



Department of Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

LANCE MacMILLAN, P.E.
Regional Director

September 20, 2022

VIA EMAIL ONLY

Honorable Michael Newhard
Mayor
Village of Warwick
77 Main Street
Warwick, NY 10990
mayor@villageofwarwick.org

**RE: SECTION 4(F)
PIN 8002.24
ROUTE 94 & 17A PAVING AND IMPROVEMENTS:
RAILROAD AVE AND OAKLAND AVE INTERSECTION
VILLAGE OF WARWICK
ORANGE COUNTY**

Dear Mayor Newhard:

The New York State Department of Transportation (NYSDOT) is currently designing a project that will, in part, improve the sidewalks along Route 17A/94 in the Village of Warwick to ensure compliance with the Americans with Disabilities Act (ADA). A portion of the project is located adjacent to the Village-owned parcel SBL 211-6-1.211 described as parkland space "Railroad Green" at the northeast quadrant of the intersection of Oakland Avenue (NYS 17A/94) and Railroad Avenue.

A sidewalk is currently located on the east side of NYS 17A/94 abutting this parkland. See attached photograph. The proposed project will replace the sidewalk curb ramp so it is ADA compliant. The curb ramp is currently constructed of paver bricks, like the adjacent sidewalk. NYSDOT's standards do not recommend the installation of curb ramps with pavers, so we are proposing to replace the curb ramp with concrete, but to ensure an aesthetically pleasing result, the Department could provide stamped and colored concrete to resemble the existing paver brick pattern. See attached photos for examples of stamped and colored concrete patterns. When the sidewalk was originally constructed, it was not placed entirely within NYSDOT's right-of-way (ROW) boundary, so our project will also ensure the sidewalk curb ramp is located within our ROW for highway purposes. This will require a fee simple land acquisition as shown on the attached plan sheet. The area to be acquired is approximately 447 square feet. There will be no impacts to any other features of the parkland or intersection, including, but not limited to, the existing street lighting, adjacent paver brick sidewalk, and brick wall.

The parkland is a Section 4(f) resource under 23 CFR 774 and the Village of Warwick is the official with jurisdiction over this parkland resource. The project will require permanent acquisition from the Section 4(f) property and will therefore constitute a Section 4(f) "use". NYSDOT believes this "use" will not adversely affect the features, attributes, or activities qualifying the property for the protection under Section 4(f), thereby resulting in a *de minimis* impact. Again, we note that most of the acquisition area is to establish proper ownership of an existing sidewalk facility, and the only impact to the existing "Railroad Green" space is a minor corner taking for maintenance purposes.

In accordance with Section 4(f) regulations, public notice and an opportunity for public review and comment must be provided by the Village concerning the effects of the acquisition on the park. Therefore, we request you provide such notice and comment opportunity to the Village residents. Options for meeting this requirement would be to have this as an agenda item on an upcoming Town Board meeting, and/or to post information on the Village website.

Following the public notice and opportunity for public review, and presuming no objections to the de minimis "use" are raised, we respectfully request your written concurrence that the impact of the project on the Section 4(f) lands will not adversely affect the features, attributes, or activities qualifying the property for the protection under Section 4(f). We also request information about how the project is presented to the public (such as the dates of notice and meeting). Attached is a template letter for your use.

We also request your comment on whether you prefer stamped and/or colored concrete on the replacement curb ramp, or plain concrete.

We note that the project is located within the historic district. Separate coordination will be occurring with the State Historic Preservation Office regarding the project's effect on the historic district.

If you have any questions about the Section 4(f) process, please contact me at 845-431-5823 or via email at Stephanie.Lewison@dot.ny.gov. Design-related questions should be directed to Oscar Olarte, P.E., Project Engineer, at 845-431-5876 or via email at Oscar.Olarte@dot.ny.gov.

Sincerely,

A handwritten signature in black ink that reads "Stephanie Lewison". The script is cursive and fluid, with the first letters of the first and last names being capitalized and prominent.

Stephanie Lewison
Acting Regional Environmental Unit Supervisor

Attachments

ecc: Oscar Olarte, Project Engineer, NYSDOT Region 8
Rich Frusciante, Design Manager, NYSDOT Region 8
Sean Higgins, Cultural Resource Specialist, NYSDOT
Kaitlin Larson, Environmental Specialist, NYSDOT Region 8











LOCATION




PROJECT LOCATION

NOT TO SCALE

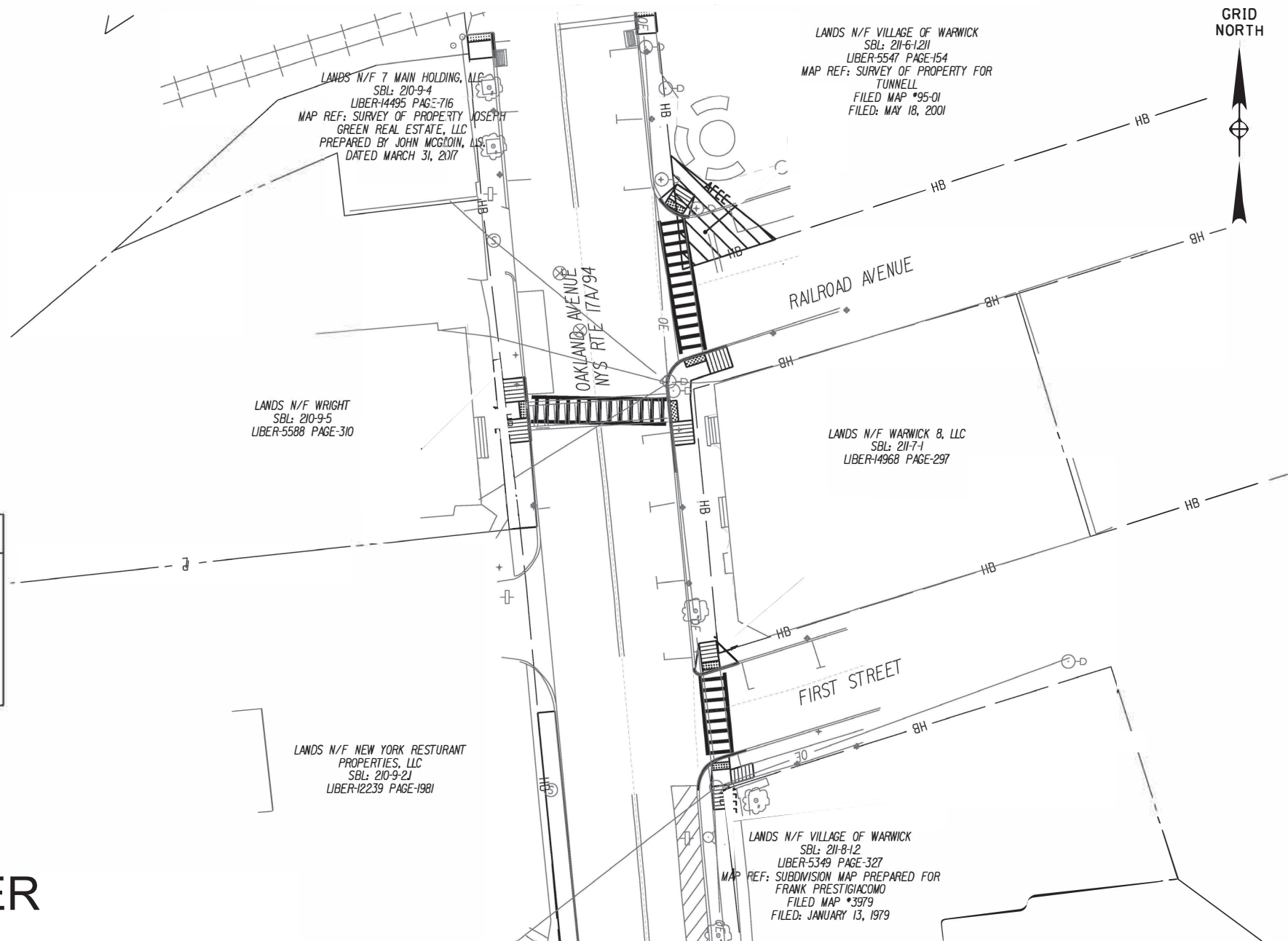
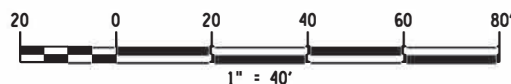
PROJECT LOCATION


NOT TO SCALE

 AHB  APPROXIMATE HIGHWAY BOUNDARY
 AL  APPROXIMATE PROPERTY LINE
 ATE  APPROXIMATE PROPOSED TEMPORARY EASEMENT
 APE  APPROXIMATE PROPOSED PERMANENT EASEMENT
 AFEE  APPROXIMATE PROPOSED FEE

LEGEND	
T.E.	
P.E.	
FEE	

VILLAGE OF WARWICK, REPUTED OWNER
APPROXIMATE ROW ACQUISITION:
447 SQUARE FEET



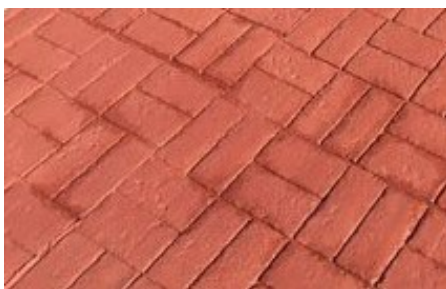
8002.24	DATE: SEPTEMBER 2022	THIS DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE DRAWING CONTENTS ARE NOT AN APPROVED FINAL CONSTRUCTION CONTRACT DOCUMENT.	NY 94 PEDESTRIAN IMPROVEMENTS TOWN OF WARWICK ORANGE COUNTY S. H. NO. 1839	
NY 94 PEDESTRIAN IMPROVEMENTS				
TOWN OF WARWICK - S. H.NO .1839				
COUNTY OF ORANGE				
FILE NAME: 800224.s07_ARM.01.dgn				
				SHEET 1

NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGION 08

FILE NAME = N:\Projects\2021\21-197 NYSDOT - RDSA Route 94 & 17A\Working\CADD\Site 7 - NY 94_Resurfacing\dgn\800224.s07_map.arm_01.dgn



August 2018 Google StreetView image of Railroad Ave and Oakland Ave.



Example photos of stamped and painted concrete.