent to your property and discuss your issues and concerns. So that's just a standing offer that we've done a number of and we'll continue.

AUDIENCE MEMBER: Can't hear you.

MR. BEERS: Oh, I'm sorry. You can't hear me. Sorry about that.

Again, I just wanted to share that we've had an ongoing practice and we'll continue that. If anyone is an adjoining owner and has concerns about the trail adjacent to their property, we have been scheduling and we have probably visited 50 of them already. We'll come out and meet with you one-on-one on the property and discuss your concerns and the trail. And, you know, we can't promise we can remedy all of your concerns, but we will enter into dialogue and try to have a productive positive conversation. So that's just a point of information.

Our next speaker is number six.

BOB CLARK: My name is Bob Clark. I
live in Valatie. Actually, right down the belt, around the corner. My place, the back of my place borders on this right of way and I have a couple concerns -- comments.

Anyway, I certainly wish you well with this project. Hopefully you'll change all of our habits, maybe just a little bit, in the direction of exercise and biking and whatever positive effect. Amazing.

I have one, not concern, but just question about how you will manage the construction part of the project. For somebody like me whose property borders on the trail, you will certainly need staging areas and your folks involved in the construction will have to be off the trail on adjacent property when there's land for part of the construction. So I guess I'd like to know what arrangements will be made regarding that prior notice, you know, property owners' approval from what you want to do with your vehicles or whatever, when you're involved in construction.

The other thing that popped into my
mind was the fact that it has always been the electric company's right of way, Niagara Mohawk, National Grid, whatever. They, frankly, have not been the best of neighbors over the years. Currently they're providing almost no maintenance. It seems they used to mow the thing to keep it open, but their subcontractors routinely come through to mostly to cut trees. And in the past, they've been very good at making themselves completely at home on adjacent properties, sometimes cutting trees where they really shouldn't be, well inside the property.

Anyway, that will still be there. The electric company will still have to maintain the right of way. They are still going to be doing the tree work. And I wonder how you're going to manage that from the point of view of your trail, especially the areas where you'll have not an asphalt pavement. You know, they come in pretty big vehicles, bucket trucks and so forth. They are going to have to be on that trail to do what they've always done.
Anyway, that's just a question I was wondering, how that will be managed and, you know, how you're going to have the shared effect of both the trail and the maintenance.

MR. BEERS: So thank you for your comments. As I did say, we are not really responding. You have an important question, I would urge you to contact our website and we will schedule -- we can respond by e-mail or schedule a call with you to answer your questions, sir. So we are happy to do that. We're just --

The form of this meeting is not to respond to comments.

Next is number seven, I believe.

JIM DOLEN: Thank you for having this public hearing. My name is Jim Dolen. I live on Reno Road in the Town of Schodack. My property is adjacent to the trail, borders the trail. I fully, my wife and I fully support the trail, and all the neighbors I spoke to also do, as well. Currently the right of way is a nuisance and the rail trail will take away
that nuisance. We get snowmobiles and mountain bikes and ATVs almost 24/7 up on the trail, sometimes 3 o'clock in the morning they are coming through, and they rip up the trail. You can't walk on it because it's all big puddles filled up with water. And this, the rail trail, will provide a safe place for us to walk, cross country ski, to bicycle with our kids, and provide a major benefit, I think, to the community. Now we won't have to drive to Albany County for a family biking day.

I think also of the economic benefits of the stores and gas stations in the area, maybe to motels, if people are doing the full trail and they could stop off to stay overnight before they proceed on another hundred miles or so.

They also allow us to commute from Nassau, Schodack, East Greenbush into Albany, biking into Albany. Now you have to go down Routes 9 and 20, which is a suicide, basically, trying to ride a bicycle down there.

I think it's going to provide an
increase in property values, which is certainly welcome. And finally I could congratulate the Hudson Valley River Greenway for providing many, many, many opportunities for public input and for information on the trail and congrats to them also giving due consideration to the municipalities along the way and meeting with them and taking their concerns into account.

Thank you.

MR. BEERS: Number eight.

MARK BROWNE: Okay. My name is Mark Browne, I am a resident of the Village of Kinderhook. I'm also a former member of the Planning Board of Village of Kinderhook, currently a member of the Town Planning Board and a member of the Trail Committee on the town level.

I just want to say a couple words. First of all, thank you very much, Andy, for providing this opportunity to the community and the people to speak. I think the opposing points of view is a good debate. However, there comes a time to select a course of action
that will benefit our people, and you might ask who are our people? I consider our people, are the ones not well represented in this room. The next generation who migrates to our community or the young people within our community that will be using this trail. I feel strongly that development of the trail system will be good for the generations to come and that this trail should move forward and be implemented.

Trails connect people with the natural world. They improve our community and the nation's quality of life and our community quality of life, health and wellbeing. So thank you very much.

MR. BEERS: Thank you. Number nine?

MARCIA ANDERSON: Hello. My name is Marcia Anderson, and I live on County Route 21, going toward Ghent and the Town of Kinderhook, and I'm here today as a private citizen. I'm also a member of the Alan Devoe Bird Club that's located in Chatham. But I am speaking on behalf of myself.
I fully support the Albany-Hudson Electric Trail. I believe that it will be a great asset to our community, that we really need such a facility in our town to connect to the other towns and villages. It will be a recreational resource. And as Bernadette said, grandchildren are always looking for something to do, and this will be a great resource for that.

The rail trail, the electric trail, is also in keeping with the Kinderhook comprehensive plan. You know, Kinderhook has a comprehensive plan about planning for future use of our town, and one of the high points on the comprehensive plan is to increase recreational resources and to keep Kinderhook green. And this electric trail will certainly do that.

It will be an economic driver for local businesses, and I also think that volunteer groups, runners' clubs and trail groups will be more than willing, Boy Scouts and 4H, to help maintain the trails in their
towns and villages. And if you've ever gone
over to Cape Cod, there's a very nice biking
trail on Cape Cod, and I think that is a great
asset to that area, and that people welcome to
have a trail such as this in their property.
And I hope that that will be proved true for
the Town of Kinderhook.

So that's it. I'm supportive of the
trail. Thank you.

MR. BEERS: Thank you. Number 10?
Ten.

GEORGE H. VOLLMUTH: Good evening. My
name is George Vollmuth, and I've owned a home
in the Hamlet of North Chatham for the last
27 years. I also own a property that
immediately abuts the old trolley right of way,
the North Chatham Trolley Station, a building
that's been restored and now serves as a
rent-free home of the North Chatham Historical
Society.

As the owner of an abutting property
to the proposed rail trail, I must say I am a
little surprised not to have received a written
notice of this public hearing, but fortunately a neighbor was kind enough to mention it to me.

I am pleased to hear that the State is now approaching the local towns to secure written agreements for maintenance, as I think a written plan detailing how this $45 million investment is going to be maintained is critical to its success. But our towns face their own financial problems, operating under the State-imposed budget cap. It might have been more helpful to spend less on the trail and provide some additional funds to the town to secure their crucial role in maintenance and upkeep.

As the president of the North Chatham Historical Society, I also want you to know that the North Chatham community worked extremely hard to secure the Hamlet's designation as a historic district on the New York State National Registers of Historic Places. As a state operation, I trust that means that any signs that the state itself places within the North Chatham Historic

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1 District, will reflect the character of that
2 historic district.

3 There is one other issue that
4 especially concerns us. As you know, from our
5 previous discussions, one of North Chatham's
6 grave concerns about the proposed route of the
7 trail in North Chatham, is that it will add
8 additional foot and bicycle traffic to what
9 those of us in North Chatham consider one of
10 the most dangerous intersections in the area.
11
12 The confluence of State Route 203,
13 County Route 32 and Bunker Hill Road, countless
14 North Chathamites, and especially the property
15 owners in immediate proximity to that
16 intersection, whose properties have been
17 riddled by automobile and truck detritus from
18 the countless vehicles that have had accidents
19 there, can regale you with stories of near
20 misses. It is a miracle no one has been killed
21 there.

22 Residents of the hamlet raised issues
23 many years ago about this, but since no one had
24 been killed, we were told nothing could be
done. There were too many other places that were of higher priority. I cannot believe how lucky we have been not to have any of our children, our neighbors and friends, or simply visitors passing through hurt or loss.

Now that the trail, the rail trail is coming, we are certainly pleased that this issue has come to the forward. However, alternative one in the DEIS is close to an alternative our community proposed years ago. I have a copy of that plan for you. If you have an interest, I'd be happy to leave it with a copy of my remarks. But I would like to go on record as saying that alternative two, which calls for a mini roundabout at that location, is, in my estimation, completely inappropriate within the confines of the North Chatham historic district. I am unable to conjure up any image of a mini roundabout that would be appropriate at the heart of the State National Historic District, especially immediately in front of a historic home on the National Register of Historic Places in its own right.
In my view, a roundabout has no place in the North Chatham historic district. That plan also does not indicate how the tractor trailer trucks, who repeatedly use this intersection, because they can't continue on Route 9 near the railroad bridge, will be able to safely negotiate the proposed roundabout, since many of them already have a challenging time at the current intersection.

For more then 200 years the Hamlet of North Chatham has drawn on its impressive past and the hard work and vision of our forebears, and in doing so, our community has not only survived, but it's thrived in the challenges. Any community needs to embrace change, less it wither or die. But we also recognize that we must celebrate the gifts those who have come before us have so graciously bestowed upon us and protect them. In my opinion, North Chatham is not a place that needs a roundabout of any size. Thank you.

MR. BEERS: Thank you.
Number 11?

HEATHER KAWALSKI: Hi. My name is Heather Kawalski. I live on Kinderhook Lake, Electric Park. I hate public speaking, but this is important to me. I am excited about the trail. I did not grow up in the country, I group up in Long Island, polar opposite from this situation, and the prospect of having a safe place to walk my dog, which I do multiple times a day, which is very exciting. Part of the reason why I live in the country now. I thought it would be a situation where I felt comfortable out walking, and I do not in the situation where I live. I think the trail will allow me to feel more confident on the road. It is right up the road from my house. I am thankful that there's actually some positive people here tonight.

And on a little sidenote, is that it seems to be something I am encountering more often living in the country, is people are scared of change. I know, just kind of a gross generalization. But I think once the trail
comes, it will not be such a sore subject and people will be positive. Thank you.

MR. BEERS: Thank you for your comments.

Number 12.

JIM DUNHAM. My name is Jim Dunham. I am the Mayor of the Village of Kinderhook, and I want to express the Village's support for the trail. We already have a very walkable, likeable village, and this will add more opportunities for recreation and exercise. It's like a pass through history, with connections to our historic sites in the Village, as well as connections to the various sites in the Hudson Valley with our Village, Columbia County Historical Society, the Vanderpoel House, the Martin VanBuren grave site, it will hopefully bring people into the village to support our businesses.

I am quite familiar with trails on Cape Cod, the Cape Cod Canal Trail, the Cape Cod Rail Trail in the middle of the Cape, and I think it's kind the Shining Sea Bikeway trail
in the Falmouth area, and I know what benefit those are to the communities, and I believe it's going to be the same for our communities.

This use of the National Grid right of way for a trail has been in our original comprehensive plan and in the Village's updated comprehensive plan. It's been a goal to have a trail on the National Grid right of way through the Village. And the sidewalk Link project, which was a Federal aid project, combined with the Village of Valatie on, connected our sidewalks between the two villages, was built as a possible trail connection, with the shoulders wide enough for bikes, and it's intended to be used for pedestrians, and that will be a part of the trail in between the villages.

And finally I want to say that it's the Village's intent that the Village will be able to maintain the trail within the 1.4 miles.

MR. BEERS: Thank you again.

Number 13.
CAROL WILBER: Good evening. My name is Carol Wilber, and I'm here on behalf of Columbia Economic Development Corporation, Columbia County Designated Economic Development Agency. I'd like to thank the Hudson River Valley Greenway for holding this public hearing and for its extensive public engagement outreach since August 2017, when the draft Albany-Hudson Electric Train Trail concept plan was released for public review. Public import is an important part of ensuring good decisions are made in a process such as this.

Having gone through the process of soliciting robust public input on priorities for the county while developing the CEDC strategic plan in 2016, it was very clear that quality of life is critically important to the residents of Columbia County. We acknowledge this and included quality of life and sustainability as one of the four pillars in our final strategic plan. For this reason, among others, I'm speaking today in enthusiastic support of the Albany-Hudson Electric Trail.
CEDC recognizes the many future benefits of the Albany-Hudson Electric Trail. The trail stands to strengthen the County’s economic health and competitive advantage, and will improve the health and wellbeing of local residents and visitors alike.

While CEDC is an enthusiastic supporter of the trail project, we also acknowledge there are issues regarding local government responsibility and cost of maintenance. We respectively encourage the State to continue conversations with our county, town, village governments to reach trail maintenance agreements that will help mitigate future burdens to our taxpayers.

Thank you for holding this public hearing. Thank you very much.

MR. BEERS: Thank you.

Number 14?

DAVID DEW BRUNER: My name is David Bruner and I rent the Valatie Trolley Station. I’m a retired landscape architect and artist,
and that's my studio. And I'm just here to encourage the design team to keep looking at a solution that surrounds that trolley.

If everybody is familiar, it's just less than a mile down the road. And when they built Main Street to hook up to 9, they had to rise that intersection, at the highest, probably five feet. So the trolly station now sits below grade, and if they build a ramp that surrounds it, it is going to have to have a railing system on it, which will then mean that the trolly will be even more sunken by the 54-inch rail that is around it. If you'd like to see what a 54-inch rail will look like in front of the trolly, I've put up some stakes with yellow ribbons so you could see how much more of a visual impact it is going to have on that station.

When I order pizza from LeBella's, the delivery guys can't find the station. So it's already sort of hidden, and I kind of think it's kind of a cool introduction to the city of Valatie -- Town of Valatie, and I think it
needs to keep a much more open appearance.

So I just encourage the design team to keep looking at solutions where the trail can go around the trolley station instead of in front of it. Thank you.

MR. BEERS: Thank you.

Number 15.

DAVID MANAREL: Hello. My name is David Manarel. I am speaking as a private citizen. I live in a neighborhood in Nassau, right off of 203 that borders the trail. I am definitely mostly supportive of the trail. I do have some concerns.

I have two small children, and right now they really don't have a safe place, aside from the very small little street that we live on, they really don't have a safe place to ride their bikes or walk. I don't either. So I am looking forward to that. I am looking forward to being able to possibly commute to work. So there's great things about it that I'm excited about.

There are a couple concerns. I share
the concerns with the people that live in the adjacent properties. You know, and I hope the people doing the trail do address those concerns.

Another thing is I know this is a lot of --

There's people who hunt currently in the bordering areas to the trail, and they have every right to do so, but we do have to think about how are, you know, hikers going to remain safe, children. So that's definitely a concern that I have.

And also, I think the concern about the intersection in North Chatham, because I know that the trail is going to go back into 203 after in Nassau, actually where it crosses underneath the overpass for 90, and I am a little concerned with that intersection in North Chatham, as well.

Thank you very much.

MR. BEERS: Thank you.

Number 16.

JOYCE LaROWE: My name is Joyce
LaRowe. I am on the Board of the Valatie Free Library. I am located in the middle of Valatie on Route 9, and our current location, our new location, the trail actually runs directly behind our building, just a few feet away. We are very happy to have, at least welcome visitors, new patrons. So we are very happy about extra access to the library.

Our only concern is that we do have a parking lot that, basically, sits practically on the trail. So we just want to be sure that there is information out there as to if there are designated parking areas for access to the trail, so that our lots do not become a public parking lot for access to the trail. And also the fact that we don't want to be the bathroom for the trail either. We welcome people in there, but we are going to be right there and right next to the trail.

So we just want to make sure that there is some information out there to direct people, if there is any facilities, if there's parking, so that our lot is still usable for
our patrons and doesn't become a parking lot
for the trail, because it is actually a perfect
spot to access it from. So thank you.

MR. BEERS: Thank you. Number 17. Is
number 17 still wanting to speak? 17 is
missing.

Okay. Number 18.

KAREN DOLGE: Hello. My name is
Karen Dolge. I am a resident of Valatie, and I
am here personally first, and very excited
about the trail. Where I live right now is in
a development, Little Falls Estates, and it is
the only place where my kids can really go to
ride their bikes safely. So I am very excited
to have them go and ride safely on a trail,
away from the traffic, because we are right on
203. So this will be perfect for them.

I'm also here as the president of
Kinderhook Runners Club, which has over 100
members, between families and individuals. Our
mission is to promote the sport of running in
Kinderhook and surrounding areas. So we are,
obviously, really excited about this trail,
because it gives us more opportunities to go
out and different places to run and connect to
other communities. So we strongly support the
Albany-Hudson Electric Trail. It's a safe and
accessible route for walkers, hikers,
bicyclists and runners.

Our club routinely uses outside
surrounding areas, such as the Albany County
Hudson Rail Trail, the Mohawk Hudson Bike Hike
Trail in Schenectady and Albany. The
Albany-Hudson Electric Trail will provide lots
of opportunities for physical fitness that will
link our communities, preserve open space,
increase property values and promote economic
development through increased tourism.

So on behalf of the Kinderhook Runners
Club, I would like to say thank you for
Greenway Committee for making the Albany-Hudson
Electric Trail a reality, which will improve
the quality of life for member of our club and
our neighbors through Columbia County. Thank
you.

MR. BEERS: Number 19?
ED HAMILTON: My name is Ed Hamilton. I am with the Friendly Kinderhook Trails, and I also am an adjacent property owner, and I'm -- The Friends of Kinderhook Trails is very supportive of this effort. I want to thank the Greenway for all that they've done. Our group is comprised of really individuals from Stockport, Stuyvesant, Kinderhook, the Village of Valatie. I am one of the people that they mentioned before that had been working for ten years, and some people have been working longer, to try to make this trail a reality. So it's something that's very exciting. I can say, having gone to many of the public hearings, not only here in Kinderhook, but in Stuyvesant, I went up to East Greenbush, I want to commend Greenway for, they have done a very good job. I know there's for and against on the trail, but as far as incorporating people's concerns, I think they really are trying to do their best. And having Greenway being able to take the lead, I think the Friends of Kinderhook Trails, we look
forward to working with the local municipalities of how can we help with the maintenance agreements and with the ongoing maintenance and also knowing that they're kind of working on the main focus of the Albany Electric Trail, that we can help with connectors, whether Pachaquack Park in Valatie, and other connectors, that we can really kind of make the most of this linear park that we talk about and make it advantageous with that whole community.

So with that, thank you.

MR. BEERS: Thank you. Number 20? Is there a number 20?

Twenty people collected cards. That is the last. But if anyone would like to speak and didn't pick up a card, you're welcome to come up at this time.

Okay. One last call?

John, how do we formally call close?

MR. MONTAGNE: Actually, if there are no more comments, I would encourage you all to go onto our website, or to submit written
comments, if you did not get a chance to speak tonight.

The hearing is now officially closed and we look forward to continuing to work with you all on the completion of the trail. Thank you very much.

(Whereupon the above-titled matter was concluded at 7:34 p.m.)
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CERTIFICATION

I, Deborah M. McByrne, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify that the above and foregoing is a true and correct transcript of the proceedings as mentioned in the heading hereof, to the best of my knowledge and belief.

[Signature]

Deborah M. McByrne
ALBANY-HUDSON ELECTRIC TRAIL (AHET)
March 28, 2018

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The document contains a list of terms and phrases, along with some numbers. It appears to be a compilation of words and phrases related to various topics, possibly for indexing or categorization purposes.
Appendix G2
Public Comments: Hard Copy Letters
May 7, 2018

VIA CERTIFIED MAIL, FIRST CLASS MAIL, and EMAIL

Mr. Andy Beers
Empire State Trail Director
Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12207-2995

Re: Albany Hudson Electric Railroad Trail
Property of Edwin A. Keil

Dear Mr. Beers:

I represent Edwin A. Keil, who is the owner of certain real property, located in the Town of Stockport, which is being impacted by the proposed trail.

I have reviewed the draft Environmental Impact Statement and am writing to provide certain comments about deficiencies in this document. My comments are broken down in to general comments, which relate to the entire project, and then specific comments, which relate to the property of Mr. Keil.

In general, I find that the document is vague and ambiguous with respect to the following items:

1. There is an inadequate description of the fiscal impact on municipalities. There will be significant ongoing financial obligations to local municipalities concerning the trail, and the benefits are, at best, questionable. Costs associated with police, fire, and ambulance services for the trail are not assessed or adequately discussed. Ongoing maintenance issues—especially in the areas hereinafter mentioned—will be significant.

2. The initial cost associated with the construction, especially in the areas hereinafter mentioned, will likewise be significant.

3. I believe there has been an inadequate discussion of stormwater management issues and impacts on wetlands.

4. There has been a rush to create this project, and insufficient time and energy have been expended to ensure everyone is well-informed about what will transpire.
With regard to the impacts associated with Mr. Keil’s property specifically, I submit the following:

1. The proposed trail to the north of Mr. Keil’s property passes through a washed-out ravine. That ravine is a sensitive area as concerning wetlands—both State and Federal—as well as a tributary to a protected creek. In addition, that area historically has been used for the disposal of solid waste, all of which needs to be removed.

2. The existing railroad bed has been effectively washed out by large storms. There has been insufficient analysis of what will prevent that from happening in the future.

3. My client—and his mother and father before him—has openly and continuously used the property over which the trail is proposed for upwards of 70 years. Mr. Keil utilizes that area for the purpose of maintaining crops and attending to his cattle. In furtherance of such activities, Mr. Keil and his predecessors have gated the property, fenced the property, and installed water lines, electric lines, and drainage systems. They have done so pursuant to their possessory interest in the property, which I believe has ripened into an ownership interest.

4. In the furtherance of these issues—and because there has been inadequate recognition of my client’s legal and equitable rights—my client is commencing an action against the involved parties to establish his interest in this property judicially.

5. My client has also been victimized through the unequal treatment involved in this process. For example, the trail has been rerouted around and through Wilrock Farms under the same material circumstances as attend my client’s property. The trail should not be asserted through in a way that may impact my client’s agricultural activities.

6. All the impacted municipalities—the Town of Stockport, the Town of Stuyvesant, and Columbia County—are right-to-farm communities. The purpose of that designation is to encourage agricultural production and to protect existing farms. Installing unnecessary fences and inviting the public onto the proposed trail route will significantly reduce the value of my client’s property and interfere with his vested property rights.

7. In addition, the Town of Stockport has an ordinance which prohibits non-agricultural activities within 50 feet of a contiguous farm. This ordinance provision is for the benefit of people such as Mr. Keil. He has not been provided with the safeguards allowed here. This is a situation where an entity (Niagara Mohawk Power Corporation) has executed a license with the greenway. The quasi-public reach of the greenway is not sufficient to eliminate the requirement that the Town comply with its zoning ordinance, particularly as the activities contemplated contravene the protections afforded to my client and other farmers under state and local statutes.
I understand there is a rush to get this completed. However, regardless of the motivation behind the trail, my client’s livelihood will be impacted and his property rights interfered with. For all these reasons, your environmental process is deficient on its face.

Sincerely,

[Signature]

Joseph D. Clyne, Esq.
JDC/dab
Dear Governor Cuomo,

I am a summer resident on Kinderhook Lake like 2 generations of Hamiltons (my grandfather was Asst. Deputy Comptroller of NY State) before me. Over the years my family and I have torn down 4 summer bungalows and replaced them with new and I believe beautiful homes whose size and accoutrements bring NY State, Columbia County and the Town of Chatham much needed additional tax revenue. These homes are a refuge for me and my family, offering quiet seclusion that is essential for recharging our worn souls at the end of a busy Fall, Winter and Spring. “The Lake” as we affectionately call our summer place, is in line to become summer home to our own grandchildren who also have a shared love for this special spot. One of my homes is rented during the summer months and the one thing that all tenants say about the property is that the privacy is exceptional. We have enjoyed the natural “fencing” that nature has provided by way of tall trees and entangled bushes grown over the old trolley lines that sit so very close and alongside our 4 homes.

As a child that field was part and parcel of the lake itself, under water and so my sister would use a boat to travel alongside our homes, with the trolley tracks nowhere to be seen! Our lake’s dam was now encouraging the lake to reclaim its original territory....and it obliged. Until one day a storm brought enough water from the Berkshire Foothills directly above our property into that lagoon that my grandmother’s home was buried in water. My father urged the Electric Company at the time (I have letters to prove this) to fill in the field so that the lagoon would move further South and future storms would not affect his mother’s home. Therefore, that field upon which the Hudson Valley Rail Trail proposes to put it’s 20 foot wide bike and running path was and is both wetlands and lake at the same time! In my lifetime the dam has broken 3 times and each time our Point has taken on enormous amounts of water right up to our garages and in one case, one of our homes takes on water into its crawl space each and every time the water level rises significantly (which it does in storm or hurricane events).

These are the personal reasons of why I am diametrically and vociferously opposed to the “Conservancy” Rail Trail proposition linking Albany with Hudson especially as it relates to the strip from Community Hall Valatie past the south end of Kinderhook Lake. And for the following additional, salient reasons:

1. Local Governance will be responsible for maintenance, policing, EMS and Fire issues pertaining to these trails. We cannot get the Sheriff’s office to police the speed of boats on Kinderhook Lake how will they police and from a practical standpoint how will they even reach a person in distress on one of these trails should the need arise? I
understand that the Valatie Fire Department is the only Dep’t that is able to access such an area with their specific equipment, while other fire departments along the proposed trail are not able to do likewise.

2. Taxes will be increased while my quality of life will degrade. This is not how taxes are supposed to work. There will be sound, movement and activity where none exists now. The home of my resident rabbit family will be displaced. Our homes during the leafless times of the year will be in full view of all trail users and the fact that they are not lived in for 9 months of the year will become disturbingly evident to all.

3. The area behind our 4 houses is wetlands and it should be treated as such and not built upon and used as a linear park on the shoulder of our lake. I do not have a blacktopped driveway in order to protect the lake from run off. I do not trim any bushes and trees along my lakeshore, but the “Conservancy” will come in and for 40 million along the route, denude all areas “needed” for their Albany-Hudson highway. The bushes and trees act as a barrier from flooding, their root systems absorb an incredible amount of water, which is desperately needed in that Wetlands area.

4. We are not in residence for 9 months of the year and our homes and property will be in full view of all using the trail, who will be liable for trespassing? who will be liable for accidents, injuries happening on our property by trail blazers who do not or will not read “private property” signs? In fact some may take that as an invitation to reconnoiter.

5. I am also concerned about the additional public access and potential drownings, accidents and liabilities that the Power Company, the State, The Conservancy and the Town of Chatham would all share if a trail walker or cyclist decided to take a break and cool off in Kinderhook Lake on a hot summer’s day or take a detour or short cut across a partially frozen lake in winter. If a tragedy resulted, lengthy court battles would ensue with the tax payer ultimately paying the bills of all involved to say nothing of the tragedy of the accident itself.

And lastly, I would make the case that Government is selecting and choosing whose comfort, privacy, convenience and quality of life matters more. I state that that is definitely not within the prevue of the Government! The adjacent homeowners who pay taxes to the Town and State for the privilege of living in that Town in that exact spot or the walkers/bikers who do not. And in an absurd twist of fate you are also asking those whose privacy, quiet and personal space is negatively impacted to pick up the tab for the construction and maintenance ad infinitum for this political ploy. Do we not pay taxes already for the schools in our area which also have running tracks that could be used on weekends by all interested runners? Do we not have parks and recreation spaces galore in NY State where cyclists can do their thing? And those spaces are already taxed and paid for by the “Rail Trail” taxpayor.

And finally, since this aggressive push was begun by so called “conservancy” groups (I put that word in italics because no real Conservancy group worth its name would ever want to put fill in a wetlands area and see traffic on it!) they have added thousands and thousands of miles to their ever-expanding girth, and way ahead of schedule I might add! HOWEVER, concomitant
with their marketing success we have also seen a meteoric rise in the number of lawsuits filed against them and the State and/or Town in which the rail trails reside for trespassing, malicious acts and even death. How dare you put us in this position!? How dare you? Is the rail trail going to affect your home Governor? Is it going to affect the President of the “Conservancy” group? Or is it going to affect the lives of the thousands of non residents who will be using the trails? I think not. This conspiracy that has been hatched by the Conservancy group, agreed to by the State of New York and the Towns in the Rail Trail path and made possible by the approval of National Grid, is choosing sides and dictating that the adjacent home owners have no right to a good quality of life. Consider this my warning: if anything, and I mean anything happens on my property caused or prompted by any user, maintenance person or volunteer you will all collectively be hearing from my attorney.

Sincerely,

Mary and Gerry Howard

Mary Howard

Government and Conservancy groups are choosing to select which groups deserve a good quality of life! Selective about whose quality of life matters more! This is an abomination.
May 4, 2018

Hudson River Valley Greenway
625 Broadway – 4th Floor
Albany, NY 12207-2995

Re: Albany-Hudson Electric Trail
Draft Environmental Impact Statement

Dear Sirs:

This letter is to provide the Village of Kinderhook’s comments on the subject Draft Environmental Impact Statement and to express the village’s support for the proposed Albany-Hudson Electric Trail.

We concur with the assessment of the environmental considerations in the DEIS, such as those summarized in Section ES.6. With respect to consistency with community plans, the development of a trail along the National Grid right-of-way, the former Niagara Mohawk right-of-way, was included in the village’s comprehensive plans as follows (copies of relevant pages attached):

November 1999 Comprehensive Plan
June 2008 Comprehensive Plan Update
December 2016 Comprehensive Plan Update

The village expects that the trail will enhance economic development in the village by bringing trail users into the Village Square business area and to two businesses along Route 9 at the north end of the village.

In addition, with the village’s historic, architectural and cultural heritage, we expect trail users to visit the historic and cultural sites in the village. These include historic related sites such as the Columbia County Historical Society Museum, the Vanderpoel House, Martin Van Buren’s birthplace and gravesite, the Martin Van Buren statue in the Village Square area and the People of Color Cemetery at
Rothermel Park and cultural sites such as The School/Jack Shainman Gallery. The Empire State Trail has been termed a trail through history and we expect the Village of Kinderhook will become one of the stops on this trail.

The Sidewalk Link Project, a federal-aid project to connect the sidewalks of the villages of Kinderhook and Valatie constructed in 2013, was developed in consideration of a trail concept similar to that now proposed. The section along Route 9 was built to provide an on-road section of trail and is now being incorporated in this proposed project from Stewarts northerly to just south of the Route 9H bridge.

The Village of Kinderhook intends to maintain the trail within the village as described in the Albany-Hudson Electric Trail “Trail Maintenance Plan”, February 2018 Draft.

With respect to the trail alignment in the vicinity of the crossing of Albany Avenue in the village, the DEIS included an alignment through the Columbia County Historical Society property at the back of the Vanderpoel House lawn. A permanent easement to the village was to be purchased from the CCHS. Since the historical society would not approve this permanent easement, an alternative along Sunset Avenue and through a strip of land to be purchased from the Samascott Farm is now proposed to bring the trail back to the National Grid right-of-way. The village supports the Sunset Avenue/Samascott alternative now being considered and we believe the revised trail alignment through the village-owned Mills Park provides a better opportunity for place-making in the park.

Sincerely,

James Dunham
Mayor
Village of Kinderhook
Comprehensive Plan

From Village Beautiful, Kinderhook, New York, by Will S. Kline, c. 1910

Adopted November 8, 1999
Recommendations

1. Encourage all art and cultural events to support and cooperate with one another in their efforts to bring cultural opportunities to the Village.

2. Work with the Town, the Village of Valatie, Columbia County Department of Tourism and regional tourism related organizations to create additional awareness of and interest in all events occurring within the Village. Participate in a joint Town-Village cultural committee to coordinate and publicize events.

3. Explore additional mechanisms to promote local art and cultural opportunities such as newsletters, coordination with chambers of commerce, Columbia County Council on the Arts, and tourism groups; or the Internet.

Parks and Recreation

Issues

Adequate recreational opportunities are important to village residents. Although existing programs are perceived as being satisfactory, several additional recreational opportunities are desired. These include additional biking and walking opportunities.

Goals

- Improve recreational opportunities for all citizens through public and private efforts.
- Enhance the Village's environment as a "walking village."
- Improve access to and opportunities for passive recreational use of natural areas such as the Kinderhook Creek.

Recommendations

1. Support development of a continuous bicycle trail on the Niagara Mohawk right-of-way from Niverville through Valatie to the Village of Kinderhook. Work towards designating any trail developed in the Village to become part of the Hudson River Valley Greenway Trail system.

2. Provide continued coordination of recreational programs/facilities among the Town, villages, school district, adjacent municipalities and organizations such as the Northern Columbia Little League.
Village of Kinderhook

Comprehensive Plan Update

June 2008
Cultural and Recreational Resource Goals

Vision
Our village is a culturally rich community and offers residents, businesses, and visitors many opportunities to experience the arts. Citizens of all ages take advantage of passive and active recreational activities within the Village. These include walking or biking along our Village streets, along greenways or other paths, and having access to parks, playgrounds and natural areas such as the Kinderhook Creek.

Goals

- Enhance advertising and promotion of art and cultural opportunities in the Village.
- Seek ways to capitalize on these opportunities for economic benefit of other businesses and the Village as a whole.
- Improve recreational opportunities for all citizens through public and private efforts.
- Enhance the Village’s environment as a “walking village.”
- Improve access to and opportunities for passive recreational use of natural areas such as the Kinderhook Creek.

Actions

1. Promote art and cultural activities and organizations by adding a community calendar on the website and in water bill mailings.

2. Encourage additional use of Village facilities, including 2nd floor of Village Hall, for cultural events.

3. Coordinate events and activities with other Village cultural organizations, such as Columbia County Historical Society, Kinderhook Memorial Library, Kinderhook Business & Professional Association (KBPA).

4. Continue to implement recommendations of the Recreational Trail Design & Feasibility Study for the Town and


5. Develop boat access to Kinderhook Creek.

6. Consider installing bike racks in the Village Square and establishing a public bikes program to promote bike riding.

Economic Development

Vision
The Village includes vibrant, walk-able commercial areas with a balanced mix of small and unique retail shops, restaurants and professional offices and agricultural and home-based businesses. The economy is supported by both Village residents and visitors.

Goals
- Establish an organizational structure to promote economic development.
- Promote balance in the business mix and more diversity in the Village Square.
- Retain and support existing businesses.
- Establish economic development initiatives that build on the Village’s unique design and historic characteristics.
- Provide for adequate facilities and infrastructure to support businesses.

Actions

1. Establish a Business Development & Promotions Committee (BDPC) with responsibilities that include:

a. Designing and implementing the Business Retention Program (see recommendations in item 4 below);

b. Creating, organizing and promoting quarterly events in the Village that incorporate and support local businesses in partnership with the KBPA;
F. Cultural and Recreational Resources

Vision

Our Village continues to be a culturally rich community offering residents, businesses, and visitors many opportunities to experience the arts, history and nature. We continue to foster these cultural and recreational pursuits through support of related events and activities. Citizens of all ages take advantage of passive and active recreational activities within the Village. Kinderhook continues to be a walkable community for residents and visitors. The Village provides for accessibility to parks, playgrounds and natural areas.

Goals

- Enhance advertising and promotion of art and cultural opportunities in the Village.
- Continue to support cultural and recreational events and activities in the Village.
- Seek ways to capitalize on these opportunities for economic growth.
- Improve recreational opportunities for all citizens through public and private efforts.
- Enhance the Village’s environment as a “walking village.”
- Improve access to and opportunities for passive recreational use of natural areas such as the Kinderhook Creek.

Strategy

- Continue the KBPA and Economic Development Director’s efforts to coordinate promotion of events and activities throughout the Town and Villages.
- Continue the Economic Development Director’s efforts to promote local art and cultural opportunities.
- Work with local and regional trail development organizations and agencies to participate in and support development of a trail along the utility right-of-way.
- Work with Hudson River Valley Greenway to designate and develop local trails in the Village. Continue to work with the Town of Kinderhook Trail Committee to implement the trail system proposed in the SUNY Trail System plan prepared for the region. Use the old railroad trail for biking and pedestrians and link this through the Village to Mills Park and other destinations. Seek funds to implement this.
- Participate in and support development of heritage trail from the Village to Lindenwald.
- Improve Creek access. Work cooperatively with the upstream and downstream communities and Lindenwald to develop this access. Consider seeking Hudson River Estuary grants for funding this effort. Conduct liaisons with NYS legislators to identify Kinderhook Creek as a Hudson River Estuary.
- Develop boat access to the Kinderhook Creek. Work cooperatively with Lindenwald as they are considering a similar project.
- Evaluate and provide as needed additional active recreational facilities at the playground.
- Acquire areas, by easements or purchase, along the Kinderhook Creek to provide passive recreation.
- Consider placing bike racks in Village Square, promote pedestrian and bike safety programs and make street and sidewalk improvements where necessary to promote continuation of Kinderhook being a bike-friendly location.

Village of Kinderhook

Comprehensive Plan Update, 2016
Meeting Agenda: Albany-Hudson Electric Trail Update
North Chatham Trolley Station
May 12, 2018

1. Introductions / Agenda Review

2. Overall AHET Trail Project Update
   • Public Meetings & Adjacent Landowner Meetings
   • Engineering Design Effort
   • National Grid Coordination
   • Environmental Review and Permitting
   • Property Boundary Surveys
   • Draft Trail Maintenance Plan (Town of Chatham: 2.4 miles off-road trail)
   • Project Schedule

3. Off-Road AHET Trail – Town of Chatham

4. On-Road AHET Route: State Route 203 – Thruway to North Chatham

   • Status: Evaluating alternatives; No decision made
   • Decision criteria: Bicycle & Pedestrian Safety; Community Character; and Motorist Safety (cost is not a decision criteria)
   • Final Plan will require approval from NYSDOT, Columbia County, and Town of Chatham – including consideration of public input
   • Traffic volume data collected October, 2017; volumes are relatively light (during peak periods, vehicle movements are less than 75 vehicles per hour)
   • Primary design considerations: a) pedestrian and bicyclist flow through intersection; b) northbound vehicles turning from Route 203 onto Bunker Hill Road not realizing they need to yield to southbound Route 203 vehicles
   • Alternative 1: No physical changes; add signage and pavement markings
   • Alternative 2: Install Mini-Roundabout
   • Alternative 3: Install T-Intersection
   • Decision required by summer, 2018 to allow preparation of detailed engineering plans
   • Intention is to design within existing public Right-of-Way ownership (no acquisition of adjacent private properties)

6. Conclusions and Next Steps
May 7, 2018

VIA EMAIL (havg@hudsongreenway.ny.gov)

Mr. Andy Beers
Empire State Trail Director
Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12210

Re: Town of Stockport
Albany-Hudson Electric Trail (the “Project”)

Dear Mr. Beers:

This firm represents the Town of Stockport (the “Town”). I am writing you with regard to the above-referenced Project. The Town is generally supportive of trail development and the endeavors of the Hudson River Valley Greenway (the “Greenway”) on a conceptual level, and is looking forward to the Project’s eventual success.

In relation to maintenance of the trails, however, we understand it is the Greenway’s position that routine maintenance (i.e., mowing, etc.) of the Project will be borne by the municipality. At a public presentation explaining the Project, you presented an estimate of the projected maintenance costs. It is anticipated by the Greenway that maintenance costs will be approximately $6382.00 annually for the portion of the Project located in the Town Stockport. As with most small towns across the State, and particularly in Columbia County, the Town operates on a tight budget and cannot afford such additional annual expenses without imperiling other critical services. In fact, if the Town was required to take on this burden, it would exceed its general fund tax cap of 1.86%. The Town is proud that since the imposition of the tax cap requirement in 2011, it has never exceeded the cap.

The Town is simply unable to cover the cost of trail maintenance unless it is compensated by an external funding source (i.e., State funding, grants, etc.).

Thank you for your consideration.

Very truly yours,

Genevieve Trigg
April 13, 2018

Mr. Ron Knott  
Supervisor, Town of Stuyvesant  
5 Sunset Drive  
Stuyvesant, NY  12173

Dear Ron,

Thank you for providing detailed comments on the Draft Environmental Impact Statement (DEIS) for the Albany-Hudson Electric Trail. Your April 3, 2018 letter has been added to the formal compilation of public comments on the DEIS.

Your comments identify a number of important issues associated with creation of the AHET Trail, including applicability of local land use ordinances, stormwater management, and potential impacts to adjacent farmland, hunting activities, community character, and wildlife habitat. The DEIS includes sections analyzing these issues. The Hudson River Valley Greenway will carefully review your comments and incorporate additional information and responses in the Final Environmental Impact Statement (FEIS), as appropriate. The Greenway anticipates issuing the FEIS in June.

In the interim, prior to the Greenway’s release of the FEIS, here is a response to several items raised in your comments:

1. Your letter identifies the need for the Greenway to review potential impacts to historic and archeological resources. The Greenway engaged the consulting firm Hartgen Archeological Associates, Inc. to review historic and cultural resource issues along the AHET Trail corridor. Hartgen completed a detailed review of historic properties and completed a Phase 1 archeological investigation, which included more than 600 shovel pit tests along the AHET route (no significant archeological resources were identified). The Hartgen report is included in Volume 2 – Appendices of the DEIS (pages 562 to 813). Based on the Hartgen study, the State Historic Preservation Office issued a No Adverse Impact letter on March 14, 2018 for the AHET Trail project.

2. Your letter identifies the need for the Greenway to review potential impacts to wildlife habitat, including the bald eagle. The Greenway engaged the consulting firm Environmental Design & Research (EDR) to complete a detailed assessment of wetlands and wildlife habitat, including endangered species issues, along the AHET Trail corridor. EDR’s report is included in Volume 2 – Appendices of the
DEIS (pages 4 to 561). The DEIS identifies mitigation steps to avoid potential adverse wildlife impacts identified in the EDR Report. No known bald eagle nesting sites or concentration areas exist in the vicinity of the AHET corridor.

3. Your letter asks how existing conservation easements may impact the AHET Trail. National Grid’s land is not encumbered by any conservation easements. To the extent properties adjacent to the AHET Trail corridor are encumbered by conservation easements, there should not be any direct impact on those properties. Does the Town have a register or listing of easement-protected properties in Stuyvesant? If you can identify specific properties of concern, the Greenway will further evaluate this issue.

Again, thank you for providing detailed comments on the DEIS for the Albany-Hudson Electric Trail.

Sincerely,

Andy Beers
Director, Empire State Trail
April 4, 2018

The Honorable Ron Knott
Supervisor, Town of Stuyvesant
5 Sunset Drive
Stuyvesant, NY 12173

Dear Ron,

The Hudson River Valley Greenway (the Greenway) received a letter dated February 13, 2018 from Tal Rappleyea, Attorney for the Town of Stuyvesant, regarding the Town’s zoning ordinance and the Albany-Hudson Electric Trail (AHET). This letter provides the Greenway’s response.

Attached is a detailed analysis, prepared by Paul Laudato, regarding the applicability of local zoning ordinances to the Greenway’s planning and construction of the AHET Trail. Mr. Laudato is the General Counsel for the Natural Heritage Trust, a New York State public benefit corporation that is providing assistance to the Greenway on this project. Paul has extensive legal background on the intersection of state and local law on land use issues — over the course of his 40-year career he has served as General Counsel to the NYS Office of Parks, Recreation and Historic Preservation, Town Attorney for the Town of Guilderland in Albany County, and as Special Counsel for the Towns of Chatham, Austerlitz, Claverack and Canaan in Columbia County on zoning, planning and land use issues.

Mr. Laudato’s memo conclusively demonstrates the AHET Trail is exempt from local land use ordinances. My layman’s distillation of his analysis: it is well-settled matter of law that state actions and projects are exempt from local zoning approvals, and the AHET Trail project clearly is a state project. The authorities of the Hudson River Valley Greenway Conservancy, as set forth in Article 44 of the Environmental Conservation Law, do not change the status of the AHET Trail project in respect to local zoning issues.

Allow me to emphasize that, while the Greenway will not be formally submitting the AHET Trail for local zoning review to the 15 towns, villages, cities, and counties that comprise the trail route, we welcome public input from the Stuyvesant Town Board and the Stuyvesant Planning Board, and we would be happy to meet with the boards to discuss the project.

Also, you’ve mentioned that the Town’s zoning ordinance prohibits certain types of uses in designated agricultural areas. The Greenway is carefully designing the AHET Trail to avoid adverse impacts to agricultural activities:
1. The Greenway intends to designate an on-road section of the AHET Trail to avoid passing through Wil-Roc Farms large dairy building complex, which is bisected by National Grid’s fee ownership corridor. In other areas, the project is being designed to allow adjacent owners to safely cross agricultural equipment across the Trail to access farm fields.

2. The Greenway is completing a full Environmental Impact Statement (EIS) for the AHET project. The Greenway has released a Draft EIS for public comment, which includes an analysis of potential impacts to agricultural activities in each Town, and concludes creation of the Trail will not result in adverse impacts.

3. We have reviewed the Town of Stuyvesant’s zoning ordinance. We see that the development of “municipal parks and playgrounds” are a prohibited use in agricultural districts. We note that provision is not relevant to the AHET, which is a state trail project (the AHET Trail is not a playground nor is it a municipal park).

Finally, I attach your August, 2009 letter referencing the town’s comprehensive plan and expressing the Town of Stuyvesant’s support for a Hudson River Valley Greenway grant for a feasibility study for creation of a trail utilizing the abandoned trolley line, now owned by National Grid, for a trail connecting the Towns of Kinderhook, Stuyvesant, and Stockport. That feasibility study laid the groundwork for the AHET Trail now being advanced by the Greenway.

Sincerely,

Andy Beers
Director, Empire State Trail
April 3, 2018

Memo to: Andy Beers, Director
Empire State Trail
Hudson River Valley Greenway

From: Paul J. Laudato, General Counsel
Natural Heritage Trust

Re: Application of Local Zoning Law to Construction of the Albany-Hudson Electric Trail

You have asked me to review, research and opine on the position taken by the Town of Stuyvesant as set out in the letter of its attorney Tal G. Rappleyea dated February 13, 2018. Attorney Rappleyea states that the design and construction of the Albany-Hudson Electric Trail section of the Empire State Trail (AHET Trail) is subject to the zoning law and review of the Town.

As a general rule, actions by the State that are exercises of its sovereign power are not subject to the statutes, laws, rules or regulations of local governments. New York courts have consistently ruled that state government actions are immune (e.g. exempt) from local zoning regulations, and have held that localities lack authority to impose such regulations on state entities. The courts no longer, however, make this determination based on whether the State is exercising its governmental versus its proprietary function. Instead the Court of Appeals has applied the “balancing of public interests” test first established in County of Monroe, 72 N.Y.2d 338 (1988). See Crown Communication New York, Inc. v. Department of Transportation, 4 N.Y.3d 159 (2005).

The factors to be considered include “the nature and scope of the instrumentality seeking immunity, the extent of the public interest to be served thereby, the effect local land use regulation would have upon the enterprise concerned and the impact upon legitimate local interests.” Also critical to the Monroe Court were the legislative grant of authority, alternative locations for the facility in less restrictive zoning areas, and alternative methods of providing the needed improvement.

In the case of the AHET Trail, there is a clear legislative grant of authority to the Executive to construct this facility. Environmental Conservation Law §44-0121 clearly provides for the construction of the Greenway Trail, a section of which will be the AHET Trail. The Governor and Legislature also funded the construction of the Greenway Trail in the enacted
FY2017-18 budget. There can be no dispute that the construction of the AHET Trail is part of a governmental project created and funded by the Executive and the Legislature. The Governor as chief executive and the Legislature, as the highest elected legislative and budget-making body in the State, has recognized the Greenway Trail and the AHET Trail in the public interest and the public interest will be served by its construction.

The Town of Stuyvesant Zoning Law (zoning law) impliedly recognizes the sovereignty of the State with respect to its parks and other recreational facilities. In Section 3 – Establishment of Districts, the zoning law sets out the various zoning districts and the uses that are permitted, permitted with a site plan review or supplemental requirements or prohibited in each zoning district. While “Municipal Parks and Playgrounds” are one of the uses that are listed (and which are prohibited in Agricultural Districts), there is no mention in the zoning ordinance of State owned or operated parks, trails or recreational facilities. Such facilities actually exist within the Town; part of Schodack Island State Park is situated in the northwest corner of the Town. Similarly, NYSDEC operates trails and recreational amenities at the Nutten Hook Unique Area adjacent to the Hudson River within the town.

In a June, 2015 NYSDEC press release, Supervisor Knott commended the state’s construction of new trails at Nutten Hook. The lack of any reference to the location of State recreational facilities within the zoning law, combined with the fact that the Town has never sought to exert zoning ordinance review of construction of trails or other facilities in the State Park or NYSDEC’s Nutten Hook facility, is evidence that the Town recognizes the sovereignty of the State and the fact that such facilities are exempt from local zoning control.

The Stuyvesant Town Board has previously gone on record endorsing the construction of a Greenway trail within its municipal boundaries. In 2009 the Town Board passed a resolution seeking a grant from the Greenway to undertake a feasibility study for an inter-municipal trail that would pass through its community. That resolution was strongly endorsed by the Deputy Supervisor (now Supervisor) Ronald Knott in a letter to the Town of Kinderhook, the applicant for the Greenway grant, dated August 24, 2009. The AHET Trail is one of two recreational trails recommended in the KSS Inter-Municipal Trail Feasibility Study (the other is the proposed Kinderhook Creek Trail). The Town Board's previous support of such an inter-municipal trail is evidence the Town’s recognition of the compliance of the AHET with local land use regulation and the public interest to be served by the AHET.

As part of planning the Empire State Trail, the Hudson River Valley Greenway completed a detailed analysis of potential options for developing the trail, with the goal of identifying a route that maximizes off-road trail segments to provide a safe and enjoyable trail experience for pedestrians, bicyclists, and people with disabilities. That analysis determined there is only one viable route for the Empire State Trail in Columbia and Rensselaer Counties – that being the former trolley railroad corridor now owned in fee by National Grid and operated as an electric transmission right of way (ROW). The National Grid ROW runs for 35 miles through 8 towns and 3 villages from the City of Hudson to the City of Rensselaer. The Greenway has determined it provides the only feasible route for constructing a largely off-road trail route. Within the Town of Stuyvesant, virtually all of
the AHET Trail will be developed on the ROW, with the exception of a small on-road section proposed to utilize Smith Road, State Route 9, and Sunnyside Road in order to avoid negative impacts and trail user conflicts where the ROW passes through a large dairy farm building complex (Wil-Roc Farms) in this area. In order to achieve the Empire State Trail’s goals of maximizing off-road trail conditions, it is necessary to utilize the ROW within the Town for creation of the AHET Trail.

The Town attorney appears to interpret the zoning law as requiring approval of the AHET Trail as a “Municipal Park or Playground.” If the AHET Trail were subjected to the Town zoning law on the theory espoused by the Town attorney, the zoning law would have the effect of precluding the construction of a continuous AHET Trail using the ROW. The ROW transects several Agricultural (Ag) Districts shown on the Town zoning map. The Ag District precludes Municipal Parks and Playgrounds and, under the Town attorney’s apparent interpretation of the zoning law, would preclude the AHET Trail. However, the ROW, with its electrical facilities, is preexisting in several zoning districts and presents no more intrusive a use than would the AHET Trail. Moreover, the AHET Trail is not a playground and it is not a municipal park – rather it is a linear trail. In fact, the ROW currently experiences significant unauthorized motorized and non-motorized usage. Development of the AHET Trail will provide a safe facility for non-motorized uses and displace current illegal ATV and snowmobile use. In summary, construction of the AHET Trail will not adversely affect legitimate local interests.

A balancing of the factors under the Crown Communication case clearly demonstrates the State’s overwhelming interest in constructing the AHET Trail within the ROW through the Town, without regard to the Town zoning law.

The Town attorney relies upon ECL §44-0119 (4-b) for the proposition that the design and construction of the AHET Trail is subject to the Town zoning law. The relevant statute states:

> 4-b. Nothing contained in this article shall be deemed to affect, impair or supersede the provisions of any city charter, local law, rule or other local requirements and procedures heretofore or hereafter adopted, including but not limited to, any such provisions relating to the zoning and use of land. (Emphasis supplied.)

Apparently, the Town attorney reads the reference to “this article” as meaning that each and every provision contained in Article 44 is subject to local zoning law. Such a conclusion is much too broad and not supported by a careful reading of the statute. This provision was added to the statute as part of a 1995 amendment that primarily added the Bronx and Manhattan to the Greenway and increased the membership of the Greenway Council (note that the Council is a separate legal entity; the AHET Trail is being developed by the Greenway Conservancy). A review of the supporting memorandum of the 1995 bill indicates there is no mention of this specific provision. It was inserted in the section of the law that directs the Greenway Council to establish voluntary regional compacts within the Greenway through which adjacent local governments agree to coordinate on the development of local and regional land use planning efforts. It is clear that the provision
was intended to reassure local municipalities that participation in the Regional Compact does not in any way authorize the Greenway Council to dictate the content of local plans and land use ordinances. Rather, the Greenway Council’s role relative to the Regional Compact is to provide technical assistance, with local governments retaining control over writing the contents of their ordinances.

This conclusion is further supported by the wording of the provision and the use of the following language: “nothing contained in this article shall be deemed to affect, impair or supersede…” This formulation clearly expresses the Legislature’s intent to assure the local municipalities that the creation of the compact, the specific statute which contains the provision in question, must be compliant with local laws.

If the Executive and the Legislature intended to make actions of the Greenway Conservancy, including development of the Greenway Trail, subject to local zoning, they would have enacted a very different provision, typically stated as “notwithstanding any other law, actions by the Greenway shall be subject to local zoning ordinances and approvals” -- a much broader statement that would make any other law – legislative, administrative or court created – subservient to this provision. The Executive and Legislature did not do that; rather they used the much more limited formulation that nothing within the Article will affect, impair or supersede local law. Only the sections of this Article are therefore subservient to this provision and it is clear that by the placement of this language in the section dealing with the compact, rather than in a free standing section within the Article, the Legislature intended this provision to apply to the affect the compact would have on local law.

As stated above, the design and construction of the AHET Trail is a Legislatively mandated and funded project, and under the analysis above, clearly is a State project that is not subject to local zoning or other local law. This exemption arises out of the sovereignty of the State, not out of ECL Article 44 and therefore, by the very language relied upon by the Town attorney, is not a matter “contained in this article.”

As a state project, the AHET Trail is exempt in the first instance from local zoning law. The language in ECL §44-0119 (4-b) does not alter that exemption. Rather, it is clear the AHET Trail is not subject to review by the Town of Stuyvesant under town land use and zoning ordinances.
TOWN OF STUYVESANT
RESOLUTION #09-04

WHEREAS, the Town of Stuyvesant is applying to the Hudson River Valley Greenway for a grant under the 2009 Greenway Conservancy Small Grant Program for a project entitled the Kinderhook-Stuyvesant-Stockport Intermunicipal Trail to be located in the Towns of Kinderhook, Stuyvesant and Stockport.

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the municipality or municipalities in which the project will be located.

NOW, THEREFORE, be it resolved that the government board of the Town of Stuyvesant hereby does approve and endorse the joint application for one-third of a $10,000 grant under the 2009 Greenway Conservancy Small Grant Program, for a project known as the Kinderhook-Stuyvesant-Stockport Intermunicipal Trail and located within this community.

Adopted: August 13, 2009

Melissa A. Naegeli
Town Clerk
Town of Stuyvesant

[SEAL]
Town of Stuyvesant  
PO Box 250  
Stuyvesant, NY 12173  
Phone: 518-758-6248  
Fax: 518-758-8077

August 24th 2009

Supervisor McGivney  
Town of Kinderhook  
PO Box P  
Niverville NY 12130

I am writing to offer support from the Town of Stuyvesant towards the proposed Greenway trail grant application for a trail feasibility study for a trail connecting the towns of Kinderhook, Stuyvesant, and Stockport. An abandon trolley line that once connected theses areas is a wonderful resource to be utilized to reconnect neighboring towns. Lindenwald, a National Historic site and visitor center is located near the border of Kinderhook and Stuyvesant along the Kinderhook creek. Following the creek south the town of Stuyvesant maintains a park at the base of the waterfall, hence the name of the hamlet, Stuyvesant Falls.

It has been a goal of our town's comprehensive plan to create a trail from our town park area to Lindenwald. With the recent expansion of property at Lindenwald, and the restoration of our local Hydro Electric plant located in the falls area, this is an opportune time for this project.

I am also pleased to include the recent efforts to continue this trail south along the creek to connect with the town of
Stockport. During a recent public session that our comprehensive plan review committee conducted, trails and connectivity with surrounding municipalities ranked well with those in attendance.

A trail along the scenic Kinderhook creek would offer visitors to the Martin Van Buren National Historic Site a chance to view the hidden treasures located in the towns of Kinderhook, Stuyvesant and Stockport.

Thanks for your consideration of this application.

Ronald Knott
Deputy Supervisor
Town of Stuyvesant
February 13, 2018

Mr. Andy Beers, Director
Empire State Trail
Hudson River Greenway
625 Broadway, 4th Floor
Albany, NY 12207

Re: Town of Stuyvesant, Zoning Review of Trails project

Dear Mr. Beers:

The Town of Stuyvesant has watched and listened with great interest and hope concerning the planning of the Empire Trail/Albany/Hudson Electric Trail. I understand that there have been prior discussions regarding the applicability of the Town of Stuyvesant’s zoning law and site plan review of the project. It is my further understanding that the Greenway has taken the position that since the Greenway is an agency of the State of New York, the project is preempted from any requirements for a Town site plan review.

The Town asked that I research this issue and have come to the conclusion that the Greenway and the Empire Trail is in fact, expressly subject to the zoning laws and review of the Town. I have reached this conclusion based upon an analysis of the relevant case law concerning State Preemption and more importantly based upon the authorizing statute of the Greenway and the Trail itself.

As you know, the Greenway is a NYS public benefit corporation that was established pursuant to the NYS Environmental Conservation Law Article 44 (§§44-0101 through 44-0121). Importantly, §44-0119 (4-b) clearly states “Nothing contained in this article shall be deemed to affect, impair or supersede the provisions of any city charter, local law, rule or other local requirements and procedures heretofore or hereafter adopted, including, but not limited to, any such provisions relating to the zoning and use of land.”

Please contact me so that we may discuss this matter and arrange for the Greenway to file a site plan review application with the Stuyvesant Planning Board and determine whether there are further zoning issues.

Thank you for your attention to this matter and I look forward to working with you.

Very truly yours,

Tal G. Rappleya
Attorney for the Town of Stuyvesant

TGR/emh
CC: Town of Stuyvesant
Good evening. My name is George Vollmuth, and I've owned a home in the hamlet of North Chatham for the last 37 years. I also own a property that immediately abuts the old trolley right-of-way, the old North Chatham Trolley Station building that has been restored and now serves as the rent-free home of the North Chatham Historical Society.

As the owner of an abutting property to the proposed rail trail, I was surprised not to receive a written notice of this Public Hearing, but fortunately a neighbor was kind enough to mention it to me.

I am pleased to hear that the State is now approaching the local towns to secure written agreements for maintenance as I think a written plan detailing how this 45 million investment is going to be maintained is critical to its success. But our towns face their own financial problems, operating under the state-imposed budget cap. It might have been more helpful to spend less on the trail and provide additional funds to the towns to secure their crucial role in maintenance and upkeep.

As the President of the NCHS I also want you to know that the North Chatham community worked extremely hard to secure the hamlet's designation as an historic district on the New York State and National Registers of Historic Places. As a State operation, I trust that means that any signage the State, itself, places within the North Chatham Historic District will reflect the character of that Historic District.

There is one other issue that especially concerns us. As you know from our previous discussions, one of North Chatham's grave concerns about the proposed route of the trail within North Chatham is that it will add additional foot and bicycle traffic to what those of us in North Chatham consider one of the most dangerous intersections in this area: the confluence of State Route 203, County Route 32 and Bunker Hill Road. Countless North Chathamites – and especially the property owners in immediate proximity to that intersection whose properties have been riddled by automobile and truck detritus from the countless vehicles that have had accidents there – can regale you with stories of near misses. It is a miracle no one has been killed there. Residents of the hamlet raised issues about this years ago, but since no one had been killed, we were told nothing could be done ... There were too many other places that were of higher priority. I cannot believe how lucky we have been not to have lost any of our children, our neighbors and friends or simply visitors passing through.

Now that the rail trail is coming, we are certainly pleased that this issue has come to the fore. Alternative One in the DEIS is close to an alternative our community proposed years ago. I have a copy of that plan for you if you have any interest. But I would like to go on record as saying that Alternative 2 which calls for a mini-roundabout at that location is in my estimation completely inappropriate within the confines of the North Chatham Historic District. I am unable to conjure up any image of a mini-roundabout that would be appropriate at the heart of this State & National Historic District, especially immediately in front of an historic home on the National Register of Historic Places in its own right. In my view, a roundabout has no place in the North Chatham Historic District. That plan also does not indicate how the tractor trailer trucks who repeatedly use this intersection will be able to safely negotiate the proposed roundabout since many of them already have a challenging time at this intersection.

For more than 200 years, the hamlet of North Chatham has found a way to draw on its impressive past and the hard work and vision of our forbearers. In doing so our community has not only survived but thrived amid the challenges. Any community needs to embrace change, lest it wither or die. But we also recognize that we must celebrate the gifts those who have come before us have so graciously bestowed upon us and protect them. In my opinion, North Chatham is not a place that needs a roundabout of any size.

Thank you.
County Route 32

Depot Street

Bigger Hill Road

Driveway

Gardens?

Bridge

Arnold House + Farm

Peck House (Now Demolished)

Gardens?

State Route 203

North Chimney Intersection
SR203/CR32 Bunker Hill Ave

G Vollnut Drawing
From Eden B4

3/28/18
MEMO

To: Hudson River Valley Greenway

From: Greenman Pedersen, Inc

Date: 5/25/18

Subject: Summary of the DEIS Public Comment Period

The 60-day comment period on the AHET Trail DEIS began on March 9, 2018 and closed on May 8, 2018. A total of seventy-five (75) comments were received. A Public Hearing was held on March 28, 2018 in Valatie, NY at the Ichabod Crane High School. Out of approximately 90 attendees, eighteen (18) people spoke during the Public Hearing. Their comments were recorded. In addition to the verbal comments presented at the Hearing, ten (10) participants submitted a written comment form. During the comment period, the HRVG received an additional four (4) written comments by mail and forty-three (43) written digital comments via email or through the project website “Submit a Comment” function and two (2) comments by phone. All comments received during the DEIS public comment submission period are part of the SEQRA public record and will be incorporated into the Final EIS.

The majority of comments received on the DEIS during the public comment period were supportive. Twenty-seven comments, or thirty five (35%) were positive. The second largest class of comments (23%) were those from adjacent landowners who expressed concern about the proposed trails impact on their privacy, safety or property values. These commenters expressed both support and reserved opposition to the project given their individual concerns.
about the trails proximity to their properties. The third largest class of comments (19%) were those regarding trail
design concerns, i.e., on-road trail traffic safety, or alternative trail alignment suggestions. Other types of comments
received included such items as; questions or concerns about local government fiscal responsibility for future trail
maintenance; provision of services (police, ambulance); concerns regarding trail user safety from hunters; need for
local zoning review; and potential growth inducing impacts on existing community character. Many the comment
letters received included comments on multiple topic areas of the DEIS. The summary took these comment
letters/emails that included multiple topics and counted each sub-comment as an individual comment in the totals.

Following is a complete list of the public comments received during the public comment period. Each of these
comments will be responded to in detail by the Greenway in the FEIS, and will be organized by the Comment
Response Category noted below.
### Statements of Support

<table>
<thead>
<tr>
<th>Date</th>
<th>First Name</th>
<th>Last Name</th>
<th>Original Stakeholder Comment</th>
<th>DEIS Comment Response Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/13/18</td>
<td>Phyllis</td>
<td>Shafer</td>
<td>I am really happy to hear about this trail going through. I also hope things get cleaned up along the way. Like behind my house, which is National Grid Property and people are using it to store trailers, old cars, boat and more junk. I don't really like looking at this junk behind my property, which borders National Grid property. Hope something will be done about this mess as it does lower the value of our property. Thank you... Good luck as you proceed with the trail... Oh, my house is on Rt. 203 at Kinderhook Lake in the front and behind me is the old Albany Southern railway... Phyllis Shafer.</td>
<td>4.9 Consistency with Community Character</td>
</tr>
<tr>
<td>3/19/18</td>
<td>Sean</td>
<td>Ireland</td>
<td>I'm a Nassau homeowner and love this project. Can I be added to a mailing list to get updates?</td>
<td>4.9 Consistency with Community Character</td>
</tr>
<tr>
<td>3/28/18</td>
<td>Patty</td>
<td>Shaw</td>
<td>I will not be able to attend tonight’s meeting. I am so surprised that there is any opposition to a wonderful proposal to enhance this community. I look forward to using a trail like this. I have family members in other parts of the country that live on this type of trail and the opportunity to walk and bike is wonderful. I hope the naysayers are overwhelmed by those who wish to bring enhancements to the area.</td>
<td>4.9 Consistency with Community Character</td>
</tr>
<tr>
<td>3/28/18</td>
<td>Marcia</td>
<td>Anderson</td>
<td>Hello. My name is Marcia Anderson, and I live on County Route 21, going toward Ghent and the Town of Kinderhook, and I'm here today as a private citizen. I'm also a member of the Alan Devoe Bird Club that's located in Chatham. But I am speaking on behalf of myself. I fully support the Albany-Hudson Electric Trail. I believe that it will be a great asset to our community, that we really need such a facility in our town to connect to the other towns and villages. It will be a recreational resource. And as Bernadette said, grandchildren are always looking for something to do, and this will be a great resource for that. The rail trail, the electric trail, is also in keeping with the Kinderhook comprehensive plan. You know, Kinderhook has a comprehensive plan about planning for future use of our town, and one of the high points on the comprehensive plan is to increase recreational resources and to keep Kinderhook green. And this electric trail will certainly do that. It will be an economic driver for local businesses, and I also think that volunteer groups, runners' clubs and trail groups will be more than willing, Boy Scouts and 4H, to help maintain the trails in their towns and villages. And if you've ever gone over to Cape Cod, there's a very nice biking trail on Cape Cod, and I think that is a great asset to that area, and that people welcome to have a trail such as this in their property. And I hope that that will be proved true for the Town of Kinderhook. So that's it. I'm supportive of the trail. Thank you.</td>
<td>4.9 Consistency with Community Character</td>
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<tr>
<td>3/28/18</td>
<td>Mark</td>
<td>Browne</td>
<td>My name is Mark Browne, I am a resident of the Village of Kinderhook. I’m also a former member of the Planning Board of Village of Kinderhook, currently a member of the Town Planning Board and a member of the Trail Committee on the town level. I just want to say a couple words. First of all, thank you very much, Andy, for providing this opportunity to the community and the people to speak. I think the opposing points of view is a good debate. However, there comes a time to select a course of action that will benefit our people, and you might ask who are our people? I consider our people, are the ones not well represented in this room. The next generation who migrates to our community or the young people within our community that will be using this trail. I feel strongly that development of the trail system will be good for the generations to come and that this trail should move forward and be implemented. Trails connect people with the natural word. They improve our community and the nation's quality of life and our community quality of life, health and wellbeing. So thank you very much.</td>
<td>4.9 Consistency with Community Character</td>
</tr>
<tr>
<td>3/28/18</td>
<td>Jim</td>
<td>Dolen</td>
<td>Thank you for having this public hearing. My name is Jim Dolen. I live on Reno Road in the Town of Schodack. My property is adjacent to the trail, borders the trail. I fully, my wife and I fully support the trail, and all the neighbors I spoke to also do, as well. Currently the right of way is a nuisance and the rail trail will take away that nuisance. We</td>
<td>4.9 Consistency with Community Character</td>
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<td>Date</td>
<td>First Name</td>
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<td>Original Stakeholder Comment</td>
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<tr>
<td>3/28/18</td>
<td>Karen</td>
<td>Dolge</td>
<td>get snowmobiles and mountain bikes and ATVs almost 24/7 up on the trail, sometimes 3 o'clock in the morning they are coming through, and they rip up the trail. You can't walk on it because it's all big puddles filled up with water. And this, the rail trail, will provide a safe place for us to walk, cross country ski, to bicycle with our kids, and provide a major benefit, I think, to the community. Now we won’t have to drive to Albany County for a family biking day. I think also of the economic benefits of the stores and gas stations in the area, maybe to motels, if people are doing the full trail and they could stop off to stay overnight before they proceed on another hundred miles or so. They also allow us to commute from Nassau, Schodack, East Greenbush into Albany, biking into Albany. Now you have to go down Routes 9 and 20, which is a suicide, basically, trying to ride a bicycle down there. I think it's going to provide an increase in property values, which is certainly welcome. And finally, I could congratulate the Hudson Valley River Greenway for providing many, many, many opportunities for public input and for information on the trail and congrats to them also giving due consideration to the municipalities along the way and meeting with them and taking their concerns into account. Thank you.</td>
<td>4.9 Consistency with Community Character</td>
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<tr>
<td>3/28/18</td>
<td>Jim</td>
<td>Dunham</td>
<td>Hello. My name is Karen Dolge. I am a resident of Valatie, and I am here personally first, and very excited about the trail. Where I live right now is in a development, Little Falls Estates, and it is the only place where my kids can really go to ride their bikes safely. So I am very excited to have them go and ride safely on a trail, away from the traffic, because we are right on 203. So this will be perfect for them. I'm also here as the President of Kinderhook Runners Club, which has over 100 members, between families and individuals. Our mission is to promote the sport of running in Kinderhook and surrounding areas. So we are, obviously, really excited about this trail, because it gives us more opportunities to go out and different places to run and connect to other communities. So we strongly support the Albany-Hudson Electric Trail. It's a safe and accessible route for walkers, hikers, bicyclists and runners. Our club routinely uses outside surrounding areas, such as the Albany County Hudson Rail Trail, the Mohawk Hudson Bike Hike Trail in Schenectady and Albany. The Albany-Hudson Electric Trail will provide lots of opportunities for physical fitness that will link our communities, preserve open space, increase property values and promote economic development through increased tourism. So on behalf of the Kinderhook Runners Club, I would like to say thank you for Greenway Committee for making the Albany-Hudson Electric Trail a reality, which will improve the quality of life for member of our club and our neighbors through Columbia County. Thank you.</td>
<td>4.9 Consistency with Community Character</td>
</tr>
<tr>
<td>3/28/18</td>
<td>Jim</td>
<td>Dunham</td>
<td>My name is Jim Dunham. I am the Mayor of the Village of Kinderhook, and I want to express the Village’s support for the trail. We already have a very walkable, likeable village, and this will add more opportunities for recreation and exercise. It's like a pass-through history, with connections to our historic sites in the Village, as well as connections to the various sites in the Hudson Valley with our Village, Columbia County Historical Society, the Vanderpoel House, the Martin VanBuren grave site, it will hopefully bring people into the village to support our businesses. I am quite familiar with trails on Cape Cod, the Cape Cod Canal Trail, the Cape Cod Rail Trail in the middle of the Cape, and I think it's kind the Shining Sea Bikeway trail in the Falmouth area, and I know what benefit those are to the communities, and I believe it's going to be the same for our communities. This use of the National Grid right of way for a trail has been in our original comprehensive plan and in the Village's updated comprehensive plan. It's been a goal to have a trail on the National Grid right of way through the Village. And the sidewalk Link project, which was a Federal aid project, combined with the Village of Valatie on, connected our sidewalks between the two villages, was built as a possible trail connection, with the shoulders wide enough for bikes, and it's intended to be used for pedestrians, and that will be a part of the trail in between the villages. And finally, I want to say that it's the Village's intent that the Village will be able to maintain the trail within the 1 1.4 miles. Thank you again.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Joseph</td>
<td>Durkin</td>
<td>Hello. I'm Joseph Durkin, a member of the Board of the Rensselaer Land Trust. I am here to express support for the Albany-Hudson Electric Trail, and the conclusions expressed in the draft Environmental Impact Statement. Rensselaer Land Trust is a traditional member-supported public land trust. Our mission has been, in years past, to preserve open space in that habitat throughout Rensselaer County, but several years ago we added to that mission statement, connecting people with nature, and it's the connecting people with nature element that has prompted our support for the Albany Electric Trail. I mean, it's obvious the trail will connect people, that is the motivating factor for us. In fact, at this point we're considering what role the Rensselaer Land Trust should play in the management and maintenance of the trail once it is built. Since the hearing is about the Environmental Impact Statement, I should just say this. Regarding the Draft Environmental Impact Statement, I reviewed it and believe that it addresses the areas of environmental concern and the possible adverse impacts. It provides detailed analysis of the issues both from an overall and from a location-specific perspective. Based on what I know about the project and the draft Environmental Impact Statement, I believe that it is ready to be adopted as a final Environmental Impact Statement. I would like to conclude very quickly from a personal perspective. What we are seeing both here with respect to this trail and around the capital district - I'm involved in a number of other organizations - is what I like to call peaceful recreational infrastructure. We use the word passive recreation. I'd like to change that to peaceful recreation. And if you think about a trail, really what it is, it's a linear park, and provides access to a park at easy access points, and I think that's something to keep in mind for all of us, and I'm looking forward to what role the Land Trust could play in helping to maintain this trail system. Thank you.</td>
<td>4.9 Consistency with Community Character</td>
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<tr>
<td>3/28/18</td>
<td>Ed</td>
<td>Hamilton</td>
<td>My name is Ed Hamilton. I am with the Friendly Kinderhook Trails, and I also am an adjacent property owner. The Friends of Kinderhook Trails is very supportive of this effort. I want to thank the Greenway for all that they've done. Our group is comprised of really individuals from Stockport, Stuyvesant, Kinderhook, the Village of Valatie. I am one of the people that they mentioned before that had been working for ten years, and some people have been working longer, to try to make this trail a reality. So it's something that's very exciting. I can say, having gone to many of the public hearings, not only here in Kinderhook, but in Stuyvesant, I went up to East Greenbush, I want to commend Greenway for, they have done a very good job. I know there's for and against on the trail, but as far as incorporating people's concerns, I think they really are trying to do their best. And having Greenway being able to take the lead, I think the Friends of Kinderhook Trails, we look forward to working with the local municipalities of how can we help with the maintenance agreements and with the ongoing maintenance and also knowing that they're kind of working on the main focus of the Albany Electric Trail, that we can help with connectors, whether Pachaquack Park in Valatie, and other connectors, that we can really kind of make the most of this linear park that we talk about and make it advantageous with that whole community. So with that, thank you.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Heather</td>
<td>Kawalski</td>
<td>Hi. My name is Heather Kawalski. I live on Kinderhook Lake, Electric Park. I hate public speaking, but this is important to me. I am excited about the trail. I did not grow up in the country, I grew up in Long Island, polar opposite from this situation, and the prospect of having a safe place to walk my dog, which I do multiple times a day, which is very exciting. Part of the reason why I live in the country now. I thought it would be a situation where I felt comfortable out walking, and I do not in the situation where I live. I think the trail will allow me to feel more confident on the road. It is right up the road from my house. I am thankful that there's actually some positive people here tonight. And on a little side note, is that it seems to be something I am encountering more often living in the country, is people are scared of change. I know, just kind of a gross generalization. But I think once the trail comes, it will not be such a sore subject and people will be positive. Thank you.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Bernadette</td>
<td>Powis</td>
<td>Good evening. My name is Bernadette Powis, and I'm speaking in favor of the trail. I'm speaking as a private citizen. We live along Route 9 in the Village of Kinderhook, and the traffic on Route 9 is considerable. And I'm really looking forward to having access to a trail where when my grandchildren come to visit, we can just go over and get on the trail. They can bring their bicycles and I don't have to have worry about them losing control of the bicycle, ending up in the street. And so for me, this is something that I'm really looking forward to. I really like the idea that Joseph mentioned about a linear park, and I think it's a wonderful thought that I can walk from the Village of Kinderhook, all the way to the Village of Valatie, without being on a major roadway. And then if you are really feeling adventurous, you could hike it in either direction. I think that's really a wonderful thing, I also think that it will definitely help us economically. I think that people will at some point leave the trail and go in and visit local restaurants and historic sites and other stores, whatever. I would also like to thank the dedicated group of local residents who have labored for, I believe, over 15 years working on the Town of Kinderhook Trails Committee and the Friends of the Town of Kinderhook to really set up and kind of identify the foundation of this trail, because I think their work has been invaluable and I feel that they are an example of proactive citizen involvement and commitment to developing recreational opportunities in our town, and I think this trail deserves our support. Thank you very much.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Christine</td>
<td>Vanderland</td>
<td>My name is Christine Vanderland, and I am the community projects manager with the Columbia Land Conservancy, and my comments tonight are on behalf of CLC. So the Land Conservancy is a nonprofit land trust working throughout Columbia County, and core to our mission is creating opportunities to connect people to the land and to the outdoors and foster an appreciation for this very special place that's a very rural county where we live. And the Land Conservancy has a long history of being supportive of trails, rail trails in particular, and in helping to foster a sense of the opportunity around an interconnected trail network for the county. We organized a trails conference in 2011. Coming out of that was a countywide trail vision, and there are many groups working on aspects of that trail vision in their communities, along, in many cases, supported by their officials. And Albany-Hudson Electric Trail was one trail that had a different name, but certainly one key part of that countywide trail vision. The Albany-Hudson Electric Trail is an idea that has been in the works for a long time and a number of people in this room know about it and have put in a lot of time and effort into making this trail happen for their community, particularly in the towns of Kinderhook, Stockport, Stuyvesant and Valatie, and in the Village of Kinderhook. And as a former rail corridor that's been turned into electricity infrastructure and a corridor for power lines, it's sort of surprising that it will turn into a remarkably beautiful interconnecting trail for communities. Another aspect of that is that it will have, relative to creating a band new trail and a brand-new corridor, a relatively low environmental impact, by utilizing this utility corridor. At CLC, we've been a supporter of this trail in particular for many years, as well, and joined the local trail committee about ten years ago, trying to support this trail and this vision for this trail. Through all those years, I don't think anyone really deeply involved in the process imagined that New York State would take on constructing this trail and also linking it to the Erie Canal Way Trail across the state. But that development is something that is, it's something we commend and support. It's a terrific opportunity to have this linked into the regional statewide trail in many ways and we are very supportive of the Hudson River Greenway being the trail developer and manager of this trail, in an organization that has a long history in the Hudson Valley, in working with communities and supporting the vision of trails throughout the valley and an appreciation of the scenic, cultural and historic resources of this area. The trail is a major advance in the countywide trail network that was sketched out about seven years ago at the trail's conference organized in Columbia County, and we're really pleased to see it moving forward. We are excited to see this process as a whole</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Carol</td>
<td>Wilber</td>
<td>Good evening. My name is Carol Wilber, and I'm here on behalf of Columbia Economic Development Corporation, Columbia County Designated Economic Development Agency. I’d like to thank the Hudson River Valley Greenway for holding this public hearing and for its extensive public engagement outreach since August 17, when the draft Albany-Hudson Electric Train Trail concept plan was released for public review. Public input is an important part of ensuring good decisions are made in a process such as this. Having gone through the process of soliciting robust public input on priorities for the county while developing the CEDC strategic plan in 2016, it was very clear that quality of life is critically important to the residents of Columbia County. We acknowledge this and included quality of life and sustainability as one of the four pillars in our final strategic plan. For this reason, among others, I'm speaking today in enthusiastic support of the Albany-Hudson Electric Trail Project. CEDC recognizes the many future benefits of the Albany-Hudson Electric Trail. The trail stands to strengthen the County's economic health and competitive advantage, and will improve the health and wellbeing of local residents and visitors alike. While CEDC is an enthusiastic supporter of the trail project, we also acknowledge there are issues regarding local government responsibility and cost of maintenance. We respectively encourage the State to continue conversations with our county, town, and village governments to reach trail maintenance agreements that will help mitigate future burdens to our taxpayers. Thank you for holding this public hearing. Thank you very much.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Jim</td>
<td>Digidia</td>
<td>I am 100% in favor of the proposed trail project.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Bernadette</td>
<td>Powis</td>
<td>I strongly favor the creation of the proposed Trail for walking/hiking and cycling. We live in the Village of Kinderhook on U.S. 9 and over the past 15 years truck and car traffic on U.S. 9 has progressively grown, and continues to grow, making walking along the sidewalks in the Village less and less enjoyable (due to noise and exhaust fumes). In addition, riding a bike along this route is dangerous, especially for small children, given the close proximity to the road and the jarring noise of the truck traffic. I anticipate the traffic along this route will continue to grow due to much needed economic development in and around the Village which drives this increased truck traffic. The close proximity to a walking and cycling trail through the Village will allow people to either bike or walk protected from the hazards of traffic (except for designated road crossings) and able to hear the birds and enjoy nature. We will be able to enjoy a walk or bike ride back and forth from Village of Kinderhook to the Village of Valatie and, for the more adventurous of those amongst us, from Hudson all the way to Albany! This is a wonderful opportunity for our Villages, our residents and all the Towns on the Trail. The trail will also support local economic growth by attracting hiking, biking enthusiasts, families and their children, etc. who will be able to eat in local restaurants, shop in local stores and visit local historic sites. I unequivocally support the Hudson-Albany Electric Trail.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Lawrence</td>
<td>Waite</td>
<td>I strongly support this initiative which has such great potential to add to the quality of life of all those who take advantage of it. The trail will be a catalyst for healthy enjoyment, community engagement, and learning. It will provide for an avenue for families and people of all ages to explore their environment! The trail offers an alternative</td>
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<td>3/28/18</td>
<td>Marilyn</td>
<td>Warner</td>
<td>transportation mode to reach our surrounding communities. Biking to Chatham for lunch from Kinderhook - what a motivating idea for good health. Onward - I can’t wait for it’s opening.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/29/18</td>
<td>Mark</td>
<td>Leinung</td>
<td>I am very excited about the plan to turn the old Hudson-Albany trolley line into a recreational trail. When I served on the Kinderhook Town Board in the 1990’s we explored the possibility of undertaking this project within the town boundaries. Unfortunately, due to limited resources and some local opposition we were unable to pursue it successfully. This large-scale proposal is detailed, thorough and very feasible. Many people now see the numerous advantages and benefits of a trail and I urge that the project be approved and completed.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/30/18</td>
<td>Laura</td>
<td>Richbart</td>
<td>I love this project and hope that it becomes a reality. There are too few spaces that are safe for walking or biking in Columbia County. I live near Kinderhook Lake and would use this trail.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/31/18</td>
<td>Carole</td>
<td>Mott</td>
<td>I am very much looking forward to the creation of this trail! I feel it will enhance the desirability of the area, create a wonderful outdoor destination for all ages and bring business to the local food establishments.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/31/18</td>
<td>Daniel</td>
<td>Pharr</td>
<td>I live at 110 Knollwood Drive in Niverville. The back of my property adjoins the proposed trail. I have lived at this address for over 30 years and for the duration of this time my family and I have enjoyed using the existing trail along the old Albany to Hudson rail line, now the National Grid power line. We always hoped that the trail would become a recreational trail with a bridge over the Valatie Kill, connecting it the trail behind Ichabod Crane and extending to the village of Valatie. My family has moved on and frankly I had given up hope that this would ever occur. I am extremely enthusiastic about the proposed trail, which greatly exceeds my dreams for a maintained recreational trail. This would be a great addition to the Town of Kinderhook. It would also attract and keep much needed young families, much as mine was 31 years ago.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/31/18</td>
<td>Warren</td>
<td>Applegate</td>
<td>Unable to attend public meeting a few evenings ago but would like to comment. I enthusiastically support the proposed trail which will run through the Village of Kinderhook where I reside. I am particularly excited by the prospect of this trail promoting economic development in the village, especially historic tourism. I have been very active in promoting The Persons of Color Cemetery. The proposed trailhead at Rothermel Park will definitely enhance the public’s awareness of this cemetery, recently designated to be included on the National Register of Historic Places. The cemetery is located at the edge of Rothermel Park. I am dismayed at the shortsighted, elitist, and, frankly, ignorant decision of the Columbia County Historic Society to deny access to its property to the Trail. I and some other local members of the Historic Society are urging the board of directors to think twice about that decision. The Executive Director seems to be confusing her own personal reservations about the Trail and her personal property with her responsibilities to the Society’s encouragement of historic tourism. Warren Applegate</td>
<td>4.9 Consistency with Community Character</td>
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<td>4/10/18</td>
<td>Benjamin</td>
<td>Bayly</td>
<td>I’m extremely excited about the upcoming electric trail. One of the downsides of moving to the suburbs from the city was the lack of safe and accessible running and biking paths. This trail will provide safe recreation for myself and my children. I also plan to use the trail to bike to work. It can be a struggle for city planners in rural areas to bring together multiple communities with one project, and I feel this plan can do that. It will provide a much needed link between the various communities of the capital region.</td>
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<td>4/19/18</td>
<td>Seth</td>
<td>Travins</td>
<td>I notice on some maps that the trail will come into the City of Hudson through Oakdale Lake Park. Is it intended that it will be paved through the woods at this section? This project does not seem to be well known by residents of the City of Hudson. It will be a great resource!</td>
<td>4.9 Consistency with Community Character</td>
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<td>5/4/18</td>
<td>James</td>
<td>Dunham</td>
<td>This letter is to provide the Village of Kinderhook's comments on the subject Draft Environmental Impact Statement and to express the village's support for the proposed Albany-Hudson Electric Trail. We concur with the assessment of the environmental considerations in the DEIS, such as those summarized in Section ES.6. With respect to consistency with community plans, the development of a trail along the National Grid right-of-way, the former Niagara Mohawk right-of-way, was included in the village's comprehensive plans as follows (copies of relevant pages attached): November 1999 Comprehensive Plan June 2008 Comprehensive Plan Update and December 2016 Comprehensive Plan Update. The village expects that the trail will enhance economic development in the village by bringing trail users into the Village Square business area and to two businesses along Route 9 at the north end of the village. In addition, with the village's historic, architectural and cultural heritage, we expect trail users to visit the historic and cultural sites in the village. These include historic related sites such as the Columbia County Historical Society Museum, the Vanderpoel House, Martin Van Buren's birthplace and gravesite, the Martin Van Buren statue in the Village Square area and the People of Color Cemetery at Rothermel Park and cultural sites such as The School/Jack Shainman Gallery. The Empire State Trail has been termed a trail through history and we expect the Village of Kinderhook will become one of the stops on this trail. The Sidewalk Link Project, a federal-aid project to connect the sidewalks of the villages of Kinderhook and Valatie constructed in 2013, was developed in consideration of a trail concept similar to that now proposed. The section along Route 9 was built to provide an on-road section of trail and is now being incorporated in this proposed project from Stewarts northerly to just south of the Route 9H bridge. The Village of Kinderhook intends to maintain the trail within the village as described in the Albany-Hudson Electric Trail &quot;Trail Maintenance Plan&quot;, February 2018 Draft. With respect to the trail alignment in the vicinity of the crossing of Albany Avenue in the village, the DEIS included an alignment through the Columbia County Historical Society property at the back of the Vanderpoel House lawn. A permanent easement to the village was to be purchased from the CCHS. Since the historical society would not approve this permanent easement, an alternative along Sunset Avenue and through a strip of land to be purchased from the Samascott Farm is now proposed to bring the trail back to the National Grid right-of-way. The village supports the Sunset Avenue/Samascott alternative now being considered and we believe the revised trail alignment through the village-owned Mills Park provides a better opportunity for place-making in the park. Sincerely, Dunham Mayor</td>
<td>4.8 Consistency with Community Plans and Zoning</td>
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### Adjacent Landowner Concerns (Privacy, Property Values, Safety)

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<td>3/13/18</td>
<td>Roger</td>
<td>Murman</td>
<td>Your documents state that a trail adjacent to my property will enhance the value of my property. With a new, totally incongruent 4-story apartment house in my backyard and a regional transportation facility in front, please provide documentation supporting your assertion. I live on Point View Drive, East Greenbush, where the trail will diverge from the Grid R-O-W onto this residential street. My concern is specific to my and my immediately adjacent neighbors, so I will appreciate a response specific to this situation rather than a generic response citing studies and statistics.</td>
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<td>3/28/18</td>
<td>Anne Marie</td>
<td>Mink</td>
<td>(See Public Hearing Transcript) Water runoff if black top too high. Residents want clarity to property line on NG Can you mark? Many don't want to pay for survey Speed in area, cars are moving too fast coming up that hill Risk at cross walk - need signs</td>
<td>4.6 Transportation and/or 4.1.4 Stormwater Management</td>
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<td>3/28/18</td>
<td>Daniel</td>
<td>Langer</td>
<td>The Kinderhook Lake Corporation (KLC) maintains and improves Kinderhook Lake. We would like to request fencing and &quot;Lake Access Prohibited&quot; signage along the AHET trail where it runs immediately adjacent to the south end of Kinderhook Lake (a portion of the trail south of East Shore Dr. and north of Parker Hall Rd.) Who do we contact and what is the process to make an official request?</td>
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<td>3/28/18</td>
<td>Richard</td>
<td>Days</td>
<td>1-what will the setback space be from my property line to the trail? 2-how high is the fence going to be?</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Dennis</td>
<td>Shields</td>
<td>Please have site visit.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>William</td>
<td>Barford</td>
<td>Speak to someone about a fence or some kind of buffer between my property and the trail</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Robert</td>
<td>Clark</td>
<td>Request visit to my property.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Anne Marie</td>
<td>Mink</td>
<td>Hi my name is Anne Marie Mink, and I live over on Electric Park area on Kinderhook Lake, and the rail trail sounds wonderful, but I'm talking about specifics in our communities, and each of us have very specific needs. I am going to be talking about Kinderhook Lake's needs right now. We have a community hall on Kinderhook Lake. Not everybody knows about it, but it's been there for about 83 years. We do lots of fund-raising there and the trail will be going right past us. We are going to lose parking spots, and we have some issues and concerns about liability. As our section is going to be a shared roadway, many people will be driving on that road, as well as biking and walking. So some of my concerns are about liability. Where does that liability fall in place? Will we lose parking? If people are interested in going on the trail and there's no parking nearby, they are going to park in front of our community hall. And if we have events there, we won't have any parking. I'm concerned about - Lots of our neighbors have spoken about putting up fences, just to keep their dogs in, cats, whatever. But we don't - We're not really sure where our cutoff is of the property, because over the years we've all encroached a little bit on that trail, because of just the way, you</td>
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<td>3/28/18</td>
<td>Shane</td>
<td>Zoni</td>
<td>Hello, Mr. Beers. I apologize. Mr. Montagne. John Montagne. My name is Shane Zoni. I live here in Kinderhook and I am an adjacent property owner. And so it's the concept of a trail, I understand the people who have spoken, why they support it. The idea, generally speaking, is a good idea. But when it's running 15 feet from your back property line, it becomes an issue. About five years ago my wife and I bought a house at the end of a cul-de-sac, worked real hard to get it, little shy of two acres. Doesn't matter how much the land is, but it was our little, you know, peaceful corner. I got two kids, little kids, and, you know, people can't tell me who is going to be on that trail, who's not going to be on that trail when I am at work, when my wife's in the backyard in the garden, when my kids are out there playing. 99 percent of those people are going to be peaceful, nice, decent people. But there is going to be an increased volume on that trail. That's just a fact and it's a concern for safety of my family and it's also a concern for privacy. It's 15 feet up a slope, and that's the Electric Rail Line. And so some speakers have used terminology like low economic environmental impact and the different interconnection of trails and all that, and I get that. I understand that. I understand your vision. It's a nice vision. But, you know, it has an extreme environmental impact on me and my family. I am going to have to put up a fence. Whether you think I am crazy to do that or not, for my peace of mind, I am going to have to do that. Mr. Beers, I turn to the State of New York and ask if you're going help me with that, because, you know, I'm an attorney - I am not a land use attorney - and I understand eminent domain. I know that this is an eminent domain. But I understand that my right to enjoy my private property, my use, my privacy is being impacted. And as one of the other speakers said, I didn't have a choice in this. I understand this trail is going to be built, but it's upsetting, it's concerning to me, and it's upsetting and concerning to my family. I have spoken to a nice gentleman. I'm terrible with names. MR. BEERS: That was me. SHANE ZONI: Well, briefly. I had a long conversation with another gentleman. He was very nice and he will be getting a call from me to address my concerns and I am sure he will. And I appreciate you guys coming out and that's all I have to say. MR. BEERS: And as I said, we are not responding this evening. But just as a point of information, and I know we spoke to this gentleman. If anyone is an adjoining landowner and hasn't yet contacted us and has concerns, we schedule one-on-one site visits. We are happy to come out and look at the property adjacent to you, the trail adjacent to your property and discuss your issues and concerns. So that's just a standing offer that we've done a number of and we'll continue. AUDIENCE MEMBER: Can't hear you. MR. BEERS: OH, I'm sorry. You can't hear me. Sorry about that. Again, I just wanted to share that we've had an ongoing practice and we'll continue that. If anyone is an adjoining owner and has concerns about the trail adjacent to their property, we have been scheduling and we have probably visited 50 of them already. We'll come out and meet with you one-on-one on the property and discuss your...</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/30/18</td>
<td>Roger</td>
<td>Murman</td>
<td>Mr BEERS: I've attempted to digest the DEIS. I have a question for you that might be easy for you to answer soon, and I have DEIS comments for the record. My question for you: Where in the DEIS can I find projections for trail users per trail section? My DEIS comments: If projections for trail users per trail section are not in the DEIS, the FEIS should include them. The section on Consistency with Community Character addresses only Emergency Response Services. As a lot of the trail travels on roads through established residential neighborhoods, impacts may be large and significant. Therefore, the FEIS should address trail impacts in those locations in terms of additional people within a residential fabric; effect of a regional transportation facility on safety and security especially for children who play on the streets (I realize that runaway bikes probably won't be an issue, but the stranger/children interface might be); and effect on property values. Thank you, Roger Murman</td>
<td>4.6 Transportation</td>
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<td>4/2/18</td>
<td>Roger</td>
<td>Murman</td>
<td>Mr BEERS: Thank you. In what section does the DEIS project total trail users for entire system? Roger Murman</td>
<td>4.9 Consistency with Community Character</td>
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<td>4/9/18</td>
<td>Mary</td>
<td>Howard</td>
<td>Dear Governor Cuomo, I am a summer resident on Kinderhook Lake like 2 generations of Hamiltons (my grandfather was Asst. Deputy Comptroller of NY State) before me. Over the years my family and I have torn down 4 summer bungalows and replaced them with new and I believe beautiful homes whose size and accoutrements bring NY State, Columbia County and the Town of Chatham much needed additional tax revenue. These homes are a refuge for me and my family, offering quiet seclusion that is essential for recharging our worn souls at the end of a busy Fall, Winter and Spring. &quot;The Lake&quot; as we affectionately call our summer place, is in line to become summer home to our own grandchildren who also have a shared love for this special spot. One of my homes is rented during the summer months and the one thing that all tenants say about the property is that the privacy is exceptional. We have enjoyed the natural &quot;fencing&quot; that nature has provided by way of tall trees and entangled bushes grown over the old trolley lines that sit so very close and alongside our 4 homes. As a child that field was part and parcel of the lake itself, under water and so my sister would use a boat to travel alongside our homes, with the trolley tracks nowhere to be seen! Our lake's dam was now encouraging the lake to reclaim its original territory...and it obliged. Until one day a storm brought enough water from the Berkshire Foothills directly above our property into that lagoon that my grandmother's home was buried in water. My father urged the Electric Company at the time (I have letters to prove this) to fill in the field so that the lagoon would move further South and future storms would not affect his mother's home. Therefore, that field upon which the Hudson Valley Rail</td>
<td>4.9 Consistency with Community Character</td>
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|      |            |           | Trail proposes to put it's 20 foot wide bike and running path was and is both wetlands and lake at the same time! In my lifetime the dam has broken 3 times and each time our Point has taken on enormous amounts of water right up to our garages and in one case, one of our homes takes on water into its crawl space each and every time the water level rises significantly (which it does in storm or hurricane events). These are the personal reasons of why I am diametrically and vociferously opposed to the “Conservancy” Rail Trail proposition linking Albany with Hudson especially as it relates to the strip from Community Hall Valatie past the south end of Kinderhook Lake. And for the following additional, salient reasons: 1. Local Governance will be responsible for maintenance, policing, EMS and Fire issues pertaining to these trails. We cannot get the Sheriff's office to police the speed of boats on Kinderhook Lake how will they police and from a practical standpoint how will they even reach a person in distress on one of these trails should the need arise? I understand that the Valatie Fire Department is the only Dep't that is able to access such an area with their specific equipment, while other fire departments along the proposed trail are not able to do likewise. 2. Taxes will be increased while my quality of life will degrade. This is not how taxes are supposed to work. There will be sound, movement and activity where none exists now. The home of my resident rabbit family will be displaced. Our homes during the leafless times of the year will be in full view of all trail users and the fact that they are not lived in for 9 months of the year will become disturbingly evident to all. 3. The area behind our 4 houses is wetlands and it should be treated as such and not built upon and used as a linear park on the shoulder of our lake. I do not have a blacktopped driveway in order to protect the lake from run off. I do not trim any bushes and trees along my lakeshore, but the “Conservancy” will come in and for 40 million along the route, denude all areas “needed” for their Albany-Hudson highway. The bushes and trees act as a barrier from flooding, their root systems absorb an incredible amount of water, which is desperately needed in that Wetlands area. 4. We are not in residence for 9 months of the year and our homes and property will be in full view of all using the trail, who will be liable for trespassing? who will be liable for accidents, injuries happening on our property by trail blazers who do not or will not read “private property” signs? In fact some may take that as an invitation to reconnoiter. 5 I am also concerned about the additional public access and potential drownings, accidents and liabilities that the Power Company, the State, The Conservancy and the Town of Chatham would all share if a trail walker or cyclist decided to take a break and cool off in Kinderhook Lake on a hot summer's day or take a short cut across a partially frozen lake in winter. If a tragedy resulted, lengthy court battles would ensue with the tax payer ultimately paying the bills of all involved to say nothing of the tragedy of the accident itself. And lastly, I would make the case that Government is selecting and choosing whose comfort, privacy, convenience and quality of life matters more. I state that that is definitely not within the prevue of the Government! The adjacent homeowners who pay taxes to the Town and State for the privilege of living in that Town in that exact spot or the walkers/bikers who do not. And in an absurd twist of fate you are also asking those whose privacy, quiet and personal space is negatively impacted to pick up the tab for the construction and maintenance ad infinitum for this political ploy. Do we not pay taxes already for the schools in our area which also have running tracks that could be used on weekends by all interested runners? Do we not have parks and recreation spaces galore in NY State where cyclists can do their thing? And those spaces are already taxed and paid for by the "Rail Trail" taxpayer. And finally, since this aggressive push was begun by so called "conservancy” groups (I put that word in italics because no real Conservancy group worth its name would ever want to put fill in a wetlands area and see traffic on
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<td>4/19/18</td>
<td>Chester</td>
<td>Mills</td>
<td>I am an adjacent landowner in the village of Kinderhook. I am very concerned about the impact on my property.</td>
<td>4.9 Consistency with Community Character</td>
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<td>4/22/18</td>
<td>Lindsay</td>
<td>Meyers</td>
<td>As a homeowner on an adjoining property of the rail trail, I’m concerned about my safety and privacy. I will now have strangers riding/walking right past my backyard, looking into the glass doors of my house. Will the rail trail be putting up a fence? I’d like to have someone come and discuss this with me. My address is 31 Evelyn Drive, Nassau, 12123. Thank you. Lindsay Meyers (518)821-1804</td>
<td>4.9 Consistency with Community Character</td>
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<td>4/30/18</td>
<td>Anne</td>
<td>Hamilton</td>
<td>Hello, I understand I am late on this request, but wanted to “throw it out there” anyway. We own the horse farm between Smith Rd and Gaffney Ln which has approx. 1000’ of acreage on both sides of the Greenway planned site. Since we lost the right to use the trail for equestrian use, we are in the process of closing the horse boarding business. Since there will still need to be 7 horses on the property to keep our agricultural status, I am inquiring if there is room left in the budget, to improve 4-500’ of electric fence which is directly on the line, to wood fencing. This would greatly improve safety of both animals and visitors. We are evaluating whether a bicycle, roller blade (trail wheels), ski, etc. rental business would be a nice addition to the farm since our location is perfect for parking and would make an interesting stop for tourists. Thank you. I am easily reached at (518)567-8979 to discuss.</td>
<td>4.9 Consistency with Community Character</td>
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<td>5/3/18</td>
<td>George</td>
<td>Culver</td>
<td>Stakeholder requests a site visit. He is concerned about possible impacts to his property.</td>
<td>4.9 Consistency with Community Character</td>
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<td>5/7/18</td>
<td>Not provided</td>
<td>Not provided</td>
<td>I am a resident of the Town of Greenport and an owner of property abutting the proposed AHET Trail. I share concerns that have been raised regarding the possibility of an increase in crime near the proposed AHET Trail and the ability of law enforcement personnel to access and police the trail. According to the DEIS, rules will be established for the entire trail (e.g. no motorized vehicles, do not enter private property adjacent to the trail, the trail open dawn to dusk, etc.), which local law enforcement agencies will be responsible for enforcing. In my area, however, the local law enforcement agencies have indicated that they are not equipped to police the off-road trail and enforce these rules.</td>
<td>4.9.1 Community Services</td>
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## Trail Design Concerns/Alternatives

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| 3/12/18  | Craig      | Dauley    | *Lisa,*  
Do you know if the trail behind my house has been surveyed?  
I was wondering if they came up with a solution for the outlet pipe off Rt 203 and if the trail is going between the pole and my fence. I think these were all things they were working on in the fall.  
Thank you *Craig*                                                                                                                     | 4.1.4 Stormwater Management   |
| 3/12/18  | Jay        | Linton    | Will you need a permit for the wetlands by woods lane? If it is just filled in it will cause water to back up on my property.                                                                                                                                                                                                                               | 4.2.1 Freshwater Wetlands     |
| 3/12/18  | Randy (for his uncle Erwin) | Passman   | Hi Andy, we met with the appraiser back on 2/19 and I am emailing to check for any update. I see the Schodack Town Board update set for the 22nd, and am wondering if it will be discussed. I noticed the map now shows no trailhead at the lake, but it is up near the trailer court. On first impression it looks like a setback.  
> > Thanks,  
> > Randy                                                                 | 8.0 Analysis of Alternatives |
| 3/14/18  | Guy        | Forte     | Andy – I was reviewing the final concept plan for the AHET and noticed that in the Appendix section which listed all of the changes to the plan as a result of public comments, concerns, and meetings, there was a line that read that there were no changes to the portion of the trail that lies within the Village of Nassau. I question that assessment as I was under the impression that there had been several changes, including siting the parking for the trailhead at the Village Commons close to the corner of Fairgrounds St and John St rather than stressing the existing parking at the ballfield, as well as addressing the concerns of adjacent landowners – especially some of the folks on Elm Street, and the Deckers who own the swampy area behind the Senior Housing on Fairgrounds St and on the east side of the southern end of the trail in the Village – there was talk of creating an access for them that crossed the trail to a paper road east of the trail as the right of way is their only access to that property. Since the plan was released I have received several calls asking about these details. Are those changes still part of the plan and will the final plan be updated with these changes? It would be optimal to address these now and avoid conflict during construction.                                                                                      | 8.0 Analysis of Alternatives |
| 3/28/18  | Andrew     | Pellettiere | an alternate route is suggested (see sketch on file).                                                                                                                                                                                                                                                                                                        | 8.0 Analysis of Alternatives |
| 3/28/18  | Barbara    | Shannon   | Comment: I have read the draft environmental impact study and feel that most concerns have been addressed or mitigations planned.  
The development of the AHET will be of great benefit to the Village of Kinderhook. It will provide increased opportunity for safe outdoor activity and also provide economic benefit. I have used other trials in the Hudson Valley region and have stopped for lunch or to shop when I have visited. In Kinderhook, the historic sites of the Columbia County Historical Society and the Martin Van Buren home at Lindenwald should benefit from increased visitation. | 4.9 Consistency with Community Character and/or 4.6 Transportation |
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<td>The problems with snowmobiling and ATV’s on the National Grid ROW are pre-existing, and I agree that the problems will not increase with the development of the trail. I believe that residents who use the trail will step up to address the minor maintenance issues that might arise.</td>
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<td>One crossing, on the curve of Gaffney Lane, will require carefully located signage and other mitigation of an already hazardous spot.</td>
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<td>I fully support the AHET proposal.</td>
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<td>3/28/18</td>
<td>David</td>
<td>Dew Bruner</td>
<td>My name is David Dew Bruner and I rent the Valatie Trolley Station. I’m a retired landscape architect and artist, and that’s my studio. And I’m just here to encourage the design team to keep looking at a solution that surrounds that trolley. If everybody is familiar, it’s just less than a mile down the road. And when they built Main Street to hook up to, they had to rise that intersection, at the highest, probably five feet. So the trolley station now sits below grade, and if they build a ramp that surrounds it, it is going to have to have a railing system on it, which will then mean that the trolley will be even more sunken by the 54-inch rail that is around it. If you’d like to see what a 54-inch rail will look like in front of the trolley, I’ve put up some stakes with yellow ribbons so you could see how much more of a visual impact it is going to have on that station. When I order pizza from LeBella’s, the delivery guys can’t find the station. So it’s already sort of hidden, and I kind of think it’s kind of a cool introduction to the City of Valatie - - Town of Valatie, and I think it needs to keep a much more open appearance. So I just encourage the design team to keep looking at solutions where the trail can go around the trolley station instead of in front of it. Thank you.</td>
<td>8.0 Analysis of Alternatives</td>
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| 4/6/18 | George     | Vollmuth      | Dear Andy,
Since the public hearing on the Draft Environmental Impact Statement for the trail, I have had some additional thoughts on how we might address our collective concerns about the intersection in North Chatham. I’ve attached those thoughts for your consideration, and look forward to hearing whether you think this approach is feasible. We appreciate your consideration of - and attention to - this important issue for the hamlet of North Chatham. Best, G
See also G. Vollmuth letter “A Mechanism For Increasing Community Input On A Matter of Critical Importance to the Hamlet of North Chatham” April 6, 2018                                                                                                          | 4.6 Transportation and 3.0: Public Involvement and Outreach |
| 4/7/18 | Linda      | Mayorchak     | Love the idea of a trail! Just a suggestion though. We live on 203 in Nassau where the trail will come out to the road just before the I-90 overpass. Cars speed through here. Is there any chance when they put in the walk way on the road that DOT can change some of the speed limit signs coming down 203                                                                                                           | 4.6 Transportation |
| 4/9/18 | George     | Vollmuth      | April 8, 2018
Dear Andy, Thank you for your note. I guess I misunderstood the contents of the Draft DEIS. On the November page where you note two options for the intersection in North Chatham, I assumed that both of these alternatives met whatever criteria you established to evaluate this intersection and that both were acceptable to the State. My suggestion was then that if both are acceptable to the State, why not let the residents of the hamlet who will have to live with whatever decision is made voice their collective opinion? My concerns were heightened when the commentary from GPI in March mentioned only the roundabout option which I assumed meant it now was preferable.
We, of course, will be pleased to host at the trolley station any community meeting you wish to hold, but our hope would be that detailed information about your plans would be available (preferably before the meeting if possible) including the details about what – if any – additional property in the right-of-ways will be required in order to execute                                                                 | 4.6 Transportation |
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<td>4/11/18</td>
<td>Wayne</td>
<td>Johnson</td>
<td>I would like you to consider more work on Miller Road in addition to the addition of the traffic signal. The developer of the businesses north and south of Empire Drive agreed to install a turning median on Miller Road when the signal was installed. Getting funding from the developer may be difficult but it may be possible to enlist the aid of the Department of Transportation. Miller Road has not been resurfaced since it’s original construction in 1973. Maybe they would consider adding the median and repaving the road in conjunction with your work for the Rail Trail? Please ask them if there is any plan to do work on Miller Road or if this might be the time to do that work. Thank you, Wayne Johnson</td>
<td>4.6 Transportation</td>
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<td>4/23/18</td>
<td>Jeffrey</td>
<td>Adkisson</td>
<td>As property owners on both sides of Route 25 where the new AHET will pass ON THE SHARED ROADWAY we have concerns to be addressed: SPEEDING TRAFFIC Our Northernmost section of Route 25 just South of Rossman Road is less crowded, with houses further apart. We have lived full-time in our home facing #438 County Rt. 25 for four years now. Our garage and studio above sits only 10’ from the road and our driveway is on a blind S-curve with signs posted “blind driveway”. Yet a high percentage of traffic passing goes over the signed 30mph speed limit. Since living here we’ve contacted the Stockport Town Police as well as the Columbia County Sheriff to complain about traffic passing at speeds of over 65 mph daily. The town has sent police to catch speeders randomly, usually on Friday afternoon/evenings which has helped only slightly. The regular commuters pass at high speeds randomly all day but most are during morning and afternoon rush hours with a mix of locals on errands and commuters who find a shortcut between Rt. 9H and Rt. 9 by cutting across from Stuyvesant Falls through our part of Stockport. Further efforts by the town police has been denied since Stockport is mostly supported by residential taxes with very little commercial taxes. They refuse to pay for a speed sign or traps. According the Highway Department speed bumps cannot be installed on County roads. Given the proposed sharing of our road with the AHET we are cautiously hopeful that permanent speed restrictions will be in place, especially since we already have a dangerous situation without sharing the road. Could you give extra study to this situation and come up with a plan to avoid the danger we already have in place? With enough obstacles and scrutiny, the people currently speeding will be likely to find another way to travel instead of Rt. 25. As our portion of the road is more prone to this speeding we appreciate your focus on this area. PRIVACY/SAFETY At your recent presentation in Kinderhook which we attended an attorney mentioned his privacy was disturbed by the trail passing behind his house and he would be requesting a fence be paid for by the AHET project. We have a remote garage workshop at #451 County Rt. 25 which has a set of steps we built to access the</td>
<td>4.9 Consistency with Community Character and/or 4.6 Transportation</td>
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<td>5/7/18</td>
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<td>Not provided</td>
<td>Kinderhook Creek flowing just below it. This access can be seen from the road and although we have posted signs stating Private Property/Do Not Enter we still find trespassers looking for a fishing place using our steps. Besides the issue of privacy and potential litter the situation is also dangerous and we fear liability for someone falling in the creek. With the new traffic from AHET we can only imagine the temptation of using these steps. Therefore, we are requesting financial assistance to erect a fence to prohibit viewing and entering the property. We are available to speak with someone and show the areas mentioned at your convenience. I wish to attach a map to show the area of concern circled in white but this option is not available.</td>
<td>8.0 Analysis of Alternatives</td>
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I am a resident of the Town of Greenport and an owner of property abutting the proposed AHET Trail. In my area, the AHET Trail route in the DEIS has changed significantly from the route proposed in the Draft Concept Plan issued in August of 2017. Instead of ending at the intersection of the National Grid ROW and Atlantic Avenue (County Route 20) in Stottville, the route will now continue as an off-road trail running south from Atlantic Avenue through Stockport and into Greenport. The off-road trail will end at the intersection with Kipp Lane South. At that point, the AHET Trail will follow a new separated sidepath along the east side of Fairview Avenue. Before the AHET Trail can follow the proposed sidepath along Fairview Avenue, however, it must first follow a sidepath along Kipp Lane South. But Kipp Lane South is a private roadway, and the proposed sidepath to run alongside it will be outside the National Grid ROW, so on what legal basis will the AHET construct a sidepath in that area?
### Local Government Fiscal Responsibility (maintenance & services)

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<td>3/21/18</td>
<td>David</td>
<td>Krebs</td>
<td>Good morning, Andy. Hope you are doing well. I am looking forward to seeing you again at the update meeting tomorrow night at the Schodack Town Hall. If you recall, I am a Commissioner in the East Schodack Fire District assigned to follow the AHET trail, and as such am a coordinator for the responding fire/EMS services from our fire district for emergency calls along the rail trail. To refresh your memory, you had stated that sometime in 2018 your group would be talking to fire/EMS providers that would be supplying emergency services along the AHET trail. The East Schodack Fire District has a sizable portion of the rail trail that will go thru the Town of Schodack. The Fire District has asked me to follow-up with you on when this emergency services meeting might occur. I realize the trail has evolved into the final planning stage. It may be prudent to have discussions with fire/EMS providers during this stage of your work to properly understand trail access points, size/weight limitations for our equipment, and how the Rensselaer County 911 system will be integrated into the rail trail to allow proper notification/location of an emergency scene along the trail. Our Fire District also needs to plan for acquiring adequate equipment to facilitate Winter access to the trail/traverse the trail, in case of a Winter emergency in off-road areas of the trail. Our Fire District realizes that there could also be the need for fire/EMS services during the construction phases as well as after the trail is in use by the general public. Please keep me informed of when this meeting may be scheduled. Since our District lies roughly in the center portion of the trail that cuts thru southern Rensselaer County, I would be willing to host such meeting at the East Schodack Fire House to make it convenient for the affected fire/EMS agencies within the Town to attend.</td>
<td>4.9.1 Community Services</td>
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| 3/28/18| David      | Krebs     | From: David Krebs [mailto:djkrebs54@gmail.com]  
Sent: Thursday, March 29, 2018 11:11 AM  
To: Hartman, Lisa  
Subject: Re: Potential dates and times for East Schodack fire/EMS services meeting with AHET team  

Lisa, I have checked my calendar, and Tuesday morning, the 10th of April works for me. Your email stated that the 10th was a Thursday, but I am assuming it was a minor oversight. Let me know what time works for you. The fire house is available anytime that day. Once you confirm the date and time, I will notify the fire/EMS agencies involved via email.  

Because the meeting was requested to be during the day, fire/EMS agency attendance may be limited. No worries. I will take detailed notes of our discussions, and will pass the notes onto the other fire/EMS agencies that cover the portions of the AHET trail within Rensselaer County. These agencies include: Clinton Heights Fire; East Greenbush Fire; East Schodack Fire; Nassau Fire; Bruen Ambulance; Castleton Ambulance; Nassau Ambulance  

I have already discussed this meeting with some of the agencies listed above, and we have some preliminary questions that hopefully you can provide answers to at the meeting on April 10th:  
1. What will be the width and load bearing capabilities of the bridges on the trail?  
2. Will the access points on the trail allow us to drive onto the trail? Meaning, will the bollards be easily removable? The preliminary plans call for bollards to be installed. Will other controlled entry devices be used?  
3. Will all bollards be secured with a locking mechanism? Will all bollards be keyed alike? If a locked bollard system will be used, what precautions will be taken to ensure the lock's access and mechanism will remain clear of salt, corrosion, etc.? If the bollard keyed lock is inoperable due to corrosion or vandalism, will we be allowed to cut the lock off? Or do we have to travel onto the trail by foot? What about bollards that become frozen in place during the Winter months?  
4. On similar trails within New York, how is the 911 reporting system utilized?  
5. Will we have to notify National Grid when we enter the trail for an emergency call? Will NGrid require a periodic report on any calls we receive on the trail?  

Honestly, we do not anticipate having several emergency calls/year on the trail. We are trying to be proactive to properly prepare for any calls during the construction phase and usage of the trail.  

The East Schodack Fire House is located at 3071 State Route 150 in East Schodack. Please plan on entering the fire house thru the main hall, which is on the left side (South side) of the building. | 4.9.1 Community Services |
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<td>3/28/18</td>
<td>Bob</td>
<td>Clark</td>
<td>My name is Bob Clark. I live in Valatie. Actually, right down the belt, around the corner. My place, the back of my place borders on this right of way and I have a couple concerns -- comments. Anyway, I certainly wish you well with this project. Hopefully you'll change all of our habits, maybe just a little bit, in the direction of exercise and biking and whatever positive effect. Amazing. I have one, not concern, but just question about how you will manage the construction part of the project. For somebody like me whose property borders on the trail, you will certainly need staging areas and your folks involved in the construction will have to be off the trail on adjacent property when there's land for part of the construction. So I guess I'd like to know what arrangements will be made regarding that prior notice, you know, property owners' approval from what you want to do with your vehicles or whatever, when you're involved in construction. The other thing that popped into my mind was the fact that it has always been the electric company's right of way, Niagara Mohawk, National Grid, whatever. They, frankly, have not been the best of neighbors over the years. Currently they're providing almost no maintenance. It seems they used to mow the thing to keep it open, but their subcontractors routinely come through to mostly to cut trees. And in the past, they've been very good at making themselves completely at home on adjacent properties, sometimes cutting trees where they really shouldn't be, well inside the property. Anyway, that will still be there. The electric company will still have to maintain the right of way. They are still going to be doing the tree work. And I wonder how you're going to manage that from the point of view of your trail, especially the areas where you'll have not an asphalt pavement. You know, they come in pretty big vehicles, bucket trucks and so forth. They are going to have to be on that trail to do what they've always done. Anyway, that's just a question I was wondering, how that will be managed and, you know, how you're going to have the shared effect of both the trail and the maintenance. MR. BEERS: So thank you for your comments. As I did say, we are not really responding. You have an important question, I would urge you to contact our website and we will schedule -- we can respond by e-mail or schedule a call with you to answer your questions, sir. So we are happy to do that. The form of this meeting is not to respond to comments.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>George</td>
<td>Vollmuth</td>
<td>Good evening. My name is George Vollmuth, and I've owned a home in the Hamlet of North Chatham for the last 27 years. I also own a property that immediately abuts the old trolley right of way, the North Chatham Trolley Station, a building that's been restored and now serves as a rent-free home of the North Chatham Historical Society. As the owner of an abutting property to the proposed rail trail, I must say I am a little surprised not to have received a written notice of this public hearing, but fortunately a neighbor was kind enough to mention it to me. I am pleased to hear that the State is now approaching the local towns to secure written agreements for maintenance, as I think a written plan detailing how this $45 million investment is going to be maintained is critical to its success. But our towns face their own financial problems, operating under the State-imposed budget cap. It might have been more helpful to spend less on the trail and provide some additional funds to the town to secure their crucial role in maintenance and upkeep. As the president of the North Chatham Historical Society, I also want you to know that the North Chatham community worked extremely hard to secure the Hamlet’s designation as a historic district on the New York State National Registers of Historic Places. As a state operation, I trust that means that any signs that the state itself places within the North Chatham Historic District, will reflect the character of that historic district. There is one other issue that especially concerns us. As you know, from our previous discussions, one of North Chatham’s grave concerns about the proposed route of the trail in North Chatham, is that it will add additional foot and bicycle traffic to what those of us in North Chatham consider one of the most dangerous intersections in the area. The confluence of State Route 203, County Route 32 and Bunker Hill Road, countless North Chathamites, and especially the property owners in immediate proximity to that intersection, whose properties have been riddled by automobile and truck detritus from the countless vehicles that have had accidents there, can regale you with stories of near misses. It is a miracle no one has been killed there. Residents of the hamlet raised issues many years ago about this, but since no one had been killed, we were told nothing could be done. There were too many other places that were of higher priority. I cannot believe how lucky we have been not to have any of our children, our neighbors and friends, or simply visitors passing through hurt or loss. Now that the trail, the rail trail is coming, we are certainly pleased that this issue has come to the forward. However, alternative one in the DEIS is close to an alternative our community proposed years ago. I have a copy of that plan for you. If you have an interest, I'd be happy to leave it with a copy of my remarks. But I would like to go on record as saying that alternative two, which calls for a mini roundabout at that location, is, in my estimation, completely inappropriate within the confines of the North Chatham historic district. I am unable to conjure up any image of a mini roundabout that would be appropriate at the heart of the State National Historic District, especially immediately in front of a historic home on the National Register of Historic Places in its own right. In my view, a roundabout has no place in the North Chatham historic district. That plan also does not indicate how the tractor trailer trucks, who repeatedly use this intersection, because they can’t continue on Route near the railroad bridge, will be able to safely negotiate the proposed roundabout, since many of them already have a challenging time at the current intersection. For more than 200 years the Hamlet of North Chatham has drawn on its impressive past and the hard work and vision of our forbearers, and in doing so, our community has not only survived, but it's thrived in the challenges. Any community needs to embrace change, less it wither or die. But we also recognize that we must celebrate the gifts those who have come before us have so graciously bestowed upon us and protect them. In my opinion, North Chatham is not a place that needs a roundabout of any size. Thank you.</td>
<td>4.9 Consistency with Community Character and/or 4.6 Transportation and/or 4.9.1 Community Services</td>
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<td>4/6/18</td>
<td>Daniel</td>
<td>Bopp</td>
<td>Good Morning, Our original intention was to have Chris Cornwell meet with 2 - 3 commissioners regarding our needs However, we have reached-out to the following first responder's • Stuyvesant Falls Commissioners and Officers • Stuyvesant Commissioners and Officers • Valatie Rescue squad Officers I do not have specific numbers at this time, but, Trail Access is a priority for these organizations If there are any questions &gt; I can be reached at 518-758-8767 throughout the day We look forward to meeting with Chris at 3:00 this afternoon Thank You, Daniel Bopp Stuyvesant Falls Fire Commissioner</td>
<td>4.9.1 Community Services</td>
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<td>4/5/18</td>
<td>Jill</td>
<td>Hanley</td>
<td>To propose such a substantial trail with no forethought for future maintenance is simply neglectful. I have traveled the trails in Massachusetts and they are well utilized and extremely well maintained. For a project like this to be successful into the future, it is a MUST to have a maintenance unit prepared to check, clean, prune, and maintain the trail on a full-time basis. If left to volunteers the demise of the trail will be inevitable. If you're going to do it, do it right, from the beginning.</td>
<td>4.9.1 Community Services</td>
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Dear Mr. Beers:
This firm represents the Town of Stockport (the "Town"). I am writing you with regard to the above-referenced Project. The Town is generally supportive of trail development and the endeavors of the Hudson River Valley Greenway (the "Greenway") on a conceptual level, and is looking forward to the Project's eventual success.

In relation to maintenance of the trails, however, we understand it is the Greenway's position that routine maintenance (i.e., mowing, etc.) of the Project will be borne by the municipality. At a public presentation explaining the Project, you presented an estimate of the projected maintenance costs. It is anticipated by the Greenway that maintenance costs will be approximately $6382.00 annually for the portion of the Project located in the Town Stockport. As with most small towns across the State, and particularly in Columbia County, the Town operates on a tight budget and cannot afford such additional annual expenses without imperiling other critical services. In fact, if the Town was required to take on this burden, it would exceed its general fund tax cap of 1.86%. The Town is proud that since the imposition of the tax cap requirement in 2011, it has never exceeded the cap.

The Town is simply unable to cover the cost of trail maintenance unless it is compensated by an external funding source (i.e., State funding, grants, etc.).

Thank you for your consideration.

Very truly yours,

Genevieve Trigg

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<td>5/7/18</td>
<td>Genevieve</td>
<td>Trigg</td>
<td>Dear Mr. Beers: This firm represents the Town of Stockport (the &quot;Town&quot;). I am writing you with regard to the above-referenced Project. The Town is generally supportive of trail development and the endeavors of the Hudson River Valley Greenway (the &quot;Greenway&quot;) on a conceptual level, and is looking forward to the Project's eventual success. In relation to maintenance of the trails, however, we understand it is the Greenway's position that routine maintenance (i.e., mowing, etc.) of the Project will be borne by the municipality. At a public presentation explaining the Project, you presented an estimate of the projected maintenance costs. It is anticipated by the Greenway that maintenance costs will be approximately $6382.00 annually for the portion of the Project located in the Town Stockport. As with most small towns across the State, and particularly in Columbia County, the Town operates on a tight budget and cannot afford such additional annual expenses without imperiling other critical services. In fact, if the Town was required to take on this burden, it would exceed its general fund tax cap of 1.86%. The Town is proud that since the imposition of the tax cap requirement in 2011, it has never exceeded the cap. The Town is simply unable to cover the cost of trail maintenance unless it is compensated by an external funding source (i.e., State funding, grants, etc.). Thank you for your consideration. Very truly yours, Genevieve Trigg</td>
<td>4.9.1 Community Services</td>
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<td>5/7/18</td>
<td>Not provided</td>
<td>Not provided</td>
<td>I am a resident of the Town of Greenport and an owner of property abutting the proposed AHET Trail. I share concerns that have been raised regarding how the trail will be maintained and who will be responsible for maintenance costs. According to the DEIS, the AHET Trail will operated and maintained by a collaborative partnership, including the HRVG, county, town and village governments, and interested trail groups and volunteers. I understand that the HRVG is paying for the entire cost of constructing the trail and will also be responsible for long-term capital improvements, but the HRVG does not have staff to conduct regular trail maintenance, such as mowing and litter removal. I further understand that HRVG is currently initiating conversations with local governments regarding trail maintenance agreements, but these agreements are not yet in place and in my community the Town of Greenport does not have the capacity to assume ongoing maintenance responsibilities and has already stated that it will not be responsible for litter removal on the trail.</td>
<td>4.9.1 Community Services</td>
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## Trail Use Rules

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<td>3/10/18</td>
<td>Devlin</td>
<td>Foster</td>
<td>If someone planned on thru hiking the trail, will overnight camping be allowed?</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>David</td>
<td>Manarel</td>
<td>Hello. My name is David Manarel. I am speaking as a private citizen. I live in a neighborhood in Nassau, right off of 203 that borders the trail. I do have some concerns. I have two small children, and right now they really don't have a safe place, aside from the very small little street that we live on, they really don't have a safe place to ride their bikes or walk. I don't either. So I am looking forward to that. I am looking forward to being able to possibly commute to work. So there's great things about it that I'm excited about. There are a couple concerns. I share the concerns with the people that live in the adjacent properties. You know, and I hope the people doing the trail do address those concerns. Another thing is I know this is a lot of -- There's people who hunt currently in the bordering areas to the trail, and they have every right to do so, but we do have to think about how are, you know, hikers going to remain safe, children. So that's definitely a concern that I have. And also, I think the concern about the intersection in North Chatham, because I know that the trail is going to go back into 203 after in Nassau, actually where it crosses underneath the overpass for 90, and I am a little concerned with that intersection in North Chatham, as well. Thank you very much.</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Jim</td>
<td>Waterhouse</td>
<td>As an avid hunter on my property which has a long border with the trail, are there any notices during hunting season that there may be gunfire or other hunting issues?</td>
<td>4.9 Consistency with Community Character</td>
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<td>3/28/18</td>
<td>Joyce</td>
<td>LaRowe</td>
<td>My name is Joyce LaRowe.I am on the Board of the Valatie Free Library. I am located in the middle of Valatie on Route 9, and our current location, our new location, the trail actually runs directly behind our building, just a few feet away. We are very happy to have, at least welcome visitors, new patrons. So we are very happy about extra access to the library. Our only concern is that we do have a parking lot that, basically, sits practically on the trail. So we just want to be sure that there is information out there as to if there are designated parking areas for access to the trail, so that our lots do not become a public parking lot for access to the trail. And also the fact that we don't want to be the bathroom for the trail either. We welcome people in there, but we are going to be right there and right next to the trail. So we just want to make sure that there is some information out there to direct people, if there is any facilities, if there's parking, so that our lot is still usable for our patrons and doesn't become a parking lot for the trail, because it is actually a perfect spot to access it from. So thank you.</td>
<td>4.9 Consistency with Community Character</td>
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<td>4/3/18</td>
<td>Chris</td>
<td>Morine</td>
<td>Will leashed dogs be allowed on the trail?</td>
<td>4.9 Consistency with Community Character</td>
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<td>4/6/18</td>
<td>Brian</td>
<td>Murphy</td>
<td>I’m a Village of Kinderhook resident and fully supportive of the AHET. By the time the trail is built, all electric snowmobiles will be on the market. What is your view of allowing them on the trails in winter? Thank you.</td>
<td>4.9 Consistency with Community Character</td>
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## General Concern (multiple areas)

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<td>3/20/18</td>
<td>Ron</td>
<td>Knott</td>
<td>(A. Beers responses in <strong>Bold</strong>) Andy, thanks for sharing. We will continue to review and develop questions, but thought I would look for a few answers to questions that have already come up. I assume I know the answer to most but wanted to review with you. 1. If the town was to become responsible for future maintenance, can we then allow snowmobiles and horses on the towns portion? The License Agreement granted by National Grid to the Hudson River Valley Greenway authorizing the AHET Trail explicitly prohibits snowmobiles and equestrian use (I pasted the key provision at the bottom of this email). Town maintenance would not change the prohibition on snowmobiles and horses. 2. Is the actual future costs exempt from the State’s tax cap calculation? At the Greenway, we don’t have expertise regarding implementation of the property tax cap. I looked at property tax cap information on the NYS Department of Taxation &amp; Finance website. I didn’t see anything indicating that Town expenditures on maintaining the trail might be exempt from the tax cap calculation (the website lists only a few narrow exceptions that are not related to the trail project). If you’d like to future investigate, the only advice I can offer would be for you to contact the Department of Taxation &amp; Finance. 3. Agreement does not really speak to enforcement, am I to assume that the state would develop and provide enforcement of rules and regulations? Yes, New York State will develop a single set of trail use rules. Later this year, we plan to circulate draft rules to all involved local officials for review and comment. The rules will be adopted in a manner to be enforceable by all law enforcement entities (state, county, and town police forces). Thanks for any input. From the National Grid License Agreement: The term “Permitted Recreational Activities” shall include hiking, bicycling, cross-country skiing, snowshoeing, and similar pedestrian and non-motorized recreational activities, including provisions for providing access to persons with disabilities (which may include access by motorized ADA compliant wheelchairs of disabled persons, subject to any posted restrictions on the size, height and/or weight of vehicles allowed on the Trail), provided, however, that anything to the contrary contained herein, equestrian uses and motorized recreational uses are and shall remain prohibited hereunder.</td>
<td>4.9.1 Community Services</td>
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<td>4/3/18</td>
<td>Ron</td>
<td>Knott</td>
<td>Andy; I would like to submit comments on the DEIS for the Albany-Hudson Electric trail. The town of Stuyvesant residents have limited opportunity to be involved in the decision-making process in this proposal. It was my hope that if we followed the SEQRA process properly we would have that opportunity as NYS Home Rule allows. As you are aware, we have asked that this project, like any other, comply with our local municipal boards for approval. The DEIS incorrectly states that local approval is not required, and we have brought it to your attention through our town attorney that weuffer with this concept. You state in the DEIS that FPPA (7CRF § 658.1) does not apply to privately owned properties, and yet you have stated that you do not need to comply with local zoning because you are a state agency, both cannot apply. Regardless of whether this is a state agency or private action, the NYS authorizing statute for the Greenway [Environmental Conservation Law Article 44 (§§44-0101 through 44-0121)] clearly subjects actions by the Greenway to local municipal land use regulations. Stuyvesant is an agricultural community where agriculture is #1 industry. In 1993 Stuyvesant was named the 1st agricultural community to be designated a Greenway Model Community. We have adopted zoning laws to protect and enhance agriculture, as per our adopted comprehensive plan.</td>
<td>4.8 Consistency with Community Plans and Zoning, and/or 4.4 Agricultural Resources, and/or 4.1.4 Stormwater Management, and/or, 4.9 Consistency with Community Character, and/or, 4.5 Historic and Archaeological Resources, and/or 4.3.1 Threatened, Endangered, and/or</td>
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<td>The proposed trail bisects actively farmed land that is both prime and of state wide significance. This proposed project may adversely affect the use of this land. The town has adopted local laws that help us mitigate these types of land use changes, and we are asking that the Greenway follow the laws as any other property owner would be held accountable to. Laws and legal rulings under the Agriculture District Law state that you cannot adversely affect normal farming practices. The trail as proposed will adversely affect and limit those practices as they cannot be completed in close proximity to the hikers without exposing trail users to considerable risk. It will be a major handicap to timeliness of farming practices to work around hiker presence when normal weather variability already limits the windows in which the farmer can now work.</td>
<td>Species of Special Concern</td>
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<td>A broad buffer will be needed when recycling manure as fertilizer and spraying to control pests and weeds, so as to not accidently treat the trail itself or the users, when the wind shifts. The farmer would then lose the use and productivity of the land within that buffer which they have paid for and pay taxes on. Hence the reason behind the locally adopted land use that laws prohibit recreational activities in our agriculture zone.</td>
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<td>Hunting is utilized to control the depredations of wildlife on the crops grown on the land the proposed trail goes through. The trail will limit the ability of the hunters to conduct this wildlife management due to the risk suddenly appearing in the hunting area and in close proximity to the shooting.</td>
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<td>It is our hope that as a town with concerns on the environmental impacts we have the opportunity to mitigate impacts through the SEQRA process by asking the Greenway to comply with local land use laws, just as we would any other property owner in town.</td>
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|      |            |           | Further, many of the traditional environmental impacts must be examined analyzed:  
  a) How would the creation of the trail impact storm water runoff, both on the trail itself and on the adjoining properties?;  
  b) The action will certainly result in a change in use and intensity of the land and thus, the impacts of that change must be addressed. This is particularly important to the change in the character of the existing community from many standpoints including but not limited to sound generated by the users, trash and littering, and public safety both for the users and adjoining landowners/residents;  
  c) While the proposed location may have already been disturbed by prior development, an analysis of the potential historic and archeological impacts must be reviewed since the location is within or substantially near several places with such significance;  
  d) How will the proposed trail impact the several conservation easements that cover the land through which the trail is proposed to pass?;  
  e) The proposed location will also impact habitat for many animals including perhaps most significantly the bald eagle. This impact must also be addressed. |                                |
|      |            |           | Ron Knott, Supervisor, Town of Stuyvesant |                                |
|      |            |           | --See 4-4-18 letter from Paul J. Laudato, General Counsel to Natural Heritage Trust and April 3, 2018 letter from Andy Beers -- |                                |
Dear Mr. Beers:

I represent Edwin A. Keil, who is the owner of certain real property, located in the Town of Stockport, which is being impacted by the proposed trail.

I have reviewed the draft Environmental Impact Statement and am writing to provide certain comments about deficiencies in this document. My comments are broken down into general comments, which relate to the entire project, and then specific comments, which relate to the property of Mr. Keil.

In general, I find that the document is vague and ambiguous with respect to the following items:

1. There is an inadequate description of the fiscal impact on municipalities. There will be significant ongoing financial obligations to local municipalities concerning the trail, and the benefits are, at best, questionable. Costs associated with police, fire, and ambulance services for the trail are not assessed or adequately discussed. Ongoing maintenance issues—especially in the areas hereinafter mentioned—will be significant.
2. The initial cost associated with the construction, especially in the areas hereinafter mentioned, will likewise be significant.
3. I believe there has been an inadequate discussion of stormwater management issues and impacts on wetlands.
4. There has been a rush to create this project, and insufficient time and energy have been expended to ensure everyone is well-informed about what will transpire.

With regard to the impacts associated with Mr. Keil’s property specifically, I submit the following:

1. The proposed trail to the north of Mr. Keil’s property passes through a washed-out ravine. That ravine is a sensitive area concerning wetlands—both State and Federal—as well as a tributary to a protected creek. In addition, that area historically has been used for the disposal of solid waste, all of which needs to be removed.
2. The existing railroad bed has been effectively washed out by large storms. There has been insufficient analysis of what will prevent that from happening in the future.
3. My client—and his mother and father before him—has openly and continuously used the property over which the trail is proposed for upwards of 70 years. Mr. Keil utilizes that area for the purpose of maintaining crops and attending to his cattle. In furtherance of such activities, Mr. Keil and his predecessors have gated the property, fenced the property, and installed water lines, electric lines, and drainage systems. They have done so pursuant to their possessory interest in the property, which I believe has ripened into an ownership interest.
4. In the furtherance of these issues—and because there has been inadequate recognition of my client’s legal and equitable rights—my client is commencing an action against the involved parties to establish his interest in this property judicially.
5. My client has also been victimized through the unequal treatment involved in this process. For example, the trail has been rerouted around and through Wilrock Farms under the same material circumstances as attend my client’s property. The trail should not be asserted through in a way that may impact my client’s agricultural activities.
6. All the impacted municipalities—the Town of Stockport, the Town of Stuyvesant, and Columbia County—are right-to-farm communities. The purpose of that designation is to encourage agricultural production and to protect existing

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<td>Joseph</td>
<td>Clyne</td>
<td>Dear Mr. Beers: I represent Edwin A. Keil, who is the owner of certain real property, located in the Town of Stockport, which is being impacted by the proposed trail. I have reviewed the draft Environmental Impact Statement and am writing to provide certain comments about deficiencies in this document. My comments are broken down into general comments, which relate to the entire project, and then specific comments, which relate to the property of Mr. Keil. In general, I find that the document is vague and ambiguous with respect to the following items: 1. There is an inadequate description of the fiscal impact on municipalities. There will be significant ongoing financial obligations to local municipalities concerning the trail, and the benefits are, at best, questionable. Costs associated with police, fire, and ambulance services for the trail are not assessed or adequately discussed. Ongoing maintenance issues—especially in the areas hereinafter mentioned—will be significant. 2. The initial cost associated with the construction, especially in the areas hereinafter mentioned, will likewise be significant. 3. I believe there has been an inadequate discussion of stormwater management issues and impacts on wetlands. 4. There has been a rush to create this project, and insufficient time and energy have been expended to ensure everyone is well-informed about what will transpire. With regard to the impacts associated with Mr. Keil’s property specifically, I submit the following: 1. The proposed trail to the north of Mr. Keil’s property passes through a washed-out ravine. That ravine is a sensitive area concerning wetlands—both State and Federal—as well as a tributary to a protected creek. In addition, that area historically has been used for the disposal of solid waste, all of which needs to be removed. 2. The existing railroad bed has been effectively washed out by large storms. There has been insufficient analysis of what will prevent that from happening in the future. 3. My client—and his mother and father before him—has openly and continuously used the property over which the trail is proposed for upwards of 70 years. Mr. Keil utilizes that area for the purpose of maintaining crops and attending to his cattle. In furtherance of such activities, Mr. Keil and his predecessors have gated the property, fenced the property, and installed water lines, electric lines, and drainage systems. They have done so pursuant to their possessory interest in the property, which I believe has ripened into an ownership interest. 4. In the furtherance of these issues—and because there has been inadequate recognition of my client’s legal and equitable rights—my client is commencing an action against the involved parties to establish his interest in this property judicially. 5. My client has also been victimized through the unequal treatment involved in this process. For example, the trail has been rerouted around and through Wilrock Farms under the same material circumstances as attend my client’s property. The trail should not be asserted through in a way that may impact my client’s agricultural activities. 6. All the impacted municipalities—the Town of Stockport, the Town of Stuyvesant, and Columbia County—are right-to-farm communities. The purpose of that designation is to encourage agricultural production and to protect existing</td>
<td>4.9.1 Community Services and/or 4.4 Agricultural Resources and/or 4.1.4 Stormwater Management and/or 4.2.1 Freshwater Wetlands and/or 4.2.3 Floodplains and/or 4.7.2 Spills, Remediation &amp; Hazardous Waste Sites</td>
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<td>farms. Installing unnecessary fences and inviting the public onto the proposed trail route will significantly reduce the value of my client's property and interfere with his vested property rights.</td>
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<td>7. In addition, the Town of Stockport has an ordinance which prohibits non-agricultural activities within 50 feet of a contiguous farm. This ordinance provision is for the benefit of people such as Mr. Keil. He has not been provided with the safeguards allowed here. This is a situation where an entity (Niagara Mohawk Power Corporation) has executed a license with the greenway. The quasi-public reach of the greenway is not sufficient to eliminate the requirement that the Town comply with its zoning ordinance, particularly as the activities contemplated contravene the protections afforded to my client and other farmers under state and local statutes.</td>
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<td>I understand there is a rush to get this completed. However, regardless of the motivation behind the trail, my client's livelihood will be impacted and his property rights interfered with. For all these reasons, your environmental process is deficient on its face.</td>
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<td></td>
<td>Sincerely,</td>
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<td>Joseph Clyne, Esq.</td>
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### Growth Inducing Impacts

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<th>Original Stakeholder Comment</th>
<th>DEIS Comment Response Category</th>
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<tr>
<td>4/3/18</td>
<td>Roger</td>
<td>Murman</td>
<td>Mr BEERS: Thanks for your response. Please enter this as another comment on the DEIS. As the DEIS contains no estimate of the number of trail users, either trail-wide or by section, it is not possible to assess the reasonably expected impacts resulting from human use of the trail and the impact from human use of the trail on adjoining properties. The FEIS should include reasonable estimates of the number of trail users based on data from similar trails (which should be available to the writers), the impacts of such use on the physical and community environments through the trail passes, and mitigations for expected adverse impacts.</td>
<td>5.0 Growth Inducing Impacts</td>
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Roger Murman
Appendix G4

FEIS Public Comments
## Statements of Support

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<tr>
<td>7/23/18</td>
<td>Jim</td>
<td>Frankoski</td>
<td>In a letter received July 21 you have Rensselaer Volunteer Ambulance Service as the ambulance providing services to the City of Rensselaer. Please be advised that the current contracted service is Mohawk Ambulance Service. The Rensselaer Police Department is in support of the Albany-Hudson Electric Trail and as an informational piece the department utilizes 2 ATV's which we always offer to any agency and would be offered if needed to help in any way with the trail.</td>
<td>Community Services (DEIS Section 4.9.1)</td>
</tr>
<tr>
<td>8/1/18</td>
<td>Dave</td>
<td>Krebs</td>
<td>The Board of Fire Commissioners from East Schodack reviewed your draft emergency response overview earlier this week, and were satisfied with your proposed activities. Thank you for your efforts.</td>
<td>Community Services (DEIS Section 4.9.1)</td>
</tr>
<tr>
<td>8/1/18</td>
<td>George</td>
<td>Vollmuth</td>
<td>On p.18 of the final DEIS in the chart showing fire companies and emergency medical support it looks to me as if there might be an error. The North Chatham Fire Department does provide fire protection to the North Chatham Fire District, but the chart seems to imply that the Chatham Rescue Squad provides emergency medical support. That is not the case. The Valatie Rescue Squad provides those services.</td>
<td>Community Services (DEIS Section 4.9.1)</td>
</tr>
<tr>
<td>8/6/18</td>
<td>Joe</td>
<td>Brennan</td>
<td>&quot;I support the development of this trail. It will create many benefits for citizens including enhanced recreation opportunities for walkers and cyclists, transportation alternatives and economic growth through Bike tourism.</td>
<td>Consistency with Community Character (DEIS Section 4.9)</td>
</tr>
<tr>
<td>8/13/18</td>
<td>Sean</td>
<td>Cummings</td>
<td>I strongly support the Hudson River Valley Greenway effort to create this trail. I live in Stuyvesant and began promoting the idea of this trail in 2009; the Stuyvesant Town Board appointed me to represent the Town in the Kinderhook-Stuyvesant-Stockport Recreational Trail Project. We studied the feasibility of developing the trail through those towns. I’ve also gone door-to-door and spoken to many of the residents who live along the right-of-way in the Town of Stuyvesant and some residents of Stockport as well. Several landowners who live along the section of trail from Stuyvesant Falls south to Chittenden Falls want it re-routed so that trail users would instead take County Rte. 25 – on the opposite side of the Kinderhook Creek. There’s absolutely no need for re-routing. Their attorneys, along with some Stuyvesant and Stockport town officials, have voiced concerns that have already been addressed by state officials: Farm access will not be affected: farmers with land along the right-of-way, will not be denied access to their land once the trail is operational. People who disbelieve this should visit the Harlem Valley Rail Trail just south of Copake Falls – where numerous farms straddle the trail, yet farm equipment regularly crosses the trail safely. The town supervisors of Stuyvesant and Stockport should go see for themselves – talk to farmers in Copake and ask them if the rail trail there has hurt their operations. Washouts, erosion, wetlands: Landowners (and their lawyers) along this stretch claim the trail is not feasible at some points because of erosion, washouts, and the presence of wetlands. I’ve walked every inch of this trail section several times; yes, some parts will need clean fill, culverts, and drainage improvements. The Greenway has adequately addressed these concerns in this document.</td>
<td>Consistency with Community Character (DEIS Section 4.9)</td>
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<td>8/15/18</td>
<td>Lee</td>
<td>Jamison</td>
<td>I am a resident of 18 Riverview St in the Town of Stuyvesant who has been active with Stuyvesant Pathways/OSI, a community action group under Open Space Institute, raising funds and organizing volunteers to build and maintain trails and shorelines in our in our Township. We were active in supporting an earlier plan to develop a hiking path along the old Electric Rail Trail in Kinderhook, Stuyvesant and Stockport. So, I eagerly embraced the idea of the proposed Greenway Empire Trail along this very route with the Grid. I was especially interested in our Townspeople having access to a safe, off-road path for families. I understand that certain landowners in Stuyvesant object to the location of the trail along the Grid right-of-way because they have already usurped (likely illegally) the right-of-way for their own commercial and residential use. We hear that the Greenway seems willing to bow to these privileged businessmen and their lawyers and consider alternate routes along busy state and county highways. I urge you to keep to the original proposed route along what was the Albany-Hudson Electric Railway and its pedestrian safe, historic and scenic environment. We taxpayers are funding this multimillion dollar project and we reap no particular benefit if we are only offered the dangerous shoulder of US Rt 9 or County Rt 25. I realize that it would be nice for there to be a consensus about the beneficial impact of this Trail, however the intent of a safe, accessible trail for families should prevail. I am familiar with the original trail route and realize some drainage and culvert work would be needed at the Stuyvesant Falls/Stockport border area. I have heard that there is concern that perhaps eagle habitat might be impacted there. I would observe that there is more than enough documented, active eagle and shoreline habitat by my property in Nutten Hook and Stuyvesant Landing along the Hudson River to compensate for any minimal disturbance in Stuyvesant Falls. Please continue with your excellent Electric Rail Trail Project.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
</tr>
<tr>
<td>8/15/18</td>
<td>Theresa</td>
<td>Meltz</td>
<td>I am a resident of the Town of Stockport. I live on Route 9, approximately 1/2 mile from the proposed trail route, and 1 mile from an access point to the trail. I fully support the development of this trail and look forward to being able to use it. I have traveled to several states where I have had the opportunity to run and bike on the trail. Please continue with your excellent Electric Rail Trail Project.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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<td>8/15/18</td>
<td>Kate</td>
<td>McLeod</td>
<td>I have recently had the opportunity to experience The Cape Cod Rail Trail and I want to strongly support the idea of the Electric Trail. Walking or riding a bicycle along the Rail Trail pathway is such a glorious experience. It is quiet, clean and most of the participants are respectful of the land and of other participants. It carves a narrow space through the landscape, which allows one to really touch base with the landscape and its flora and fauna. My experience of the trail is that it is calming and a wonderful way to escape the tensions of our lives today, calm down, get centered and interact with others who also appreciate the ability to be in touch with the natural world we live in. If we are to protect our world, we must understand what it offers us. The Electric Trail is a big opportunity. I saw no vandalism, no trash. Just respect and appreciation in the time I had on the Cape Cod Rail Trail over a period of two weeks. Thank you for making this a reality.</td>
<td>Consistency with Community Character (DEIS Section 4.9)</td>
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<tr>
<td>8/15/18</td>
<td>Denise</td>
<td>Sheedy</td>
<td>When I first heard of the proposed rail trail in my area I was thrilled. I have enjoyed riding my bike on other rail trails when vacationing. I see this as a positive investment in our community and for our recreation. I understand there may be a section between Woods Road and Rossman Road that may be excluded. This seems like it would interfere with the intent of the trail and will have a negative impact on the entire project. My hope is that this area will be included on the trail.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
</tr>
<tr>
<td>8/15/18</td>
<td>Don</td>
<td>Meltz</td>
<td>I am a resident of the Town of Stockport. Live on Route 9, approximately 1/2 mile from the proposed trail route, and 1 mile from an access point to the trail. I fully support the development of this trail and look forward to being able to use it for recreation, and to occasionally travel to work. I believe this trail will be an enormous benefit to our small rural town. I understand there is some concern from neighbors, especially along the section from Woods Road to Rossman Road in the northern portion of the town. However, the alternate routes proposed are definitely more dangerous, and will not provide the economic, recreational, and alternate transportation benefits the off-road trail will. This section of the trail connect two hydro-power stations, at least one of which was a power source for the original electric railroad. This is central to the very being of the original railroad and now trail. This section also provides the only access point to the trail from the Kings Acres residential development, which is one of the most high density residential areas in the town. Moving this section from off-road to Route 25 would deny use of the trail to a significant percentage of Stockport's residents. I have talked to at least a dozen of my family members and friends who live in this area, and are very excited about the trail being so close to our homes, and available for our use so soon. We never thought...</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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<tr>
<td>8/15/18</td>
<td>Peter</td>
<td>Paden</td>
<td>this trail would be built so quickly. Not having this section between Woods Road and Rossman Road would be a huge blow to us. There are many residents in our town that are not familiar with rail trails, do not use them, and are simply fearful of change. I believe their fears are unfounded. This trail will be the best thing that has happened to Stockport that I can remember, and I've lived here my entire life - nearly 60 years.</td>
<td>Consistency with Community Character (DEIS Section 4.9)</td>
</tr>
<tr>
<td>8/16/18</td>
<td>Chloe</td>
<td>Meltz</td>
<td>I am a resident of the Town of Stockport and have been my entire life. When I first heard my father mention the possibility of the trail coming so close to our house (we live about 1 mile from where the access point would be) I was so excited. I have recently learned that there is some concern from others who live in the area about this project- specifically along the section from Woods Road to Rossman Road in the northern portion of the town. I can not understand why anyone would want to keep any part of this project from happening. It would be such an important part of our community. It would be amazing to have a safe place for those who live here to go and be active and it would be the best thing to happen to the area possibly ever.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
</tr>
<tr>
<td>8/16/18</td>
<td>Bernice</td>
<td>Widjeskog</td>
<td>I strongly support the AHET project concept and goals. An off road shared use path for the AHET route connecting Stuyvesant to Stockport on the National Grid right of way along the Kinderhook Creek is the obvious choice to insure the safest and most enjoyable trail experience for generations to come.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
</tr>
<tr>
<td>8/16/18</td>
<td>Christian</td>
<td>Sweningsen</td>
<td>A pedestrian-safe, family bike and hike rail is an important public-benefit use of the National Grid Right-of-Way as a trail for everyone, not just a privileged few. Rail Trails co-exist very peacefully with neighbors in other rural parts of the County and around the world. This trail, expected to host nearly half-a-million users annually, will not only benefit the citizens of New York and others, but will be an economic benefit to our towns.</td>
<td>Consistency with Community Character (DEIS Section 4.9)</td>
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## Statements of Support with Trail Design Concerns

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<tr>
<td>7/26/18</td>
<td>Thomas</td>
<td>Panetta</td>
<td>Hello, I am a property owner adjacent to the trail in Valatie. I do have concerns about privacy. I have maintained the Nat Grid ROW as my backyard for 40 years. My children grew up playing whiffle ball on “the field” that we made on the trail. We have had many happy years in our backyard, as I live outdoors almost year round. Our 2.5 yr old Border Collie has grown up on the field chasing balls and Frisbee’s. She is never on a leash because she is a well trained and behaved dog who loves to run all day! So I was wondering if I could meet on-site to get your thoughts as to what can be done to diminish the blow to our privacy. I have always loved our extremely private lot in the middle of the village but I know the days are numbered. I’m very supportive of the trail though. I was one of the half dozen people that made River Street Park a reality. We started with meetings, design and build back in 2000 and we worked with the Village of Valatie, and many volunteers throughout the years. It is an amazing little trail along the Kinderhook Creek that runs from St Lukes Dr. to River St. You would think you were in the Adirondacks back there. Thank you for listening, I’ll be waiting for a reply.</td>
<td>Consistency with Community Character (DEIS Section 4.9)</td>
</tr>
<tr>
<td>8/9/18</td>
<td>Ronald</td>
<td>Rich</td>
<td>I fully support the FEIS Analysis of Alternatives recommendation for the AHET Town of Stockport section north of Rossman Rd to Stuyvesant Falls. The Analysis recommends use of the National Grid ROW to create a 2.3 mile off road section that will maximize pedestrian and bicyclist safety while offering unparalleled views of the Kinderhook Creek, the Stuyvesant Falls Hydropower Plant (which powered the entire original electric railroad) and Chittenden Falls. County Rt 25/25A would unnecessarily create an on-road route with no shoulders and require crossing the Kinderhook Creek on a one lane bridge with a 48 inch wide steel deck walkway which does meet AHET design requirements. Route 9 presents unacceptable safety challenges associated with high speed vehicle traffic and narrow shoulders.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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### Trail Design Concerns/Alternatives

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<td>8/8/18</td>
<td>Mary</td>
<td>Pulver</td>
<td>Mary says there is a whole group of them that uses the ROW in the winter time to get out because they can’t get up the hill on East Shore Dr. I think they use the access from the ROW to East Shore in the winter. They are in favor of the trail, but they are concerned that the access will get used by the trail folks and that they will need a gate across to keep folks out. I said Mike would come take a look and bring her concerns back to the team. Note I think that Mike already went out there and spoke to her husband or brother Larry in October regarding drainage concerns.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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<td>8/16/18</td>
<td>Susan and Steven</td>
<td>Gordon</td>
<td>&quot;I am writing as an interested party from the Aldi’s Hudson Plaza at 300 Fairview Ave. We are concerned that a bike path on the east side of Fairview Ave. will take away the green space that buffers plaza patron parking from Fairview Ave and that the path crosses two heavily trafficked entryways into the commercial plaza.&quot;</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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### Local Government Fiscal Responsibility (maintenance & services)

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<tr>
<td>7/18/18</td>
<td>Art</td>
<td>Hewig</td>
<td>My name is Art Hewig and I am the Treasurer of the North Chatham Fire District. The proposed bike trail will pass through our fire district and we have begun planning for the financial impact it will have on our fire and rescue resources. I hoped you would be able to direct us to possible funding sources based on your experience. With the Tax Cap in place we are limited in our ability to raise revenue through taxes and stay under the cap. Your help will be greatly appreciated. Thank You.</td>
<td>Community Services (DEIS Section 4.9.1)</td>
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## Adjacent Landowner Concerns (Privacy, Property Values, Safety)

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<td>8/8/18</td>
<td>Craig</td>
<td>Ingham</td>
<td>Summary of comments received by phone: Ingham is Pulver’s neighbor to the immediate south. He is one of those who use existing driveway and private parking area. He supports Pulver’s request. And he is also in favor of the trail. However, he does have an issue with termination of 24’ shared roadway proposed termination point at station 39+10. His mother’s property has an address on SR 203 but she has a tenant who lives in a modular structure behind her house adjacent to the Grid ROW and currently parks along NG right of way.</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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## General Concern (multiple areas)

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<tr>
<td>8/16/18</td>
<td>Robert</td>
<td>Stout</td>
<td>See attached letter from Whiteman Osterman &amp; Hanna LLP</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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<tr>
<td>8/16/18</td>
<td>William</td>
<td>Better</td>
<td>See attached letter from William J. Better, PC</td>
<td>Analysis of Alternatives (DEIS Section 8.0)</td>
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August 15, 2018

Andy Beers
Director, Empire State Trail Initiative
Hudson River Valley Greenway
625 Broadway
Albany, NY 12210

Dear Mr. Beers:

On behalf of Columbia Land Conservancy (CLC), I am submitting comments on the Final Environmental Impact Statement (FEIS) for the Albany Hudson Electric Trail. The FEIS describes three possible alternative alignments of the trail in Columbia County between Hudson Avenue in Stuyvesant Falls (County Route 25A) and Rossman Road in Stockport. We concur with the recommended alignment, the National Grid corridor, for this section of trail.

CLC has a long history of working with communities to create rail-trails, providing a way for people to connect with the outdoors and appreciate the beauty of our rural county. We served as an early proponent of the Harlem Valley Rail Trail, working with New York State to acquire the old rail bed and managing early studies and planning. We organized a countywide trails conference in 2011, and subsequently convened regular roundtables for community trail groups. In the past 3 years, we have coordinated a Trails Task Force bringing together trails groups and local leaders to support the vision of an interconnected trail network throughout the county.

Local leaders and trail advocates have spent countless hours planning the Albany-Hudson Electric Trail over more than ten years. In addition to creating a tremendous amenity for the communities along the trail, constructing this trail is a major advance in the countywide trail network sketched out seven years ago at the Columbia County Trails Conference.

For trail users, the difference between a multi-use path entirely separate from roads, and the alternatives described here, is the difference between night and day. Only the most experienced cyclists would navigate the roadways proposed in the alternatives, dramatically reducing the usage of the trail in this area, and excluding, due to safety concerns, a majority of potential trail users. As is well documented across the nation, most cyclists are cautious about cycling and avoid the busiest and fastest roads.

The three alternatives also fail to provide safe travel for pedestrian trail users, who would have walk on the shoulders of the roads. The analysis of the alternatives notes that none of the three alternatives meet the goal of user**

*Conserving rural landscapes. Connecting people to the land.*

49 Main Street, Chatham, NY 12037
clctrust.org  518.392.5252
safety, for various reasons: "Due to being off-road, Alternative 4 will provide by far the safest and most enjoyable trail experience for bicyclists and pedestrians. Alternatives 1 thru 3 have significant safety issues as trail users would need to share narrow and high-speed roadways with motorists," (FEIS, Appendix C3, “Alternative Additions: CR 25/NYS Route 9 Alternative”).

The recommended alternative in this section of the Albany Hudson Electric Trail is consistent with the mission of the Hudson River Valley Greenway and the vision for the Empire State Trail, of which this trail is a part. By walking or biking the National Grid corridor in this area, the visitor will enjoy a path that is not only away from the concerns of traffic, but also provides extensive views of the highly scenic Kinderhook Creek, a major tributary to the Hudson River. The three alternatives direct trail users away from the creek, and thus these views would be lost.

We believe it is important to keep the trail accessible for safe use by the widest range of possible users, as well as to allow users to enjoy the natural beauty of the Columbia County rural landscape. We strongly support the recommended alignment, the utility corridor for this section of trail.

Sincerely,

[Signature]

Peter R. Paden
Executive Director
VIA EMAIL (hvrg@hudsongreenway.ny.gov)
Mr. Andy Beers
Empire State Trail Director
625 Broadway, 4th Floor
Albany, NY 12210

Re: Town of Stockport
Albany-Hudson Electric Trail (the “Project”)

Dear Mr. Beers:

This firm represents the Town of Stockport (the “Town”). As the Town has previously expressed, it is generally supportive of trail development and the endeavors of the Hudson Valley Greenway (the “Greenway”) on a conceptual level and is looking forward to the Project’s eventual success. The Town has previously expressed its concern to you relative to its inability to absorb anticipated maintenance costs related to the Trail. Those concerns remain.

More recently, the Town has become aware of the specific concerns of several of its residents, some of whom are actively engaged in agricultural uses along the proposed route of the Project as it traverses that Town. The Town believes these concerns are significant and understands that the concerns will be further detailed in correspondence submitted to the Greenway by counsel for the residents. Farmland and open space protection are critically important to the Town, as reflected in the Town’s Comprehensive Plan, which expressly identifies preservation of existing agricultural resources as a goal. Consistent with the Comprehensive Plan, the Town’s Zoning Code expressly requires that existing farms be buffered by at least 50 feet. See Stockport Town Code 120-20.6. Such buffer is impossible for the Project as currently proposed. The Town believes the presence of the Project in its proposed location is incompatible with these surrounding uses.

The Town also believes the alternatives analysis to date has not adequately considered alternatives to Project routing. Further, the Town believes the review factors have been arbitrarily applied in an uneven fashion to the proposed alternatives, with insufficient justification being provided for the selected alternative. Specifically, the Board favors locating the trail along County Route 25A from the bridge in Stuyvesant Falls to Rossman Road. The
Town believes this can be done in a manner that is safe for the traveling public as well as safe for pedestrians and bicyclists who will use the trail in the future.

The Town thanks you for your consideration of these concerns.

Very Truly Yours,

Robert A. Stout Jr.
August 16, 2018

VIA CERTIFIED MAIL, FIRST CLASS MAIL, and EMAIL

Andrew Beers, Director
Empire State Trail
Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12207-2995

Re: Comments on the Environmental Impact Statement
Albany Hudson Electric Trail
Property of Brian E. Maas and Carol Ann Stokinger
Property of Edwin A. Keil and Glencadia Farms Ltd.
Property of Anthony and Belinda Graziano

Dear Andy:

I represent the above individuals and entity and am writing in response to the FEIS submitted for the Albany Hudson Electric Trail (the Trail) and the alternative analysis contained therein. All of my clients own land between New Street in Stuyvesant and Rossman Road in Stockport.

I further write as a follow up to the discussions which took place at our meeting on August 7, 2018, which was centered around the concerns of my clients and which identified impacts not previously discussed or which were inadequately addressed in the environmental review process.

First, I find your response laying out the alternatives to incorporating travel on New York State Route 9 and Columbia County Route 25A to be inadequate. It is filled with inaccuracies, especially as it relates to Route 25A. Route 25A has more than a one-foot wide shoulder. Portions of Route 25A currently have a 55-mph speed limit. However, it is a County highway and the speed limit can be lowered without difficulty. Given the fact the Greenway is willing to direct bicycle and pedestrian traffic on Route 25A south of Rossman Road, I find your approach to the Route 25A alternative north of Rossman Road completely inconsistent and indefensible.

When I pressed you at our meeting about the thought process that lead to the conclusion that Route 25A would be utilized south of Rossman Road, you indicated that the use of the rail trail there was “not viable.” When pressed further, you were unable or unwilling to supply concrete analysis, or descriptive characteristics of what constitutes “not viable.” In short, there is
no standard. A lack of a standard means a decision can be arbitrary or capricious.

Furthermore, you were unable to articulate the basis upon which you agreed not to go through the Williams farm (Wilroc) but were willing to go through Ed Keil’s farm. Both of these farms involve the historical location of livestock and the use of farm equipment. Your plan would avoid one farm yet jeopardize another.

Also, you and your consultant were unaware of the various cattle and farm crossings including underground thoroughfares to allow animals to cross the east and west sides of the proposed trail. These historic obligations benefit my clients and are further complications which need to be addressed and/or complied with by the Greenway. The lack of knowledge of the the back title of the National Grid property means that one cannot assess, let alone eliminate or mitigate, any impacts associated with the title to the property in question.

The Town of Stockport has refused to share in maintenance of the Trail. In the absence of assistance from the Town, you indicated that a variety of non-profit organizations, and ultimately the Greenway, would be responsible for maintenance. The FEIS is devoid of analysis showing what the Greenway will ultimately be required - and what it will be able to pay - on an annual basis. Throughout the DEIS and FEIS there is an absence of any thorough economic analysis.

The following comments are specific to my individual clients:

1. **Graziano Property**
   Anthony and Belinda Graziano have owned their property since 1990. Their conveyance includes numerous easements over the property allegedly owned by Niagara Mohawk. The Grazianos also have used their property in an open, notorious, and hostile manner. They have mowed their entire property claimed by National Grid over and abutting their existing property. The Grazianos have exercised dominion over this property. The poles constructed in what was formerly the Niagara Mohawk property and encroached on my client’s property, and if not the actual poles than the guy wires. There is a washout, which may extend onto the property conveyed to the Grazianos. The Grazianos are the beneficiaries of a farm crossing and a cattle crossing which they have used and expanded. The cattle crossing underpass is inadequate in size for future agricultural use and needs to be expanded. However, it is the contention of the Grazianos that they already own the property claimed by Niagara Mohawk.

2. **Mass / Stockinger Property**
   Brian Mass and his wife, Carol Stockinger, have owned their property since January, 2005. During that time, they have regularly mowed, plowed, used, and exercised dominion in a hostile fashion. In addition, my clients own access to the dam and waterfall contiguous to the proposed trail. There is no description in the EIS about any steps to ensure that any user of the Trail will not enter upon my clients’ property and either be injured or trespass in an unlawful manner. There is no discussion of any method to ensure public safety or managing trespassers.
3. **Property of Edwin A. Keil / Glencadia Farm**

   Ed Keil and his family members have been using this property for approximately 70 years. In the 1960s, Niagara Mohawk sold to Ed Keil’s brother an easement, which in turn now benefits Ed Keil. Pursuant to that easement and pursuant to various farming rights indicated on the maps of Niagara Mohawk Property Corporation and otherwise, my client has openly, notoriously, and continuously (in a hostile fashion) for over 30 years, used this property in a manner adverse to that of National Grid and its predecessor, Niagara Mohawk. My client has constructed ponds on this property, installed water lines, fences for livestock, and regularly uses this property for the conduct of his farming operation. The same type of activity resulted in the decision by the Greenway not to access Wilroc farm. There is an inconsistency and, indeed, an arbitrary and capricious thought process of jeopardizing one farm (the Keil farm) while going around the WilRoc Farm and subjecting trail users to the dangers of Route 9.

   At the meeting on August 7, 2018, there was an acknowledgement that you have not done title searches to determine all the various parties that have interest and access to that which is claimed by Niagara Mohawk. I believe that if you do this, you will find that there are significant title issues and will result in title litigation.

   Finally, at the Town Board meeting held on August 7, 2018, the Town Board of the Town of Stockport adopted a resolution demanding the Greenway to locate the trail on Route 25A, from Stuyvesant Falls to Rossman Road. Route 25A is the chosen method south of Rossman Road to Urban Road. There was no analysis why Route 25A is unacceptable north of Rossman Road, yet acceptable south of Rossman Road.

   In addition, Town of Stockport is a right-to-farm community, as is the entirety of Columbia County. What is being contemplated has an impact on farm activities.

   The Town of Stockport has a local ordinance that requires a 50-foot buffer zone from agricultural uses. As Mr. Keil actively engages in agriculture on both sides of what is claimed by National Grid, there needs to be a 50-foot separation with the proposed Trail. This Trail is being proposed by your agency pursuant to a license agreement. I believe that National Grid would still have to submit to the rules of the local jurisdiction. There is an absence of any local planning involvement. There is an absence of any adherence to the ordinances of the Town of Stockport. While I understand that the Greenway considers itself exempt from local statute, the owner of the property (National Grid) is not.

   From an environmental review standpoint, the deficiencies in the FEIS include the following:

   1. You have not considered in your analysis the possibility of reducing the speed limit along Route 25A from Stuyvesant Falls to Rossman Road;
   2. You have not articulated the thought process between the use of Route 25A north of Rossman Road vs south of Rossman Road;
3. You have not done an analysis of what approvals may be needed under the Town of Stockport laws;
4. You have not included a discussion about the impact on agricultural uses of the Keil farm;
5. You have not done an exhaustive title search to determine any other title claims between Rossman Road in Stockport and New Street in Stuyvesant concerning title to the property and claims by my clients or others;
6. You have not submitted an analysis of the cost of the construction as contemplated vs the cost of locating on Route 25A. Your analysis of alternative routes is devoid of any harm analysis of expenditures.

For all these reasons, the environmental FEIS remains deficient and requires further work.

Sincerely,

William J. Better, Esq.

Encl.
WJB dab

cc: Brian E. Maas and Carol Ann Stokinger
    Edwin A. Keil
    Anthony and Belinda Graziano
    Town of Stockport