

**PIN 3755.14 ONONDAGA CREEKWALK PHASE II
EMINENT DOMAIN PROCEDURE LAW
DESIGN PUBLIC HEARING – TUESDAY, JULY 26, 2016 - 7 P.M.**

SUMMARY AND ANALYSIS OF PUBLIC HEARING COMMENTS RECEIVED

- A. *The following comments were made in response to the distribution of the Draft Design Report (June 2016), and the Public Hearing. Included below is a synopsis of each comment and the associated response. The Hearing Transcript and received written comments can be found immediately following this summary.***

SUMMARY AND ANALYSIS OF PUBLIC HEARING COMMENTS

1. VERBAL COMMENTS

Comment #1

Jaime Howley

Comments: a. I was at the TNT meeting last night and I said that I would bring their survey along to let people know. I don't have a lot of printed copies, but there is an Internet – an email address where you can go and fill out the survey online, which probably is easier because you don't have to mail it back in. So I can give you that address if you haven't filled out the TNT survey. The south side has gone without a plan – the only section of the city that has gone without a plan for 19 years. We're finally getting around to doing it. So the survey is going to help us get our goals and whatnot together. So we need as much input as we can. And that internet address is Syr.gov.net/TNT/neighborhoodsurvey. And we're hoping to get more than 200 surveys back. They currently have about 100. So we need your input if you haven't done it yet.

Response: a. Ms. Howley had asked prior to this meeting to be allowed to present this information as the majority of the attendees would have an interest in it. This comment is not in regard to the Creekwalk project. No response is necessary.

Comment #2

Phyllis Moore

Comments: a. Good evening. My name is Phyllis Moore and I am a life-long resident of the City of Syracuse. I retired from the

Syracuse City School District after 37 years as an educator. I have been blessed. Having grown up in this area I often walk down West Onondaga, but never imagined that I would have the opportunity to own property along this corridor. I have worked hard and invested much of my time and finances on West Onondaga Street to acquire property and improve the neighborhood. I have purchased 4 properties over the last seven years all adjacent to one another. I have slowly been improving the properties in my area. My crew maintains a flower bed and twice daily picks up all the trash at the intersection of West Street and West Onondaga, which I believe adds to the beauty of a very busy intersection. I intend on opening a restaurant at 415 West Onondaga Street in September. As part of my plans, the last parcel I purchased was in August 2015. It was a vacant parcel which would tie all my properties together. I have been trying to acquire this vacant parcel for seven years. The parcel is desirable for me and it is adjacent to the creek and will give me many options for revitalization in my neighborhood. Phase 2 of the Creekwalk project has slated my property for use in the Creekwalk. Although, the lot is currently vacant, I have plans for the property. The lot along with my adjacent properties has given me 3.5 acres in the City of Syracuse.

- b. Now the Creekwalk designers and powers that be want to take my lot so they can provide green space with a park like setting as part of the project. I don't want to give up any of my property as I am sure none of the other residents who are affected want to give up their property either. The designers indicate they need my land as green space. Yet the next portion of the Creekwalk adjacent to my property from Temple Street to Midland Avenue is also slated for green space. Combined this would be the equivalent of approximately 2.4 acres of green space, 1.4 acres from me and 1 acre from Temple to Taylor and Midland area. This area will be about the equivalent of the green space at City Park. At this targeted location it is in proximity to the rescue mission and Central New York Services. There already exists a high needs population being serviced in this area. And the Salvation Army is doing a renovation on West Onondaga Street that will bring even more high needs people into the area. Take into account the green and resting space that currently exists in this immediate area and what they have become. Clinton and Salina, a homeless and loitering area. Clinton and West Onondaga a homeless

and loitering area. The area on Adams Street is a homeless encampment. The vacant lot on South Ave near West Onondaga Street is a loitering area. The vacant lot on South Ave near Tallman is a loitering area. There appears to be enough green space and resting areas in this neighborhood already. In this area the Creekwalk needs to be true to its name and remain a walking path along the creek. Not a destination green space to provide additional areas for loitering and living. I slowly and patiently purchased properties adjacent to me for a purpose. I have intended on revitalizing my area and the loss of this lot will irreparably harm me and my ability to move forward in revitalizing my neighborhood as I had planned. Although, I do not want to sell any of my properties, I was willing to compromise and offer a 30-foot strip which would take away all of my access to the creek and the entrance to Temple Street. This offer was not enough and was rejected by the City of Syracuse Representatives. I've had a vision for a long time of what I wanted this space to become, but did not want to disclose it until all the pieces were in place. I have modeled my revitalization of this 3.5-acre parcel after the very successful Larkin Square renovation in Buffalo. The Larkin project really illustrates in a very contemporary way how a once forgotten neighborhood can become vital again. I think my neighborhood needs to be celebrated and developed.

- c. After getting my restaurant open, the next phase is to start revitalizing the lot and the building for renovation into a mixed use business residential, cultural and special even space. Included in my renovation plan is my life-long vision of an African American museum. I envision a space dedicated to the African American experience where African American history can be explored and celebrated where an adventure in culture, art, history and achievement can be shared. I have been collecting African American memorabilia for decades in anticipation for the opportunity to share it with the community. I see a location that is open year around and not just during African American history month. That is complete with worldwide history as well as local history.

- d. For the past year I have been a volunteer interim executive director for the Dunbar Association. I work 6 days a week and receive no financial compensation. This commitment

that I have made has delayed many of my plans as my time and finances have been helping Dunbar and not-for-profit African American associations that provide services to the elderly and the youth in my community. However, your plans to take my property are forcing me into a schedule that is not in line with my project planning and will totally stop the revitalization as I have been planning for years. If the City takes my property by eminent domain, it will be the second time in my life that the creek has displaced me. When I was seven years old, my home was taken by eminent domain for creek development. And now, once again, my property shall be taken by eminent domain 55 years later for creek development. I do not know what is going to happen to my property, but I am respectfully objecting to taking of my lot for the Creekwalk. I am requesting that the City reconsider their demands and their designs as there are other alternatives whereby Phase 2 of the Creekwalk can still exist and I can use the private property that I have acquired to fulfil my desire for my neighborhood. Put the Creekwalk on the creek. Thank you.

- Response:
- a. The City of Syracuse and Creekwalk design team recognize the investment of time, planning, energy and monetary capital that has been invested in the West Onondaga Street area and believe that the Creekwalk 2 project will support and enhance these investments.

To incorporate public input on developing the best feasible Creekwalk route and to build upon these efforts, public meetings were held in 2015 (2 rounds of meetings), in 2008 for the Feasibility Study and at the 2016 public hearing.

- b. The Creekwalk plans shown in the Draft Design Report (dated June 2016 and made available to the public for review) are based upon the 2008 Feasibility Study, and public input from six spring and summer 2015 public meetings, along with input from Community advisory group meetings. The City also conducted door-to-door canvassing along the route in September/October 2015 to discuss the project with property owners and residents.

The preferred route would require acquisition in part or in full of 38 parcels from 25 property owners (Onondaga County owns 10 of these parcels, the Syracuse Land Bank owns 6 vacant parcels [and is in the process of acquiring 2 more vacant parcels due to tax delinquency], and the

Syracuse Model Neighborhood Corp. owns 1). The large majority of property acquisitions are partial parcel acquisitions and are limited to narrow strip acquisitions at the rear of deep properties along Midland Avenue between Temple St and the Midland Avenue bridge. In discussing the Creekwalk 2 project and route with the remaining 20 private property owners, only 2 owners have opposed the Creekwalk property acquisition, Meetings have not been able to be set up with four owners. All affected property owners of record have been mailed project information and a notice of the public hearing by certified mail.

Four building demolitions are proposed, including 3 commercial buildings (2 of which are inactive), and one 4-unit residential building. Owners of three of these buildings support the proposed project; the owner of one inactive commercial building has not responded to requests to meet.

The draft plans show that the preferred Creekwalk 2 route would run through the 395-405 W. Onondaga St. vacant parcel owned by Ms. Moore, and that the parcel would be acquired in whole. The City Engineering Dept. has been in discussion with Ms. Moore about the size needs of the Creekwalk (minimum width, grass areas to the side, etc.).

Ms. Moore in a field visit to her 395-405 W. Onondaga St. property on July 22, 2016, offered that a 30-foot wide strip among the northern side of this parcel would be acceptable for her to sell for the Creekwalk. The City appreciates the offer made. City Facility Engineer Russell Houck and Planner Owen Kerney did not reject the offer, but also did not have the authority to accept the offer at that point. Mr. Houck and Mr. Kerney said that would return to the City to discuss the offer and reply back to Ms. Moore. The City is agreeable to this offer.

Subsequent to this on-site meeting. Ms. Moore's attorney Ms. McKinney, and Robert Bucklin-Pierce, President of the West Onondaga Street Alliance (WOSA), requested that the City attend the WOSA monthly meeting on September 14, 2016 to present the Creekwalk plans and any revisions made. Mr. Houck and Mr. Paul Driscoll, Head of the City Neighborhood and Business Development Department attended the September 14 WOSA board meeting and presented a revised plan which rerouted the Creekwalk to a

30-foot wide strip through north side of Ms. Moore's parcel as requested. Consensus on the route was not reached as WOSA had additional comments on the Creekwalk proposed plan, primary concerning the West Street route, and whether the route could use the Onondaga Creek channel behind West Onondaga Street. Mr. Houck indicated that 2008 Feasibility Study had determined based a number of parameters that the Creek channel (shelf) route was unfeasible or had low feasibility. Upon WOSA's request, the City indicated that it would closely re-examine the feasibility of using the Creek channel route between Temple and Adams Streets. The City remains agreeable to Ms. Moore's offer of the 30-foot wide strip on the north side of the 393-405 W. Onondaga Street parcel.

The City requested a "walk-through" with WOSA to assess the Creekwalk routing options in the Onondaga St/ West St/Trolley lot area. A walk through/discussion on October 5, 2016 was attended by Ms. Moore and Ms. McKinney, Mr. Houck, and Mr. Kerney. The field visit was limited to the a street level inspection of the Onondaga Creek channel behind the 377 Onondaga Coop Building, the Adams/Onondaga intersection, and Onondaga Street West as a potential route. The City provided project scheduling, updated project budget, feasibility screening from the 2008 Feasibility Study, floodplain information, and routing visuals to Ms. Moore and Ms. McKinney. Additional sets were provided for WOSA.

At Ms. Moore's and Ms. McKinney's request, the City indicated that it would further assess the feasibility of the creek channel route, and route extension though the trolley lot, The City and Design engineer have completed this assessment and will provide the information at the October 27 monthly WOSA board meeting. The re-assessment confirmed that the in-channel routing behind Onondaga Street was not feasible based on environmental impacts, increased flood risks, increased costs beyond budget, and security concerns.

- c. The City is very encouraged to hear of the plans for an African American museum, and a 'Buffalo – Larkin Square" type renovation. We believe the Creekwalk and these projects will enhance one other. The preferred alternative will provide significant enhancements to West Street and the West Street/Onondaga Street intersection

which would promote the museum and other developments in this business area.

- d. We continue to work with Ms. Moore and WOSA on the routing of the Creekwalk. The City remains willing to accept the 30-foot wide routing of the Creekwalk through the north-side Ms. Moore's property. It may be possible to trim this width further as the design is looked at more closely. Security concerns for the 377 Onondaga Coop building can be met through a secure and continuous fence, as well as tree and vegetation screening.

Note that the Creekwalk 2 project as planned will run along Onondaga Creek for 80% of the 2.2 mile route. The preferred alternative includes 200 feet of creek-side trail between Temple and Adams Street, out of approximately 1,000 feet of channel length in this reach.

Utilizing the Creek channel behind Onondaga Street for the entire creek reach between Temple and Adams Street was not found feasible as discussed above.

Comment #3

Jamie Lou McKinney

- Comment:
- a. My name is Jamie Lou McKinney. I have a business at 415 West Onondaga Street. I am also a member of WOSA, which is the West Onondaga Street Association, whereby we come together and we have been working to make West Onondaga Street an area that would be desirable for people to live in, have businesses in and otherwise just be a pretty great neighborhood. I am objecting to the green space at 405/393 area that they're suggesting for similar reasons as Ms. Moore. And that is there is plenty of green space on the trail. And we're not in position to exercise any more green space that will attract people to the neighborhood places to sit. A year ago I was held up at gun point at my residence as I was leaving my office, which was a pretty scary thing. And it's by people who were in the neighborhood that are homeless who is coming to areas that attract them where they can sit and rest and not do anything of value. So I am just concerned that the additional green space that they want to continue to put in this area based on where my

office is that it's going to continue to attract more people. I can't leave my office right now without at least being begged by three or four different people for money every single day. And that intercession has become a massive amount of people begging. And I just think that by putting this additional green space that they want there with the benches and trees for the shade, which is great, but based on the area, I am totally objectionable to that. Thank you.

- Response: a. The City recognizes the need for promote safety along the Creekwalk. As proposed by Ms. Moore, the City will revise the design for the 393-405 W. Onondaga Street parcel and limit the trail to a 30-foot wide strip along the northern parcel boundary. This will limit the amount of green space added in the area near West Onondaga Street and help to address the loitering concerns raised. Lighting will be added along the trail within this parcel at regular spacing (and along the Creekwalk) to further promote safety. The City also intends to utilize project funds for installing the COPS security camera platforms along the route, with at least one to be proposed for this parcel area.

Comment #4

Thomas Pierce

- Comment: a. So I think Jamie actually said it very well. Ms. Moore said it excellent. The Creekwalk really should stay on the creek, and I am here to support that. I think that's where it should be. There is plenty of enough green space. I am part of West Onondaga Street Alliance, on the board. And we did a clean-up day. She is right. I mean we were cleaning up and asked several times for money. So there are plenty enough areas just for green space just to move people. It's pretty sad. But thank you.

- Response: a. As noted in the previous response, the design will be revised to limit the amount of green space added in the area near West Onondaga Street. Please note that 80% of Creekwalk 2 will be adjacent to the creek, with Creek-adjacent (not in channel) routing added to the stretch between Temple Street and the Midland Avenue bridge. Based on the 2008 Feasibility Study and an in-depth analysis conducted in 2016, the creek channel between Temple and Adams Street was not found to be feasible for the Creekwalk based on space restriction, increased flood levels, environmental impacts, construction costs well

beyond the project budget, and security concerns that would result. Additional significant obstacles to this route include use of the Trolley lot and Trolley lot tunnel to connect to Armory Square.

Comment #5

Robert Bucklin Pierce

- Comment:
- a. Good evening. My name is Robert Bucklin Pierce and I am the president of the West Onondaga Street Alliance. We have a current membership of 57 members, which include people living and who work in our area. We have an organization that is adamantly opposed to taking the Creekwalk from the creek and moving it through our neighborhood. We want the Creekwalk to stay on the creek. Our street has many amazing and exciting things happening to it. We have actor Bronson Pinchot renovating Baum-Neal house into the International Oz Museum. We are planning a yellow brick road walk and run through our neighborhood. West side farmers market, innovation house, my great-great grandfather's mansion, the new Leavenworth fountain with an interactive fountain and park, three new businesses and two new restaurants, a community ceramics shop and even Mr. Ed Reilly from the Syracuse Marriott is looking to the mansion for his corporate offices.
 - b. In addition to that, there are three homes and mansions on the 600 or 700 blocks which will be renovated by new owners over the next two years. As a resident of Syracuse for the last 22 years, I am respectfully requesting that you keep the Creekwalk on the creek. If the plans do go forward to remove the Creekwalk, we will have no choice but to contact our friend David Muir from ABC News and ask him to bring international media attention to this matter. We will also stage and camp on the property and we will stay there to which time the City changes or we are forcefully removed and arrested. Thank you.

- Response:
- a. /b. Please see the response to Comment 4a. above regarding keeping the Creekwalk on the creek. In our review of the potential alignments that allow the Creekwalk to connect the West Street cycle track to destinations south of West Onondaga Street, the former Onondaga Place (the property in question) appeared to be the most logical choice even though it would have some impacts to the current owner. It

should be noted that this property was not in the possession of Phyllis Moore at the time that the original evaluations occurred. This property was also identified in the 2008 Feasibility Study as a potential parcel for Creekwalk 2 routing based on the feasible alternatives presented. One of the considerations early in design was to keep the Creekwalk at the creek as suggested, however this had some practical limitations which were:

1. Onondaga Creek hydraulics and the channel configuration itself prevented the construction of a path at the 'shelf' level of the Creek as in many places there was not enough room for a path to be constructed without significant impacts to the Creek channel, either through fill or construction of retaining walls. The documented hydraulic history of the Creek also weighed heavily against this decision as any path constructed at the Creek level would be submerged for portions of the year.
2. Sticking to the Creek alignment in this area (specifically from Temple Street to Walton Street as the comments seem to suggest) also presented a potential impact to multiple businesses including 375 West Onondaga Street, which houses Onondaga County WIC. This structure would have to be partially or completely demolished to allow the Creekwalk to pass. This Creek-centered alignment would also present problems at the intersection of West Onondaga Street with Seymour, Shonnard, and Adams Streets. At this intersection significant signal and sidewalk alterations would be necessary to safely convey pedestrians and bicycles through the area, and would likely impact the current parking lot for some of Byrne Dairy's vehicles, which utilize the island formed by the intersections of West Onondaga, Clinton and West Adams Streets. Additionally, this alignment would affect the current expansion of the Rescue Mission as well as remove parking from the recently constructed Trolley Lot (discussed in the Design Report). Finally, the connection to West Jefferson Street would likely result in width limitations to the Creekwalk itself as well as the need to make West Jefferson one-way in order to allow enough room for the Creekwalk to exist. For all of these reasons, and others as discussed in the Design Report, it was decided to stay away from Onondaga Creek in this area and utilize the currently existing

cycle track/service road on West Street. The precedent for doing so was established with Phase I of the Creekwalk. The Preferred Alternative was routed as close to the creek as possible, but within the limits of practicality and feasibility with regard to cost and design criteria, while balancing the least impact to adjacent properties.

Comment #6

J.B. McCampbell

- Comment: a. Hello. My name is J.B. McCampbell. I am an officer of 100 Black Men of Syracuse and the reason I am here is that our organization will be sponsoring the Winston Gaskin Community Walk for wellness stroke prevention on September 19th. And by the way, all of you are invited to participate in that. In the planning for the walk, I had a chance to go for most of the Creekwalk from Armory Square to the lake and it's beautiful. I can see the possibilities that this could be an asset to the community if Phase 2 is done properly. I have heard some of the concerns today which I wanted to kind of briefly just mention three points. And I think this may connect in some way with what some of the other folks have said. Public safety is going to be, in our opinion, a huge consideration. So I am glad to see that there will be proper lighting. There will be call boxes. We were urging that the City of Syracuse do provide funding so that cameras are also installed along Phase 2 of the Creekwalk. Because folks will not use the Creekwalk if they don't feel safe on it. So that's one of our concerns.
- b. the other concern has to do with seeing that the final phase or I should say what I have seen is that there is a – we would like to see a minimum number of homes and private properties affected by the final design. We don't want to see folks negatively impacted by eminent domain. That's a consideration, you know, we want this to be a totally fair process. And I've heard the previous speaker talk about how she would be affected by this. We don't want to see folks like her harmed by the Creekwalk even though we see that the Creekwalk can be potentially a great asset to the community.
- c. The last point I wanted to talk about was I saw this evening that Phase 2 calls for 3.8 percent minority participation in

the terms of the work force. For a community that has a large concentration of poverty, much of the extension will go through that community, we think that 3.8 percent falls well short of what we think would be right and fair for the community. And so we're hopeful that, that number does not turn out to be the final number because jobs are needed in this community our organization besides the mentoring and education programs that we offer, we also are concerned with economic development. That starts with having a job. If this 3.8 percent number is maintained, that's a missed opportunity for this community once again. Almost the slap in the face. So we're just hopeful. We urge the City to do whatever is necessary to increase that number because it's way short. Thank you.

- Response:
- a. As discussed in the Design Report and in the Public Hearing, the City and the Design Consultant have taken steps to enhance safety in the areas that the Creekwalk will utilize. Firstly, supplemental lighting will be installed to highlight the Creekwalk and ensure visibility at all times. Secondly, police call boxes/alarm stations are being considered for installation periodically along the Creekwalk to allow users to contact emergency services when necessary. Thirdly, to address the concerns surrounding the issue of loitering, locations where users have the opportunity to rest will be limited. Where they do exist, detriments to an extended stay, such as center rails in benches, will be included. Additionally, if areas where the community can congregate are incorporated into the final plan, they will be located in primarily residential areas as use by the community at large tends to discourage loitering. Lastly, the City is intending to install COPS camera platforms at strategic safety locations along the Creekwalk 2 route. It appears that the project will have sufficient funding to add the camera systems.
 - b. The City and the Design Consultant have limited to the extent possible the impact to adjacent properties and is working closely with property owners to come to a mutually agreeable alignment design. Most of the property acquisition for this project consists of strip takings which will not displace residents from their homes. The Creekwalk will be considered a positive attribute to adjacent homes and should prove to be a positive selling feature for future home sales. Please also refer to the Comment 2b. response, and to the Draft Design Report to

gain more information regarding the efforts made to lessen impacts to the residents of the City.

- c. While the City and the Design Consultant understand the concerns relative to minority participation and local workforce participation, and support this effort, the goals are not imposed by the City, but rather New York State, and the City cannot control them. The City is currently investigating with NYSDOT the potential for work set-asides, supplementing local wages, increasing disadvantaged business enterprise (DBE) goals, and opportunities for use of local conservation corps for planting and maintenance work.

Comment #7

Aggie Lane

- Comment:
- a. I'm Aggie Lane and I live at 340 Midland Avenue. I am also the president of the Urban Jobs Task Force and I want to piggyback on his comment because even those are the Federal Requirements that you have to make, we are already trying to lobby, advocate that this project figures out how to get local people on the project. And by local, I mean people in this community. That this community sees their own working. And it's possible and I think I will let the next speaker speak to that – maybe that is going to be Gregory Michael. But there are --- people described how that can be possible because the Federal Government controls this project. And they say there can't be any local mandate, but there is a way we found out actually through Gregory Michael. And so instead of me trying to detail that if he is the next speaker, I will let him speak to that. But, anyway, we need to work and make sure as you say that people in this community get to work.

- Response
- a. While the City understands the concerns relative local workforce participation, and support this effort, the Federal Government does not currently allow this type of action on a conventional Federal Aid project. The City is currently requesting from NYSDOT further information regarding any pilot programs, current programs, or other opportunities to include a local workforce component in the project. Please see Comment response 6c also.

Comment #8

Gregory Michael

Speaking for Onondaga Earth Corp.

- Comment: a. My name is Gregory Michael. I am the Executive Director of the Onondaga Earth Corp., which is a youth conservation corp. program that started with Eli MacDonald who used to be the building superintendent at the Dunbar Center in an effort to uplift and empower youth in this community and provide them with work experience. And since Eli started the program we have joined a national effort with programs like ours that have taken on the legacy of the Civilian Conservation Corp. in, again, empowering young people to help build the infrastructure in this country and maintain the infrastructure in this country. We have been in operation since 2004 and have been instrumental in installations of a lot of green infrastructure and tree planting in some of our hardest hit neighborhoods. Starting on the south side moving to the west side and now all over the city and some of our suburbs as well. Providing job training experience for young people and then implementing real projects that have impact in the neighborhoods for improving amenities and as well as providing employment and training for community members. So we're part of a broader network of conservation corp. programs. And we see ourselves not as a replacement for other contract work that is going to be on these projects, but we see ourselves as a piece of the puzzle to uplift and employ young people.

So I don't get it wrong, the moving ahead for progress in the 21st Century Act is part of Federal Highway Bill and it requires USDOT to encourage State and regional transportation planning agencies to use qualified conservation corp. programs like Onondaga Earth Corp. to perform appropriate transportation related projects that have an educational element for young people so that they can go through our program, receive training, do project work and then hopefully go onto work for contractors in New York State and more broadly. And there are some pretty specific language at the Federal level that supports work with conservation corps. And we would like to work both with our local officials. And we've already been in a lot of the planning or brainstorming meetings around this. But we just want to make it known to all our partners in the community that we're here. We don't think we're the answer to everything, but we think we can be a big piece of the puzzle in getting some young people from these

neighborhoods out on the projects.

The language in Section 1524 allows for direct contract work and cooperative agreements with conservation corps from Federal Highway aid program contracting requirements. And actually, there is some sole sourcing language in here, which would make some of the contracting processes very easy to hire young people. So, again, we're happy to be here and happy to be a partner in the process. And look forward to working with everyone here. Thank you.

- Response: a. The City, based on previous discussions with Gregory Michael and Aggie Lane, has indicated its support for these initiatives and has reached out to NYSDOT to explore the way(s) that this can be incorporated into the project in a way that is allowed by the Federal Government and is fiscally responsible. We look forward to working with Mr. Michel, Ms. Lane, the Onondaga Earth Corps, and other local hiring programs to work toward a local workforce component for the project.

Comment #9
Helen Dewey

- Comment: a. My name is Helen Dewey. I live at 377 West Onondaga Street, which is the co-op building. We are a mix of 26 residential units and four commercial properties on the ground floor. And we are next door neighbors to lot 393 and our friends over at 415 and I have several concerns that I want to express. First, I did want to reiterate both the enthusiasm and also the concerns that both Ms. Moore and Ms. McKinney shared. I left suburbia and deliberately moved to the co-op building because I was so entranced by the transformation that's happening on the near west side. I wanted to be a part of it. I believe in what our city can be. But our city can't be great if everyone lives out in suburbia. So I made the choice to move to the co-op building, renovate an apartment and join 26 other individuals who have also bought property. And see what the co-op can be. It's this wonderful crowned jewel on West Onondaga Street. And see the potential of what else is happening on West Onondaga Street. The lot next door to us to me is this enchanting opportunity to do something fabulous. And I don't know what the plans are that Jamie and Ms. Moore

have been working on, but they show tremendous commitment to the neighborhood. And they have a very good understanding of the balance of both having urban space beautification, but also security. And so as much as I am very enthusiastic about our neighborhood, I also am concerned that we do continue to get a disproportionate percentage of our population is extremely vulnerable. They have high needs. And yet with the successes of community and urban planning projects, there is not the sensitivity that at some point we can't take on too much here. Because it is affecting the quality life. There is loitering issues. We are very concerned about what happens on the lot next to us because where the creek will go through runs along the edge of our back yard. Our building goes all the way back to the creek. We do have parking back there, we have a fenced area. There are perennial gardens back there. We have a nice private space for our neighbors to enjoy one another and enjoy the evening as well as if we want to scoot downtown. You know, just skip out the front door and head down the street. I am heading down the street just walking past those areas where there are concentrations of people who are loitering there has not been a good maintenance plan.

- b. And that's one of my other big concerns for the Creekwalk. What is the maintenance plan for the trash removal? Gardening? You know, rain gardens need to be weeded. There are weed beds growing up from where Save the Rain went through and put in those wonderful rain gardens and I love the concept, but the maintenance plan was not in place. So who is responsible for mowing, trash removal, picking up the litter because right now is falling on individual landowners and I have not heard of the plans that I have been exposed to as of yet what that long-term maintenance plan is.
- c. Also the interest of the property owners who are along the way we got an overview of what is the fair acquisition cost process. It didn't really include a lot on what if the homeowner disagrees. Because quite frankly the City's track record when it comes to eminent domain and declares what a fair value is, is a little uneasy for me. And I just want to make sure that property owners are protected, rights and their financial interests are protected and as well the security, privacy and our overall quality of life. Thank you very much.

- Response:
- a. One of the City’s concerns is focused on maintenance. The Department of Public Works is charged with maintenance of the existing Phase I and this is expected to extend to Phase II. A more detailed maintenance plan will be developed as part of the detailed design for the project. Currently, the project is in preliminary design phase which looks at the broader project planning such as the trail routing. Of the benefits brought by the creation of the Creekwalk, the increase lighting and increased foot and bicycle traffic will serve to deter loitering.
 - b. As stated above, the City is concerned with maintenance and is expecting to involve the Department of Public Works in the maintenance of the Creekwalk. In addition, much of the southern portion of the Creekwalk exists in Kirk and Lower Onondaga Parks. These areas will also be maintained by the City Parks Department. A maintenance plan will be finalized as the Creekwalk completes final design and enters into the construction phase.
 - c. As stated in the presentation on property acquisitions, NYSDOT will be the entity making offers to property owners and conducting eminent domain proceedings, if required, on behalf of the City. As described in the presentation, this process allows the affected person or business to negotiate a fair offer for the property.

Comment #10
Peter King

- Comment:
- a. I am Peter King. I am actually not a resident of the south side. I am on Outer Comstock. So, I am in Comstock. But, I am also a member of Bike NY and I am – we are, as far as I know, the only bicycling organization that has been pursuing policy advocacy with the City of Syracuse. We generally favor the idea of a greenway network. Greenways in general. But I am going to speak here as a private individual. I think the one thing that is bothering me about the project is the lack of – an I am not sure so much as I can say lack, but I think that the incomplete involvement of residents in the planning. I think the City took that criticism and possibly improved your process. But I think the City could gain a lot by involving citizens in directly planning it by gaining the insight – where the issues are already there that which the design could improve and certainly the

privacy and eminent domain issues and the less private properties the City has to take the better. You know, I am not going to get more specific than that.

- b. But the only other comment I might have here at this session is I think this is an opportunity for green infrastructure. And somebody may have spoken to this already, I was at another event tonight. But I think the City's Save the Rain program was kind of a first step of green infrastructure. It's going to be an ongoing potential for cities because of climate change because of different other things, which might even create jobs. And so I am favorable to creating local. If the city can create local jobs through this effort, I think that will be a plus especially for green infrastructure or innovated jobs. Thank you. That is about all I have to say. Thank you.

- Response:
- a. The City and the Design Consultant have held multiple meetings during the preliminary design of the Creekwalk, including:
 1. An initial public meeting at the Seals Community Center to discuss the alternatives developed in the study phase of this project and solicit input.
 2. An initial public meeting at the Southwest Community Center to discuss the alternatives developed in the study phase of this project and solicit input.
 3. An initial public meeting at the Museum of Science and Technology to discuss the alternatives developed in the study phase of this project and solicit input.
 4. A second public meeting at the Seals Community Center to discuss the comments received in the previous meetings and present the alternatives developed in light of those comments and to solicit new comments. These meetings also included a design charrette where attendees were invited to submit comments and mark up plans with their suggestions.
 5. A second public meeting at the Southwest Community Center to discuss the comments received in the previous meetings and present the alternatives developed in light of those comments and to solicit new comments. These meetings also included a design charrette where attendees were invited to submit comments and mark up plans with their suggestions.
 6. A second public meeting at the Atrium to discuss the comments received in the previous meetings and present the alternatives developed in light of those

comments and to solicit new comments. These meetings also included a design charrette where attendees were invited to submit comments and mark up plans with their suggestions.

7. Two additional meetings with a community stakeholder group to discuss Creekwalk routing alternatives at Midland Avenue, Marginal, and Hovey Streets, whose comments were directly incorporated into the design.

In all, a total of eight meetings, six of them public information meetings, were conducted where one meeting was required.

Further, the City conducted a door-door canvass along the Creekwalk route in September and October 2015 to provide information and solicit input on the project. Direct contact was made with approximately 80 households and businesses properties through the canvass.

The project also has a website where information about the meetings and the alignments in development were posted. The City and the Design Consultant feel that an extraordinary effort was put forth to communicate and involve the public with the development of Phase II of the Onondaga Creekwalk.

- b. The City and the Design Consultant are evaluating where there may be opportunities for green infrastructure that are easily maintainable and offer real benefits to the City. Of utmost importance is maintaining existing green infrastructure within the existing corridor that might be affected by construction. As such, the porous concrete path in the grassed area on Martin Luther King Junior Boulevard (just south of the Midland Regional Treatment Facility) will not only be incorporated into the Creekwalk but will be expanded from 5 feet wide to 13 feet wide.

2. TELEPHONED COMMENTS

None.

3. WRITTEN COMMENTS

Comment #1

Jaime Howley, MSW
Representing Self
454 Tallman Street
Syracuse, NY 13202

- Comments:
- a. The importance of employing neighborhood community members from the Southside in the construction of Phase II of the Creek Walk cannot be overstated. My section of the Southside neighborhood has the lowest income in the city. The jobs and the training of youth in the process of construction will increase the ownership of the project by the surrounding community. It is capital investment in the Southside's physical environment. Employing and training neighborhood residents in the project would be an investment in the people in the immediate neighborhood. Having the city employ and train more Southside residents in the construction would show that the rest of the city is committed to the development of the people who live here. The added income on this poverty stricken neighborhood would be significant. Those employed might be able to buy or improve property here. Employing local residents would give neighborhood more bang for the bucks spent. I strongly encourage the city look seriously into every way possible to hire the largest possible number of workers from the Southside neighborhoods.
 - b. I also want to suggest that the names of all Southside residents involved in the construction be on display at the sight. Opportunities for local organizations, schools, youth groups, churches and businesses in the neighborhood to volunteer should be planned, developed, and implemented. Their names should also be on display to thank them. This public acknowledgement will help to invest the neighborhood community in the project. And will be an expression of pride in our neighborhood.
 - c. I am pleased with the green spaces. Especially the one closest to me that will replace the old Oxford Street Inn and the other nearby building. I would encourage the consideration of playground equipment. Southwest Community Center nearby and many new horseshoes been built on Midland and Lincoln streets. The incorporation of a nature walk with signage would be a learning opportunity for urban children. Native plants and flowers should be included. Future plans for maintenance could offer employ those who live nearby. Tearing down the dilapidated old

barn from the farm is also a positive. Plans to improve that property down the road should be made.

- d. Community members' plans to invest and improve their properties should be accommodated in the plan. New businesses like the restaurant one neighbor planned are positive advances.
- e. Loitering, homelessness and crime are concerns. Cameras, call boxes, bike, foot and car patrols by police are essential to the success of the creek walk. More employment of neighborhood members and involvement of resident organizations can also increase the sense of community ownership. Ownership will increase the safety and success of the project. I see the creek from my front door. I am excited!

- Responses:
- a. Local hire requirements have been addressed elsewhere in this document.
 - b. We will research our ability under current Federal and State Law to require the contractor for this project to post names of locals working on this project. The City intends to work with local organizations (businesses, neighborhood groups, youth group, churches) regarding final design of community areas, and opportunities for contributing to trail maintenance.
 - c. The City and the Design Consultant are currently in the process of reviewing site amenities to be included as part of this project, taking into account the project goals and budget. We are also investigating appropriate "native" species of plants that can be utilized, balancing this goal with the need to have a product that can be easily maintained. Also under consideration is the creation of areas where the community at large can introduce and maintain plantings. Playground equipment will be considered for community area amenities.
 - d. While the City and the Design Consultant agree with the sentiments expressed in this comment, this project cannot allocate funds for business development. What we have seen from Phase I however is that the creation of the Creekwalk spurs the type of neighborhood development that this comment is requesting be addressed. What this project can do is, to the best extent practicable, is allow for

future development and provide interfaces with this development so that the Creekwalk is an integrated feature of this development.

- e. Efforts to address loitering and homeless over-use of the Onondaga Creekwalk is addressed elsewhere in this document.

Comment #2

Phyllis Moore, Property Owner West Onondaga St. & Temple St.
Robert Bucklin-Pierce, President West Onondaga St. Alliance
Samuel Sage, Atlantic States Legal Fund, 658 West Onondaga St.
Jamie-Lou McKinney, Business Owner, 415 West Onondaga St.
Timothy Wentworth, The 377 Building Co-op Corp., 377 West Onondaga St.
Ed Griffin-Nolan, Business Owner, Licensed Massage Therapist, The Spa at 500,
500 West Onondaga St.
Syracuse, NY
Representing Self

- Comments:
- a. As property owners, business owners, neighborhood associations, and individuals who have an interest in the Syracuse Creekwalk Phase 2 project the following comments are being submitted in opposition to the project alternatives as part of the public hearing process.

First, our opposition is to the preferred route of the Creekwalk. The Creekwalk should be on the creek. The path should not be designed to take private residential and commercial properties. The design is an attractive nuisance on West Onondaga Street, and the safety and environmental impact must be de minimis, which it is not.

- b. Second, the meetings held so far on this project appear to be informational only. There have been no public hearings to address the various issues that have been raised: including but not limited to DOT's draft EIS, historic preservation, safety, maintenance plans and schedules, property acquisition alternatives, and additional route options that could be evaluated.

We respectfully submit that the required procedures have not been followed. The public comments have not been adequately addressed. The project has not been presented in a transparent manner to the public. The public has not been given the information necessary to make an informed decision as which alternative paths would be best for the

environment, human and land. The Creekwalk Phase 2 project has a significant environmental impact to the humans and lands being effected.

- c. Although the Creekwalk Phase 2 may qualify for a categorical exclusion by project type, the exclusion is voided as the project involves unusual circumstances as described in 23 CFR §771.117, which requires an Environmental Impact Statement (EIS):

23 CFR §771.117(a), Categorical Exclusions are actions which: 1. do not induce significant impacts to planned growth or land use for the area; 2. do not require the relocation of significant numbers of people; 3. do not have a significant impact on any natural, cultural, recreational, historic or other resource; 4. do not involve significant air, noise, water or water quality impacts; 5. do not have significant impacts on travel patterns; or 6. do not otherwise, either individually or cumulatively, have significant environmental impacts.

23 CFR §771.117(b) An action that would normally be classified as a Categorical Exclusion but could involve unusual circumstances will require the New York State Department of Transportation (NYSDOT), in cooperation with the FHWA, to conduct appropriate environmental studies to determine if the Categorical Exclusion classification is proper. As defined in 23 CFR §771.117(b), such unusual circumstances include: 1. significant environmental impacts; 2. substantial controversy on environmental grounds; 3. Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act; or 4. Inconsistencies with any Federal, State or local law, requirement or administrative determination relating to the environmental aspects of the action. Natural, cultural, recreational, historic or other resource; 4. Do not involve significant air, noise, water or water quality impacts; 5. Do not have significant impacts on travel, patterns; or 6. Do not otherwise, either individually or cumulatively, have significant environmental impacts.

- d. Additionally, the NYSDOT representative has indicated that a full Environmental Impact Statement is required. However, the public open house and the Eminent Domain Procedure Law Hearing was held without the benefit of the

EIS. The letter dated June 21, 2016 from Patricia M. Millington, Area Engineer for the US Department of Transportation FHA to Mark Frechette, P.E., Director, Planning and Program Management Group NYS Dept. of Transportation Region 3, suggests that the NYSDOT by letter dated April 17, 2016 requested permission on behalf of the City of Syracuse to hold an EDPL public hearing and informational meeting in advance of the final environmental determination, knowing they were requesting a Categorical Exclusion with Documentation criteria in accordance with 23 CFR § 771.117.

Meaning, there will be no Environmental Impact Statement being sought by NYSDOT and the City of Syracuse. However, there had already been a determination as indicated in the June 2016 Draft Report that an EIS would be necessary:

"Environmental - NYSDOT (Rich Sawczak is the local DOT liaison) indicated that based on the potential amount of property acquisition, a full Environmental Impact Statement (EIS) is required for the CW 2 project. The City has a meeting with DOT on 10/30 to determine what is required for the EIS and the associated schedule. The EIS would consider the effects of the project on local flora and fauna.

Public Hearing- NYSDOT also indicated that based on the potential amount of property acquisition, a formal public hearing is required. The City has a meeting with DOT on 10/30 to determine what is required for a public hearing and the associated schedule."

- e. The June 2016 Draft Design Report stated: "While Alternative 1 is identified as the preferred alternative, all feasible alternatives are under consideration. The selection of the preferred alternative will not be finalized until the alternatives' impacts, comments on the draft design approval document, and comments from the public hearing have been fully evaluated."

There is no indication that an Environmental Impact Determination/Statement is being completed, so how will it be able to be part of the evaluation by the City of Syracuse and/or the public.

- f. The June 2016 Draft Design Report also stated:
"After completion of the Federal Environmental Approvals Worksheet (FEAW) (included in Appendix B) it has been determined that the project meets the requirement(s) of a Class II Categorical Exclusion with Documentation. This determination requires FHWA's concurrence. Provided this concurrence is issued; the project is not required to have an Environmental Impact Statement (EIS) or Environmental Assessment (EA) prepared under NEPA. This is because Class II Categorical Exclusion with Documentation is a class of actions that do not cause significant environmental impacts, either individually or cumulatively."

We submit that per the NEPA Assessment checklist the Creekwalk Phase 2 does not meet the threshold requirement:

NEPA ASSESSMENT CHECKLIST

Answer the following questions by checking YES or No.

I. THRESHOLD QUESTION NO 1.

Does the project involve unusual circumstances as described in 23 CFR §771.117(b)? _yes _no

If YES, the project does not qualify as a Categorical Exclusion and an EA or EIS is required. You may STOP COMPLETING THE CHECKLIST.

We submit that the Creekwalk Phase 2 project does involve unusual circumstances. Furthermore, regarding the letter dated June 21, 2016 from US Dept. of Transportation FHWA indicated that "all statements at the hearing shall indicate the project is being progressed as Categorical Exclusion with Documentation pending FHWA approval." Those of us that attended the meeting do not recall that requirement being met. Although, the public notice that was published included the statement that: "the project was being progressed as a Categorical Exclusion with Documentation pending FHWA approval", however, the public hearing flyer, attached hereto, that was posted on the City of Syracuse Website and forwarded by email to many involved did not include that caveat regarding the Categorical Exclusion pending request. The Design Public

Hearing document that was disseminated at the public hearing on July 26, 2016 also did not include the caveat.

- g. The Creekwalk Phase 2 has a significant impact on planned growth and land use for the area as it requires the relocation of significant numbers of people, it requires the acquisition of significant number of properties, and it has significant environmental impacts. A full Environmental Impact Statement should be completed and made available to the public for review.
- h. There should be an additional public hearing and EDPL hearing after an EIS is completed and made available for public review and the time for public comments should be extended accordingly.
- i. The current design alternative 1 that is preferred per the report has a greater impact on the humans and land in the affected area. We are not in opposition to the Creekwalk extension, but we are objecting to the alternatives that have a significant impact. The Creekwalk should run along the creek with little to no impact on humans and lands.

Unfortunately, without the benefit of an Environmental Impact Statement there may be many more impacts that the public, as well as the City of Syracuse, are unaware of. There are also maintenance issues with the project.

- j.. The Southside of Syracuse is comprised of four unique residential neighborhoods: Southwest, Brighton, Strathmore, and Elmwood. The Southside is home to three of Syracuse's most spacious parks. Onondaga Park which includes Hiawatha Lake, Kirk Park and Elmwood. Phase 2 of the Creekwalk is slated to travel through an area of the Southside that is quite frequently described in news headlines as "Shot/stabbed/murdered on Southside." There is a safety concern that the Creekwalk Phase 2 may provide an unencumbered path and secluded locations for criminal activity and have a significant impact on those residents and businesses along the path as a result. The creek is an attractive nuisance and as a result there are currently homeless encampments along the creek in the area where Phase 2 is to be installed. Other than lighting, there has been no response as to how these concerns will be

addressed within the scope of the project. The idea of COP Cameras and Call boxes were talked about but it was indicated that they are not financially feasible or included within the scope of the project, but would be looked into. The Syracuse Police Department is already understaffed and has limited resources.

- k. The trash and debris and maintenance of the Creekwalk are also of great concern. The City of Syracuse does not have the resources to maintain what is currently in place. This expansion of space will be a burden that cannot be maintained.
- l. Additionally, there are a significant number of private property owners being affected by the project. The taking of private property that has been slated for development, where there has been close to a million dollars invested towards that goal, is a significant impact. The Property owner, Phyllis Moore, impact statement is attached hereto. Where there is significant investment by the residents and businesses in an area a feasible alternative should be pursued that would alleviate the negative effects of the Creekwalk Phase 2 on that area.

- Responses:
- a. Please reference previous comment responses. Please note that 80% of the 2.2 mile Creekwalk 2 route will be adjacent to Onondaga Creek, with a new Creekside area added between Temple Street and the Midland Avenue bridge. The preferred alternative presented includes 200 feet of creek-side trail between Temple and Adams Street. Although the Creek reach behind Onondaga Street provides attractive visual amenities, there are, engineering, environmental, economic and practical reasons why the Onondaga Creekwalk cannot be on Onondaga Creek for its entire length. The preferred alternative route strikes a balance between impacts to surrounding properties and the basic functionality of the Creekwalk. The 2008 Creekwalk 2 Feasibility Study and the 2016 in-depth analysis found that the limited space restriction, floodplain impacts, security concerns, environmental impacts, poor condition of adjacent structures, and project budget limitations eliminated the

in-channel route between Temple and Adams Streets as a viable option for the Creekwalk.

- b. The July 26, 2016 meeting was indeed a public hearing under the Eminent Domain Procedure Law, and in accordance with the NYSDOT Project Design Manual. All attendees were provided the opportunity to comment on the project by oral or written means, with the comment period open until August 9, 2016. The project was advertised as a public hearing, and the official notice sent by certified mail to affected owners and run in the Syracuse Post-Standard for five days stated that the Public Hearing was being held in accordance with the Eminent Domain Procedure Law and that the project was being progressed as a Categorical Exclusion with Documentation pending FHWA approval. Please see the attached public hearing notifications.

The project has been transparent. Throughout the course of six public meetings and two stakeholder meetings, as well as the lead up to the public hearing, the alignments being considered and the design approval document (authored by the Design Consultant for the City and subsequently reviewed by NYSDOT and FHWA) itself were made public. The reasoning behind the NEPA and SEQR classifications have been reviewed by both NYSDOT and FHWA and have received concurrence. A Creekwalk 2 Community Advisory Group was formed for this project and has met twice and provided input on and changes to the trail routing. The City conducted a door-to-door canvass along the Creekwalk 2 route in fall of 2015 to provide project information and solicit input. Public input was also solicited, received, recorded, incorporated and addressed during the 2008 Creekwalk 2 Feasibility Study.

- c. NYSDOT (with concurrence from FHWA) determined that the project and current format of the Design Approval Document, as detailed in the NYSDOT's Project Development Manual, Appendix 7, were classified as a "Moderate" project. In this specific case, the Design Report contains a Federal Environmental Approval Worksheet (FEAW) and is appropriate for the

situation to address environmental concerns. The NEPA checklist has been thoroughly vetted by both NYSDOT and FHWA and supports these conclusions.

The project meets the requirement for a Categorical Exclusion as it 1) does not induce significant impact to land growth or use for the area; 2) does not require relocation of significant number of people (at most 4 apartment units would be relocated); 3) does not significantly impact natural, cultural, recreational or historic resources; 4) does not involve significant air, noise or water quality impacts; 5) does not have a significant impact on travel patterns; 6) and does not cumulatively have significant impacts. No significant negative impacts have been identified by the project Federal Environmental Approval Worksheet, the Cultural Resources Study, or identified within public comments.

- d. The NYSDOT project liaison Mr. Sawczak at one community advisory group meeting did verbally indicate that an EIS would be needed for the project (as shown in meeting notes). However, subsequent to that meeting, Mr. Sawczak, along with the NYSDOT and FHWA reviewed the project FEAWS and determined that a full EIS was not required for the project. Similarly, the Creekwalk Phase 1 project was not required to complete a full EIS. No significant impacts to the local population, the environment, local development, natural or cultural resources, or to historic properties have been identified associated with the Creekwalk 2 project.
- e. All public input remains under consideration, and the City has further assessed and reassessed alternative routing suggested by WOSA. The final routing will be selected in the Final Design Report. The FHWA and NYSDOT determined through the FEAWS that a full EIS or Environmental Assessment was not required for the project. The FHWA provided approval on June 21, 2016 to hold the Eminent Domain Procedure Law Hearing, noting that the project was being progressed as a Categorical Exclusion with Documentation. The FHWA has not yet provided Section 106 approval (environmental and cultural resources). The Section 106

approval will be needed to finalize the Final Design Report.

- f. The City believes that the project does not have unusual circumstances as defined in the NEPA Assessment, that it and qualifies for a Categorical Exclusion. The project was not found to have 1) significant environmental impacts; 2) substantial controversy on environmental grounds; 3) significant impacts on historical properties; or Inconsistencies with federal state, or local laws relating to the environmental aspects of the action. The Notice of Public Hearing and Availability of the Draft Design Document was published for 5 days in the Syracuse Post-Standard, and sent by certified mail to the affected property owners. This Notice stated that the project was being progressed as a Categorical Exclusion with Documentation pending FHWA Approval. This official notice was available on the information table at the Public Hearing on July 26, 2016. Please see the Public Hearing documents.

- g. The Creekwalk 2 project was not found to have significant impacts on planned growth and land use for the area. One structure with 4 apartments is the only structure where residents would need to be relocated, with relocation expenses to be paid to the households. Project information was provided to the residential households at this location, and no opposition to the project from the residents has been received. The owner of the property is willing to sell the property to New York State as part of the project and has not opposed the project.

Three commercial buildings are proposed for demolition as part of the preferred alternative. Only one of the three buildings is actively used for storage. The owner of this active structure has indicated willingness to sell the property as part of the project and does not oppose the Creekwalk. The remaining two commercial structures are in poor condition (with one cited by the Syracuse Fire Department as a 'Do Not Enter'). One owner is willing to sell the property as part of the project. The final owner has not responded to contact from the City.

The preferred route would require acquisition in part or full of 38 parcels from 25 property owners (Onondaga County owns 10 of these parcels, the Syracuse Land Bank owns 6 vacant parcels [and is in the process of acquiring 2 more vacant parcels due to tax delinquency], and the Syracuse Model Neighborhood Corp. owns 1).

The large majority of property acquisition are partial narrow strip acquisitions at the rear of very deep properties along Midland Avenue between Temple St and the Midland Venue bridge. Most of these strips are overgrown with vegetation and unused by the property owners.

After acquiring vacant parcels due to long-term tax delinquency, the City expects that only 5 private parcels and 10 parcels owned by Onondaga County will require to be acquired in full for the project. Of the five private parcels, four are the structures noted above, and one is vacant. This level of acquisition is not ‘de minimus’ and NYSDOT/FHWA required that the project hold a public hearing under Eminent Domain Procedures Law. However, this level of property acquisition did not require the development of an EIS.

- h. The FEAWS screening worksheet did not identify any significant environment impacts due to the project, and no significant impact were identified in the 2008 Feasibility Study, the 2015 public meetings, the Community advisory group meetings, and the July 2016 Public hearing.

In fact, the environmental and economic impacts would greatly increase if the Creekwalk 2 route were constructed in the creek channel between Temple and Adams streets as proposed by WOSA. In-channel routing has been strongly opposed via written comments by the Onondaga Environmental Institute and the Onondaga Nation. The preferred alternative utilizes 200 feet of attractive creek-side route between Temple and Adams Streets, but is not within the channel.

- i. As explained by the Syracuse Police Department during the first series of Public Information Meetings, while Phase II of the Onondaga Creekwalk may be in an area where crimes are reported, many crimes that occur in the surrounding area are being reported as occurring in Kirk Park because it is a convenient reference point. The Police Dept. indicated that 2 crimes were reported along the Creekwalk Phase 1 since construction.

One of the many benefits to the community of providing a feature such as the Onondaga Creekwalk is the increased lighting as well as the increased attention to the area it occupies, which are natural deterrents to crime and individuals loitering. This can be further enhanced with call boxes/alarm stations, which as were indicated in all of our presentations were planned on being installed. The City is intending to add the COPS security camera platforms along the Creekwalk 2 route, and the project appears to have suffice sufficient funding to do this. The City is working with the Syracuse Police Dept. on camera locations. The use of Syracuse Police Dept. bicycle patrols on the Creekwalk 2 route is being discussed, and the opportunity for local bicycle clubs to periodically “patrol” the route is be investigated.

- j. Both the City Parks Department and the Department of Public works will be charged with maintaining the Onondaga Creekwalk. It has to be noted that the majority of the issues cited during public meetings had to deal with the end of the current phase of the Onondaga Creekwalk, which borders a County resource (Onondaga Lake) which routinely deposits debris at this location. All other locations are patrolled and cleaned as needed. A maintenance plan will be developed as part of the detailed design phase of the project (over the next 2 years).
- k. The Draft Design Report outlines the steps taken to minimize the impacts of Phase II of the Onondaga Creekwalk. The current alignment is based on public input during eight meetings over the preliminary design

of this project. Currently, efforts are being undertaken to maintain that alignment and minimize impacts further.

Please see responses g. and h. above, as most property acquisitions are narrow strips of land at the rear of very deep properties, the overall acquisition does not have a significant impact. Five private properties will be required to be acquired in whole (after tax delinquent properties are acquired by the City), with four of these being commercial, and three inactive. To reduce impacts to Ms. Moore, but to balance the project's needs, the City agrees to Ms. Moore's proposal to reduce the acquisition a 30-foot wide strip on the north side of the property. Fencing will be installed for security of Ms. Moore's property and the adjacent 377 Onondaga Street Coop building. The City will work with Ms. Moore and the 377 Coop building to provide appropriate screening.

Comment #3

Peter King
Representing Self
606 Thurber Street
Syracuse, NY 13210

- Comments: a. Public Participation: We need better public participation in designing the Creekwalk, as a group of us discussed and documented last summer, in the 'Creekwalk Community Conversation, Southwest Community Center' (Page 319 in your Draft Design Document).
- 1) Not many people showed up for your one summer 2016 public comment session, as many city residents go away mid-summertime. More generally, have heard many say about city planning, 'they're going to do what they're going to do, & so it does not matter what I say'.
 - 2) The engineers' conceptual drawings mostly depicted nighttime scenes, emphasizing crime concerns. This focus may be understandable on the South Side, but does not encourage open dialog about bio-physical concerns, like heat, moisture, & human comfort.
 - 3) For attracting more people in commenting and participating, I strongly urge the city continue holding comment sessions on the Creekwalk. Natural systems are constantly 'updating', and people's understandings also evolve. We need flexible designs for incorporating

natural change, and designs allowing reasonable time for public input.

4) I recommend the city consider pursuing in some cases, 'temporary infrastructure' AKA 'Quick Build' public pilot-testing methods, as many US cities are successfully using, including Seattle WA, Portland OR, Washington DC, New York City and others (Andersen 2015, Marshall 2016). In the case of Washington DC, public pilot-testing methods resulted in above-average usage along bicycle routes along 15th Street and Pennsylvania Avenue (Andersen 2014). 'Quick Build' public pilot-tests are 'agile' methods allowing flexibility for unforeseen complications in planning for active transportation. Former New York City DOT Policy Director Jon Orcutt co-authored an accessible guide on public pilots for municipalities, 'Quick Builds for Better Streets' (Orcutt et al, 2016). Many cities are finding, 'Quick Build' public-test methods are speeding up their planning process, and producing results the community accepts and uses more.

b. Keeping the Overall Design Flexible: In any case, make the Creekwalk design flexible, so we can change it in the future if desired, for example if the city wants to naturalize the Creek. Many people have researched the Creek and produced recommendations. The 'Onondaga Creek Conceptual Revitalization Plan Draft Report' reviews several specific steps the City can take, for example improving the Creek's absorptive capacity, preventing further sedimentation, and re-naturalizing the Creek (Onondaga Creek Conceptual Revitalization Plan Project, April 2009).

c. Incorporating 'Green Infrastructure': I agree with the design inclusion of Green Infrastructure, throughout the project. Green Infrastructure can be used not only for stormwater controls, but also for conserving water, as in the case of this summer's drought. Specific concerns =

1) Leave enough trees overhead all along the Creek, so our hot, dry sun does not increase the Creek's temperatures. From personal experience, the Creek has a cooling effect, possibly extending several blocks around. The City's 2012 Sustainability Plan specifies reducing our 'urban heat island' effect as a priority concern through

several policies (Item 4.5, in Chapter 4 - Natural Environment, pg. 62).

Does keeping streams covered with riparian vegetation curb heat? Kaushal et al (2010) observed historical records among 40 rivers and streams in the United States, finding consistently rising temperatures in all cases. These rising temperatures appear most rapid among urban rivers and streams (Ibid).

Several studies analyzing urban Stream temperatures find shade a significant forcing function, possibly the most influential in keeping stream water temperatures lowest. At least two complex models predict a high influence from riparian vegetation on mitigating high urban stream temperatures: LeBlanc, Brown, & Fitzgibbon (1997) and Sun, Yearsley, Voisin & Lettenmaier (2015). A strong influence from riparian vegetation seems verified by at least one empirical analysis (Hathway & Sharples 2012). Given these predictions, and Climate Change as a larger driving pattern which will likely keep producing extremes like this year's drought, keeping temperatures lower in Onondaga Creek with riparian vegetation seems a priority going forward. Santamouris & Kolokotsa's may offer useful guidance on this question (2016). Also, you should ask residents living nearby.

In my experience, I feel the block or two around the creek is most often lower in temperature than along open, paved streets. The coolest part of the existing Creekwalk is currently around Franklin Square, where temperatures seem dramatically cooler than the sunlit parts of the Creekwalk. The vegetation prevents solar heat from building, and the stones provide mass which typically stores specific heat, also keeping this area cooler. The more percentage of the Creek is kept covered, the cooler the entire creek may be.

Vegetation can be trimmed below the canopy level, and still create adequate shade. In fact, leaving open areas below the canopy may allow more wind flowing through, spreading the cooling effects.

- 2) Social benefits from trimming below the canopy =
When Majora Carter spoke in Syracuse about

'Sustainable South Bronx' in 2008 at the Center of Excellence, she mentioned cutting lower branches off trees, for allowing more visibility and so deterring crime. Apparently, trimming tactics can enable more 'eyes on the street', potentially reducing residents' fear of shaded areas. Again, if the city encourages exchanging ideas with community members, you may find invaluable, useful ideas.

- d. Supporting local hiring: I support the ongoing conversations about local hiring on this project. Local hiring is 'not only' about immediately benefiting lower-income people, but introducing and exciting them about 'green jobs', which may afford both easy entry and dynamic upward mobility, compared with regular construction jobs. Green infrastructure, low-impact transportation, and other jobs related to improving the urban climate are expanding, competitive fields, especially in the rust belt and NYS. For local examples, PUSH-Buffalo is successfully obtaining and implementing green-infra grants, and the South Bronx River Watershed Alliance (SBRWA) this spring won funding for a Sheridan Highway-to-Boulevard project along the Bronx River, including many 'green' design elements.

References

I can provide electronic copy of any reference listed here, if the team cannot obtain them.

Andersen, M. (2014, June 25). "Ready, fire, aim": How to make a great protected bike lane pilot project. Retrieved from <http://www.peopleforbikes.org/blog/entry/ready-fire-aim-how-to-make-a-great-protected-bike-lane-pilot-project>.

~ (2015, July 10). Cities Are Reinventing Transportation Planning for the Age of the Public Beta | Streetsblog USA. Retrieved from <http://usa.streetsblog.org/2015/07/10/cities-are-reinventing-transportation-planning-for-the-age-of-the-public-beta/>.

City of Syracuse (2012) Syracuse Sustainability Plan. Retrieved from <http://www.syracuse.ny.us/planning.aspx>.

Hathway, E. A., & Sharples, S. (2012). The interaction of rivers and urban form in mitigating the Urban Heat Island effect: A UK case study. *Building and Environment*, 58, 14–22. <http://doi.org/10.1016/j.buildenv.2012.06.013>

Kaushal, S. S., Likens, G. E., Jaworski, N. A., Pace, M. L., Sides, A. M., Seekell, D., Belt, K., Secor, D.H., Wingate, R. L. (2010). Rising stream and river temperatures in the United States. *Frontiers in Ecology and the Environment*, 8(9), 461–466. <http://doi.org/10.1890/090037>.

LeBlanc, R. T., Brown, R. D., & FitzGibbon, J. E. (1997). Modeling the Effects of Land Use Change on the Water Temperature in Unregulated Urban Streams. *Journal of Environmental Management*, 49(4), 445–469. <http://doi.org/10.1006/jema.1996.0106>.

Marshall, A. (April 2016). Want a Bike-Friendly City? Get Ready to Fail Until It Works [Web log post]. Retrieved from <https://www.wired.com/2016/04/how-to-make-bike-friendly-city/>

Onondaga Creek Conceptual Revitalization Plan Project (April 2009) Onondaga Creek Conceptual Revitalization Plan Draft Report. Produced by Onondaga Environmental Institute. Retrieved from http://oei2.org/OEIResources_OCRPDRAFT.html.

Orcutt, J., Andersen, M. and Green Lane Project team (March 2016) Quick Builds For Better Streets: A New Project Delivery Model For U.S. Cities. Report published by PeopleForBikes. Retrieved from <http://www.peopleforbikes.org/blog/entry/new-report-a-nine-ingredient-recipe-for-fast-flexible-changes-to-city-stree>

Santamouris, M., & Kolokotsa, D. (2016). *Urban Climate Mitigation Techniques*. Routledge.

Sun, N., Yearsley, J., Voisin, N., & Lettenmaier, D. P. (2015). A spatially distributed model for the assessment of land use impacts on stream temperature in small urban watersheds. *Hydrological Processes*, 29(10), 2331–2345. <http://doi.org/10.1002/hyp.10363>

Responses: a. The City first held public information and input meetings as part of the 2008 Feasibility Study. Public informational meetings were held at three locations (Seals Community Center, Southwest Community Center and the MOST) in February/March of 2015 with approximately 30 people attending each meeting, A second round of public informational/input meetings was held in June 2015 at Seals, Southwest, and the Atrium, with approximately 30 attending each again. The July 26, 2016 public hearing had attendance of approximately 50 persons. At each meeting, comments about routing and safety were recorded and incorporated into design.

While nighttime lighting concerns weighed heavily in the design process, the illustrations and typical sections were created without a context for time of day as their intent was to depict the path configuration rather than how the Creekwalk was to appear at night. The eight meetings in total have more than satisfied the public input requirements set forth by NYSDOT and FHWA, and while all comments cannot necessarily be incorporated into the design based on practicality, engineering feasibility, and cost, we have attempted to incorporate as many as possible.

With regards to the ‘quick build’ suggestion, the goal of the project is to build on the experiences of Phase I and build a permanent path. The current federal/state funding program being utilized supports this and not the ‘quick build’ method, although the future and final phase from Dorwin Avenue to Colvin/Kirk Park may benefit from this and the City can research the potential for using this program.

- b. The current alignment is meant to be compatible with a renaturalization of Onondaga Creek. Where practical, the Creekwalk will be meandering and set back from Onondaga Creek to allow renaturalized areas to be created. As is understandable, not all possible permutations of this renaturalization can be accommodated, however it should be noted that in all cases we are focused on one side of Onondaga Creek, leaving the other completely open for these efforts. We believe the Creekwalk 2 project follows well with the Onondaga Creek Revitalization Plan (OCRP). The proposed Creekwalk 2 meets one of the major drivers/goal recommended which is increasing recreation, access and use in and around Onondaga Creek. The Creekwalk 2 project includes development of a canoe/kayak launch area in Kirk Park West, another recommended goal of the OCRP. The project will also add open spaces along the creek and more access areas.

The OCRP also recommended 11 pilot projects, including three [trail creation, shade tree planting along the creek, native planting establishment (and non-native plant removal)] which will be incorporated into the Creekwalk 2 design.

- c. Green infrastructure will be incorporated to the best extent practicable as long as it is easily maintained and economical. Please see previous discussion contained

above. There is no intent within this project to do more tree removal than necessary to open views to Onondaga Creek, which should remain consistent with the spirit of the submitted comment.

- d. Local hiring has been addressed elsewhere in this document.

Comment #4

Miguel Balbuena
Representing Self
189 Baldwin Ave
Syracuse, NY 13205

- Comments:
- a. My first suggestion would be to make the surface of all the Creekwalk porous or permeable in order for it to be the most environmentally friendly possible.
 - b. Secondly, it would be better not to do any “thinning” of the vegetation along the banks of the creek. The justification for this “thinning” is to enhance the view of the water in the creek. But, this view is not a pretty view as the creek carries combined sewage overflow. It is brown and not pleasant. Besides, the current level of vegetation serves as a natural capital, providing numerous benefits, such as oxygen for the environment, habitat for vertebrates and invertebrates species, etc.

- Responses
- a. While the goal of making all of the Creekwalk surface impermeable was initially considered, the cost of these materials, both in construction and in recurring maintenance, is prohibitive for a trail of this size. The team currently intends to replace and expand the existing porous pavement that exists along Doctor Martin Luther King, however this is the extent of porous pavement at this time. The detailed design will consider areas where a stonedust trail could be used in place of an asphalt trail.
 - b. While the team is conscious of the effects of thinning, it has to be noted that the focus of this thinning is not old growth, but rather growth that has established within the last 10 years. This thinning will be coordinated with the City of Syracuse Parks Department to be sensitive to habitats and enhance the ability for the City to maintain the Creek itself.

Comment #5

Barbara Leigh
Representing Self
1012 W. Colvin Street
Syracuse, NY 13207

- Comments:
- a. I'd like to see the project evaluated after completion to determine if it is being utilized and has positively impacted the community.
 - b. A question regarding signage on W. Colvin and Hunt Avenue for pedestrian and bike crossing: why is it installed the wrong way on a one-way street?
- Responses
- a. The City appreciates this comment and will be investigating the potential for an evaluation to be completed. SUNY_ESF completed a use study of Creekwalk Phase I. The City will discuss with SUNY_ESF the possibility of conducting a similar study for Creekwalk Phase II.
 - b. In the current drawings, drawing PLN-2 shows a crossing on Onondaga Creek Boulevard and not on Hunt. This question appears to be in regard to existing signage. The City will look at your concern.