January 26, 2011

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

As you may recall, on November 8, 2010, your Honorable Board approved Resolution 152-2010, which set a date for a public hearing pursuant to New York Eminent Domain Procedure Law ("EDPL") Section 201, for capital project P0018, Bronx River Parkway at Crane Road over Bronx River and Railroad ("Project"). The purpose of the hearing was to inform the public about the Project and review the public use to be served by the Project and any impact on the environment and local residents.

I have been advised that the public hearing was held in the chambers of the Westchester Board of Legislators on December 6, 2010 and commenced at approximately 7:43 p.m. I have been further advised of the following: that during the course of the oral presentation phase of the public hearing all matters required by the EDPL and appropriate to such a public hearing were identified and explained to persons then in attendance; that at the conclusion of the oral presentation phase persons in attendance were given an opportunity to speak and comment on the proposed Project; that there was only one public speaker; and that at the conclusion of the public comment phase the hearing was adjourned. It is my understanding that additional written comments regarding the proposed Project were accepted by the County until the close of business on December 20, 2010. I have been further informed that a transcript of the public hearing, together with exhibits that were identified during the public hearing and written comments received by the County, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation and is also available for review at: www.westchestergov.com/craneroadbridge.

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2900 E-mail: (914) ceo@westchestergov.com
In accordance with the requirements of EDPL §204, within 90 days after the conclusion of the public hearing, the County is required to make its determination and findings concerning the Project and is also required to publish a brief synopsis of such determination and findings. In order to timely comply with these statutory requirements, it will be necessary for your Honorable Board to adopt the Act transmitted herewith no later than the meeting of the Board of Legislators scheduled for February 28, 2011, as publication must be completed by March 6, 2011.

The attached Act, when adopted, will constitute your Honorable Board’s determination and findings with respect to the Project and will also authorize and direct the Commissioner of the Westchester County Department of Public Works and Transportation, or his duly authorized designee, (the “Commissioner”) to publish the brief synopsis in accordance with EDPL §204, which requires that the brief synopsis be published in at least two successive issues of an official newspaper of general circulation. The Act will also authorize and direct the Commissioner, in compliance with EDPL §204, to serve, by personal service or certified mail, return receipt requested, a notice of the brief synopsis to each assessment record billing owner or his or her attorney of record.

The determination and findings specifies the following:

(a) The proposed Project is located on the Bronx River Parkway between Ardsley Road and the signalized intersection of the Bronx River Parkway’s Crane Road southbound exit. The Crane Road Bridge carries the Bronx River Parkway over the Bronx River and the Metro-North Railroad Harlem Line in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York. This location was selected because it is the site of the existing roadway and bridges sought to be replaced due poor condition and which have required extensive repairs in recent years to keep traffic flowing.

(b) The public use, benefit or purpose to be served by the proposed Project, PIN 8110.13, Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (“River Bridge”) and Metro-North Railroad (“Railroad Bridge”) in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York, (the River Bridge and Railroad Bridge hereinafter collectively referred to as “Crane Road Bridge”) will include:

- the replacement of the River Bridge superstructure and substructure with a deck widening of 20'-2" on a similar alignment;
- the replacement of the Railroad Bridge with a redundant type structure (composite prestressed concrete box beam bridge);
- the replacement of the existing River Bridge piers will retain the form of the historic pier configuration, while relocating them along a similar alignment;
- the replacement of the River Bridge superstructure will retain a replicated architectural treatment;
- the replacement of the River Bridge south abutment and retaining walls will have reconfigured locations and dimensions, but will retain a replicated architectural treatment;
the replacement of the middle abutment (between the River Bridge and the Railroad Bridge) and the north abutment of the Railroad Bridge will be reconfigured and will be approximately 20'-2" wider to accommodate the new widened deck over the Metro-North Railroad tracks;

- the replacement of the Crane Road Bridge will lessen the existing; non-standard features including lane width, shoulder width, horizontal curvature, grade, vertical clearance, design speed, and minimum stopping sight distance;

- the calculated design speed for the replacement of the Crane Road Bridge will be increased from 22 mph to 32 mph (based on the calculated stopping sight distance of 221'-11" along the parapet of the southbound right lane).

(c) The proposed Project objectives are to: eliminate structural deficiencies; correct traffic operation and safety deficiencies; maintain traffic on the Bronx River Parkway; minimize potential impacts to adjacent parcels; minimize impacts to the Bronx River Parkway Reservation and enhance pedestrian access. More specifically, the general effect of the Project on the environment and residents are as follows:

(i) **Eliminate Structural Deficiencies** – The proposed public Project will eliminate structural deficiencies by replacing in its entirety both deficient bridges.

(ii) **Correct Traffic Operation and Safety Deficiencies** – The proposed public Project will replace the bridges on a new alignment offering increased lane widths, paved left and right shoulders, increased horizontal curve radii, and create an exit deceleration lane.

(iii) **Maintain Traffic on the Bronx River Parkway** – The proposed public Project will construct the new structures adjacent to the existing bridges, allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction.

(iv) **Minimize Potential Impacts to Adjacent Parcels** – Numerous environmental studies were performed as part of the proposed public Project and the Preferred Alternative is the most beneficial in that it will have only a minor impact on the noise around the bridges and will minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale. There are no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community.

(v) **Minimize the Impacts to the Bronx River Parkway Reservation** – The proposed public Project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement.

(vi) **Enhance Pedestrian Access** – The proposed public Project includes the construction of a pedestrian access ramp along with the bridges enabling residents of the area greater
access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

(d) The following alternatives were considered:

(i) Alternative 0 (No Build “Null” Alternative) – This alternative provided for the continued maintenance of the existing Crane Road Bridge structure only with an increasing amount of maintenance, time and money required to keep the bridge open to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

(ii) Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) - This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

(iii) Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) - This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction; and

(iv) Alternative C (Replacement Structure on Adjacent Alignment - South) – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

(e) The reasons for selecting Alternative C (“Preferred Alternative”) include:

(i) Alternative 0 (No Build “Null” Alternative) would result in continued deterioration of the bridge structure and retention of non-standard and non-confirming conditions, and would not fulfill any Project objectives. Therefore, this alternative has been determined to not be feasible and prudent and has been eliminated from further consideration.

(ii) Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) would not completely eliminate all structural and safety deficiencies since it would retain the existing deficient piers on the River Bridge and thus not satisfy all of the needs of the Project. This alternative would also limit the deck width, retain substandard shoulder and lane widths, and have inferior safe stopping sight distance compared to the other alternatives. It would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(iii) Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) would eliminate all structural deficiencies but would not improve traffic and operational deficiencies to the extent possible with the Preferred Alternative and as such does not meet the needs of the Project. In addition, it would be necessary to
construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(f) This Project was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the Project by this Board on January 21, 2009 by Resolution No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the proposed Project. Additionally, pursuant to the National Environmental Policy Act ("NEPA"), this Project was classified as a Class II Categorical Exclusion in accordance with 23 CFR 771.117(d)(3). The Federal Highway Administration concurred with the NEPA designation on March 17, 2010.

(g) The proposed Project will have among other things, the following effects upon the residents and/or businesses of the locality:

(i) The proposed public Project will have a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station.

(ii) The proposed public Project will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad.

(iii) The proposed public Project will require small acquisitions but will not affect land uses, change travel patterns, or have any permanent effect on local planning.

(iv) The proposed public Project will not have any negative impacts on the aesthetics of the area. Rather, various elements of the Project will enhance the appearance of the area while replicating the existing structures.

(h) The proposed Project has been reviewed by the State Office of Parks, Recreation and Historic Preservation with regard to its affect on historical and cultural resources. By letter dated February 20, 2008, the State Historic Preservation Office ("SHPO") indicated its concurrence with the recommendation that the Crane Road Bridge should be rehabilitated or replaced. Additionally, by letter dated June 26, 2008, SHPO determined that the proposed Project will affect resources on the national register of historic places, but these affects are limited to the Crane Road Bridge which is a contributing element of the Bronx River Parkway Reservation's National Register designation and concurs with the selection of the Preferred Alternative. The Westchester County Department of Public Works received approval of a Section 4(f) Evaluation of the Proposed Impacts from the New York State Department of Transportation on March 8, 2010 and from the Federal Highway Administration on March 17, 2010. The Section 4(f) Evaluation concluded that there is no prudent and feasible alternative to the replacement of the Crane Road Bridge.
I have been advised that after the publication of the synopsis is complete, the County will be required to make reasonable and expeditious efforts to “justly compensate” the property owners by negotiation and agreement, pursuant to EDPL §301. Under subsequent legislation to establish the amount to be offered for the property to be acquired, your Honorable Board will be presented with a recommendation of just compensation based on a formal appraisal process. Once your Honorable Board establishes the amount of just compensation, the County will then make a written offer to the property owners. Where a property owner notifies the County that it accepts the County’s offer, the County will prepare the necessary documents concerning the acquisition. If a property owner rejects the offer or fails to notify the County that it is accepting the offer, then the County will have the right to initiate condemnation proceedings. In such event, additional legislation will be submitted to your Honorable Board seeking authorization to commence a condemnation proceeding.

The Planning Department has advised that since there is no change in the scope of the Project, no further action under SEQRA is required. As you know, your Honorable Board may use such expert advice to make its own conclusion.

Based upon the foregoing, I most respectfully request your Honorable Board’s approval of the attached Act by no later than your scheduled February 28th meeting in order to comply with EDPL §204. As your Honorable Board may recall, in order to take advantage of the substantial amount of federal and state funding that is available for this Project, construction authorization needs to be in place prior to September of 2011.

Sincerely,

[Signature]

Robert P. Astorino
County Executive

RPA/JJH/TSA
Attachment
HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

As you may recall, on November 8, 2010, your Honorable Board approved Resolution 152-2010, which set a date for a public hearing pursuant to New York Eminent Domain Procedure Law ("EDPL") Section 201, for capital project P0018, Bronx River Parkway at Crane Road over Bronx River and Railroad ("Project"). The purpose of the hearing was to inform the public about the Project and review the public use to be served by the Project and any impact on the environment and local residents.

Your Committee has been advised that the public hearing was held in the chambers of the Westchester Board of Legislators on December 6, 2010 and commenced at approximately 7:43 p.m. Your Committee has been further advised of the following: that during the course of the oral presentation phase of the public hearing all matters required by the EDPL and appropriate to such a public hearing were identified and explained to persons then in attendance; that at the conclusion of the oral presentation phase persons in attendance were given an opportunity to speak and comment on the proposed Project; that there was only one public speaker; and that at the conclusion of the public comment phase the hearing was adjourned. It is your Committee’s understanding that additional written comments regarding the proposed Project were accepted by the County until the close of business on December 20, 2010. Your Committee has been further informed that a transcript of the public hearing, together with exhibits that were identified during the public hearing and written comments received by the County, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation and is also available for review at: www.westchestergov.com/craneroadbridge.
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The attached Act, when adopted, will constitute your Honorable Board's determination and findings with respect to the Project and will also authorize and direct the Commissioner of the Westchester County Department of Public Works and Transportation, or his duly authorized designee, (the "Commissioner") to publish the brief synopsis in accordance with EDPL §204, which requires that the brief synopsis be published in at least two successive issues of an official newspaper of general circulation. The Act will also authorize and direct the Commissioner, in compliance with EDPL §204, to serve, by personal service or certified mail, return receipt requested, a notice of the brief synopsis to each assessment record billing owner or his or her attorney of record.

The determination and findings specifies the following:

(a) The proposed Project is located on the Bronx River Parkway between Ardsley Road and the signalized intersection of the Bronx River Parkway's Crane Road southbound exit. The Crane Road Bridge carries the Bronx River Parkway over the Bronx River and the Metro-North Railroad Harlem Line in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York. This location was selected because it is the site of the existing roadway and bridges sought to be replaced due poor condition and which have required extensive repairs in recent years to keep traffic flowing.

(b) The public use, benefit or purpose to be served by the proposed Project, PIN 8110.13, Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River ("River Bridge") and Metro-North Railroad ("Railroad Bridge") in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York, will include:
the replacement of the River Bridge superstructure and substructure with a deck widening of 20'-2" on a similar alignment;

the replacement of the Railroad Bridge with a redundant type structure (composite prestressed concrete box beam bridge);

the replacement of the existing River Bridge piers will retain the form of the historic pier configuration, while relocating them along a similar alignment;

the replacement of the River Bridge superstructure will retain a replicated architectural treatment;

the replacement of the River Bridge south abutment and retaining walls will have reconfigured locations and dimensions, but will retain a replicated architectural treatment;

the replacement of the middle abutment (between the River Bridge and the Railroad Bridge) and the north abutment of the Railroad Bridge will be reconfigured and will be approximately 20'-2" wider to accommodate the new widened deck over the Metro-North Railroad tracks;

the replacement of the Crane Road Bridge will lessen the existing, non-standard features including lane width, shoulder width, horizontal curvature, grade, vertical clearance, design speed, and minimum stopping sight distance;

the calculated design speed for the replacement of the Crane Road Bridge will be increased from 22 mph to 32 mph (based on the calculated stopping sight distance of 221'-11" along the parapet of the southbound right lane).

(c) The proposed Project objectives are to: eliminate structural deficiencies; correct traffic operation and safety deficiencies; maintain traffic on the Bronx River Parkway; minimize potential impacts to adjacent parcels; minimize impacts to the Bronx River Parkway Reservation and enhance pedestrian access. More specifically, the general effect of the Project on the environment and residents are as follows:

(i) **Eliminate Structural Deficiencies** – The proposed public Project will eliminate structural deficiencies by replacing in its entirety both deficient bridges.

(ii) **Correct Traffic Operation and Safety Deficiencies** – The proposed public Project will replace the bridges on a new alignment offering increased lane widths, paved left and right shoulders, increased horizontal curve radii, and create an exit deceleration lane.

(iii) **Maintain Traffic on the Bronx River Parkway** – The proposed public Project will construct the new structures adjacent to the existing bridges, allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction.

(iv) **Minimize Potential Impacts to Adjacent Parcels** – Numerous environmental studies were performed as part of the proposed public Project and the preferred alternative is the most beneficial in that it will have only a minor impact on the noise around the bridges and will
minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale. There are no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community.

(v) **Minimize the Impacts to the Bronx River Parkway Reservation** – The proposed public Project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement.

(vi) **Enhance Pedestrian Access** – The proposed public Project includes the construction of a pedestrian access ramp along with the bridges enabling residents of the area greater access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

(d) The following alternatives were considered:

(i) **Alternative 0 (No Build “Null” Alternative)** – This alternative provided for the continued maintenance of the existing Crane Road Bridge structure only with an increasing amount of maintenance, time and money required to keep the bridge open to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

(ii) **Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge)** - This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

(iii) **Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge)** - This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction; and

(iv) **Alternative C (Replacement Structure on Adjacent Alignment - South)** – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

(e) The reasons for selecting Alternative C (“Preferred Alternative”) include:

(i) **Alternative 0 (No Build “Null” Alternative)** would result in continued deterioration of the bridge structure and retention of non-standard and non-confirming conditions, and would not fulfill any Project objectives. Therefore, this alternative has been determined to not be feasible and prudent and has been eliminated from further consideration.

(ii) **Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge)** would not completely eliminate all structural and safety deficiencies since it would retain the existing deficient piers on the River Bridge and thus not satisfy all of the needs of the Project. This alternative would also limit the deck width, retain substandard shoulder and lane widths, and have inferior safe stopping sight distance compared to the other alternatives. It
would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(iii) Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) would eliminate all structural deficiencies but would not improve traffic and operational deficiencies to the extent possible with the Preferred Alternative and as such does not meet the needs of the Project. In addition, it would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(f) This was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the project by this Board on January 21, 2009 by Resolution No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the proposed project. Additionally, pursuant to the National Environmental Policy Act ("NEPA"), this Project was classified as a Class II Categorical Exclusion in accordance with 23 CFR 771.117(d)(3). The Federal Highway Administration concurred with the NEPA designation on March 17, 2010.

(g) The proposed Project will have among other things, the following effects upon the residents and/or businesses of the locality:

(i) The proposed public Project will have a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station.

(ii) The proposed public Project will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad.

(iii) The proposed public Project will require small acquisitions but will not affect land uses, change travel patterns, or have any permanent effect on local planning.

(iv) The proposed public Project will not have any negative impacts on the aesthetics of the area. Rather, various elements of the Project will enhance the appearance of the area while replicating the existing structures.

(h) The proposed Project has been reviewed by the State Office of Parks, Recreation and Historic Preservation with regard to its affect on historical and cultural resources. By letter dated February 20, 2008, the State Historic Preservation Office ("SHPO") indicated its concurrence with the recommendation that the Crane Road Bridge should be rehabilitated or replaced. Additionally, by letter dated June 26, 2008, SHPO determined that the proposed Project will affect resources on the national register of historic places, but these affects are limited to the Crane Road Bridge which is a contributing element of the Bronx River Parkway Reservation’s
National Register designation and concurs with the selection of the Preferred Alternative. The Westchester County Department of Public Works received approval of a Section 4(f) Evaluation of the Proposed Impacts from the New York State Department of Transportation on March 8, 2010 and from the Federal Highway Administration on March 17, 2010. The Section 4(f) Evaluation concluded that there is no prudent and feasible alternative to the replacement of the Crane Road Bridge.

Your Committee has been advised that after the publication of the synopsis is complete, the County will be required to make reasonable and expeditious efforts to “justly compensate” the property owners by negotiation and agreement, pursuant to EDPL §301. Under subsequent legislation to establish the amount to be offered for the property to be acquired, your Honorable Board will be presented with a recommendation of just compensation based on a formal appraisal process. Once your Honorable Board establishes the amount of just compensation, the County will then make a written offer to the property owners. Where a property owner notifies the County that it accepts the County’s offer, the County will prepare the necessary documents concerning the acquisition. If a property owner rejects the offer or fails to notify the County that it is accepting the offer, then the County will have the right to initiate condemnation proceedings. In such event, additional legislation will be submitted to your Honorable Board seeking authorization to commence a condemnation proceeding.

The Planning Department has advised that since there is no change in the scope of the Project, no further action under SEQRA is required. Your Committee concurs with this conclusion.

It should be noted that an affirmative vote of a majority of the voting strength of your Honorable Board is required in order to adopt the proposed Act. Your Committee has carefully considered the annexed proposed Act and recommends its adoption. As your
Honorable Board may recall, in order to take advantage of the substantial amount of federal and state funding that is available for this Project, construction authorization needs to be in place prior to September of 2011.

Dated: , 2011
White Plains, New York

COMMITTEE ON

C: TSA 1.18.11
FISCAL IMPACT STATEMENT

CAPITAL PROJECT: P0018  □ NO FISCAL IMPACT PROJECTED

CAPITAL BUDGET IMPACT
(To be completed by Finance Department and Budget Department)

A) □ GENERAL FUND      □ AIRPORT      □ SPECIAL REVENUE FUND (Districts)

EXPENSES AND REVENUES

Source of County Funds (check one): □ Current Appropriations
□ Capital Budget Amendment

B) BONDING AUTHORIZATIONS

Total Principal $ ___  PPU: ___  Anticipated Interest Rate ____

Anticipated Annual Cost (Principal and Interest) $ ___

Total Debt Service (Annual Cost X Term) $ ___

Finance Department: ___

C) IMPACT ON OPERATING BUDGET
(To be completed by Operating Department and reviewed by Budget Department)

Potential Related Expenses: Annual $ ___

Potential Related Revenues: Annual $ ___

Anticipated Savings to County and/or Impact on Department Operations
(Describe in detail for current and next four years):

___

___

___

Prepared by: Robert Abbamont

Reviewed By: [Signature]

Title: Program Coordinator (Capital Planning)

Department: Public Works and Transportation

If you need more space, please attach additional sheets.
ACT NO. ___-2011

An ACT adopting the determination and findings relating to the proposed public project (PIN 8110.13) concerning the replacement of the Bronx River Parkway bridges (at Crane Road) over Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Town of Greenburgh and Village of Scarsdale, New York in accordance with New York Eminent Domain Procedure Law §204.

WHEREAS, the Bronx River Parkway’s functional classification, as defined by the Federal Highway Administration, is an “urban principal arterial (expressway)” located in the south central portion of Westchester County and Bronx County; and

WHEREAS, the Bronx River Parkway, in Westchester County, provides a north/south link between the Kensico Dam Plaza and the City of New York; and

WHEREAS, the structure at Crane Road is comprised of two bridges that carry the Bronx River Parkway over the Bronx River (“River Bridge”) and over the Metropolitan Transportation Authority’s Metro-North Railroad Harlem Line (“Railroad Bridge”) (hereinafter collectively referred to as “Crane Road Bridge”), the Crane Road Bridge is situated in the Bronx River Parkway Reservation between Ardsley Road to the south and the Bronx River Parkway signalized intersection, at the Crane Road southbound exit, to the north; and

WHEREAS, the portion of the Bronx River Parkway located in Westchester County, and the Crane Road Bridge, are owned and maintained by the County of Westchester; and

WHEREAS, the County of Westchester, in response to the deteriorated condition of the Crane Road Bridge and the existing traffic and safety concerns, initiated a project to address deficiencies associated with these structures; and

WHEREAS, in January of 2006, an Initial Project Proposal (IPP) was completed and approved by the State of New York for inclusion in the Transportation Improvement Program; and

WHEREAS, the bridge over the river (BIN 3348779), having a 2007 NYS Condition Rating of 4.589, is categorized as “Deficient” under the NYS Condition Rating system; and

WHEREAS, the bridge over the railroad (BIN 3348789), having a 2008 NYS Condition Rating of 4.255, is categorized as “Deficient” under the NYS Condition Rating system; and

WHEREAS, the Crane Road Bridge has become increasingly deteriorated with two separate incidents in December 2006 and July 2007, involving holes forming in the concrete
deck of the bridge over the river and resulted in emergency travel lane closures until repairs could be completed; and

WHEREAS, an in depth inspection performed in 2008 revealed the concrete deck slab of the Crane Road Bridge is in a state of advanced deterioration which increases the risk of additional deck holes that would result in emergency lane or bridge closures thereby impacting the traveling public; and

WHEREAS, the replacement of the Crane Road Bridge is needed to insure the continued service of the roadway as a critical link in the regional transportation system and to improve traffic safety along the Bronx River Parkway; and

WHEREAS, based upon testing and analysis conducted during the design phase of this project, a determination was made that, due to the widespread advanced deterioration of the two bridges, both bridges must be replaced in their entirety; and

WHEREAS, the project objectives include eliminating structural deficiencies, correcting traffic operation and safety deficiencies, maintaining traffic on the Bronx River Parkway, minimizing potential impacts to adjacent properties, minimizing impacts to Bronx River Parkway Reservation and enhancing pedestrian access; and

WHEREAS, the County of Westchester Department of Public Works implemented a program to incorporate public involvement which included four (4) public informational meetings held at the Westchester County Center in the City of White Plains between October 2007 and April 2009, and included consideration of the following environmental issues: regional and community growth; conservation/preservation; surface water quality; archaeological resources; historic resources; parks and recreational facilities; socioeconomic conditions; air quality; noise; traffic; and hazardous waste/contaminated materials; and

WHEREAS, the purpose of the public informational meetings was to present environmental evaluations and design alternatives and solicit comments from the local residents or other stakeholders; and

WHEREAS, following consideration of public input, the County of Westchester Department of Public Works and its consultants did incorporate measures into the project design to address stated concerns where warranted; and

WHEREAS, the County of Westchester Department of Public Works and its consultants prepared and periodically revised the project design to accomplish the replacement of the Crane Road Bridge, which design included the development and consideration of various preliminary alternatives; and

WHEREAS, based on the analysis of data gathered by the County of Westchester Department of Public Works and its consultants and comments received through the public involvement program, Alternative C (Replacement of Bronx River Parkway Bridges on adjacent alignment to the south and east), was deemed to be the preferred alternative for Final Design Approval ("Preferred Alternative"); and
WHEREAS, on January 21, 2009 by Resolution No. 12-2009 the Crane Road Bridge project was classified as a Type I Action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board, acting as Lead Agency, issued a Negative Declaration wherein it was determined that there would be no significant impact on the environment for the proposed project; and

WHEREAS, the Crane Road Bridge project is classified as a Type II Categorical Exclusion under the National Environmental Policy Act (“NEPA”) with NEPA concurrence issued by the Federal Highway Administration on March 17, 2010; and

WHEREAS, the County of Westchester has considered the general effect of the proposed project on the residents of the localities in which the proposed project is to be undertaken; and

WHEREAS, representatives of the County of Westchester have met with owners and interested parties who may be affected by the proposed public project and have made every effort to minimize the impact that the proposed public project will have on adjacent properties; and

WHEREAS, the Preferred Alternative would require the County of Westchester to acquire real property rights for approximately nine (9) properties within the proposed project area; and

WHEREAS, in accordance with Article 2 of the New York Eminent Domain Procedure Law (“EDPL”), the oral presentation and comment phase of the public hearing was held on December 6, 2010 at approximately 7:43 p.m. in the chambers of the Board of Legislators, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York (“Public Hearing”), for the purpose of outlining the project’s purpose, proposed location, possible alternate locations, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels; and

WHEREAS, during the course of the aforementioned oral presentation phase of the Public Hearing, all matters required by the EDPL and appropriate to such Public Hearing were identified and explained to persons then in attendance, and at the conclusion of the oral presentation such persons in attendance were given an opportunity to speak and comment on the proposed public project, and there was only one public speaker; and

WHEREAS, at the conclusion of the public comment phase of the aforementioned Public Hearing, the Public Hearing was adjourned; and

WHEREAS, additional written public comments regarding the proposed project were accepted by the County of Westchester until the close of business on December 20, 2010 and that said comments were incorporated into the record of the Public Hearing; and

WHEREAS, in addition, a transcript of the Public Hearing, together with the exhibits that were identified during the oral presentation phase of the Public Hearing and written comments, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation, and is also available for review at: www.westchestergov.com/craneroadbridge.
BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The following constitutes the determination and findings of the Board of Legislators of the County of Westchester, State of New York, with respect to PIN 8110.13, the proposed replacement of the bridges that carry the Bronx River Parkway over the Bronx River ("River Bridge") and over the Metropolitan Transportation Authority’s Metro-North Railroad Harlem Line ("Railroad Bridge") (hereinafter collectively referred to as "Crane Road Bridge") in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York:

(a) The Crane Road Bridge is located on the Bronx River Parkway Reservation between Ardsley Road to the south and the Bronx River Parkway signalized intersection, at the Crane Road southbound exit, to the north. The Crane Road Bridge carries the Bronx River Parkway over the Bronx River and over the Metropolitan Transportation Authority’s Metro-North Railroad Harlem Line in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York. This location was selected because it is the site of the existing roadway and bridges sought to be replaced due poor condition and which have required extensive repairs in recent years to keep traffic flowing.

(b) The public use, benefit or purpose to be served by the proposed public project, will include:

- the replacement of the River Bridge superstructure and substructure with a deck widening of 20'-2" on a similar alignment;
- the replacement of the Railroad Bridge with a redundant type structure (composite prestressed concrete box beam bridge);
- the replacement of the existing River Bridge piers will retain the form of the historic pier configuration, while relocating them along a similar alignment;
- the replacement of the River Bridge superstructure will retain a replicated architectural treatment;
- the replacement of the River Bridge south abutment and retaining walls will have reconfigured locations and dimensions, but will retain a replicated architectural treatment;
- the replacement of the middle abutment (between the River Bridge and the Railroad Bridge) and the north abutment of the Railroad Bridge will be reconfigured and will be approximately 20'-2" wider to accommodate the new widened deck over the Metro-North Railroad tracks;
- the replacement of the Crane Road Bridge will lessen the existing; non-standard features including lane width, shoulder width, horizontal curvature, grade, vertical clearance, design speed, and minimum stopping sight distance;
the calculated design speed for the replacement of the Crane Road Bridge will be increased from 22 mph to 32 mph (based on the calculated stopping sight distance of 221'-11" along the parapet of the southbound right lane).

(c) The proposed public project objectives are to: eliminate structural deficiencies; correct traffic operation and safety deficiencies; maintain traffic on the Bronx River Parkway; minimize potential impacts to adjacent parcels; minimize impacts to the Bronx River Parkway Reservation and enhance pedestrian access. More specifically, the general effect of the project on the environment and residents are as follows:

i. **Eliminate Structural Deficiencies** – The proposed public project will eliminate structural deficiencies by replacing in its entirety both deficient bridges.

ii. **Correct Traffic Operation and Safety Deficiencies** – The proposed public project will replace the bridges on a new alignment offering increased lane widths, paved left and right shoulders, increased horizontal curve radii, and create an exit deceleration lane.

iii. **Maintain Traffic on the Bronx River Parkway** – The proposed public project will construct the new structures adjacent to the existing bridges, allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction.

iv. **Minimize Potential Impacts to Adjacent Parcels** – Numerous environmental studies were performed as part of the proposed public project and the Preferred Alternative is the most beneficial in that it will have only a minor impact on the noise around the bridges and will minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale. There are no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community.

v. **Minimize the Impacts to the Bronx River Parkway Reservation** – The proposed public project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement.

vi. **Enhance Pedestrian Access** – The proposed public project includes the construction of a pedestrian access ramp along with the bridges enabling residents of the area greater access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

(d) The following alternatives were considered:

i. **Alternative 0 (No Build “Null” Alternative)** – This alternative provided for the continued maintenance of the existing Crane Road Bridge structure only with an increasing amount of maintenance, time and money required to keep the bridge open
to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

ii. Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) - This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

iii. Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) - This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction; and

iv. Alternative C (Replacement Structure on Adjacent Alignment - South) – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

(e) The reasons for selecting Alternative C as the Preferred Alternative include:

i. Alternative 0 (No Build “Null” Alternative) would result in continued deterioration of the bridge structure and retention of non-standard and non-confirming conditions, and would not fulfill any project objectives. Therefore, this alternative has been determined to not be feasible and prudent and has been eliminated from further consideration.

ii. Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) would not completely eliminate all structural and safety deficiencies since it would retain the existing deficient piers on the River Bridge and thus not satisfy all of the needs of the project. This alternative would also limit the deck width, retain substandard shoulder and lane widths, and have inferior safe stopping sight distance compared to the other alternatives. It would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

iii. Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) would eliminate all structural deficiencies but would not improve traffic and operational deficiencies to the extent possible with the Preferred Alternative and as such does not meet the needs of the project. In addition it would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(f) This project was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the project by this Board on January 21, 2009 by Resolution
No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the proposed project.

(g) It is hereby concluded that the proposed public project will have among other things, the following effects upon the residents and/or businesses of the locality:

(i) The proposed public project will have a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station.

(ii) The proposed public project will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad.

(iii) The proposed public project will require small acquisitions but will not affect land uses, change travel patterns, or have any permanent effect on local planning.

(iv) The proposed public project will not have any negative impacts on the aesthetics of the area. Rather, various elements of the project will enhance the appearance of the area while replicating the existing structures.

(h) The proposed project has been reviewed by the State Office of Parks, Recreation and Historic Preservation with regard to its affect on historical and cultural resources. By letter dated February 20, 2008, the State Historic Preservation Office ("SHPO") indicated its concurrence with the recommendation that the Crane Road Bridge should be rehabilitated or replaced. Additionally, by letter dated June 26, 2008, SHPO determined that the proposed project will affect resources on the national register of historic places, but these affects are limited to the Crane Road Bridge which is a contributing element of the Bronx River Parkway Reservation's National Register designation and concurs with the selection of the Preferred Alternative. The Westchester County Department of Public Works received approval of a Section 4(f) Evaluation of the Proposed Impacts from the New York State Department of Transportation on March 8, 2010 and from the Federal Highway Administration on March 17, 2010. The Section 4(f) Evaluation concluded that there is no prudent and feasible alternative to the replacement of the Crane Road Bridge.

§2. The foregoing constitutes the determination and findings of this Board and is hereby adopted.

§3. The Commissioner of the Westchester County Department of Public Works and Transportation, or his duly authorized designee, ("Commissioner") is hereby authorized and directed to publish a brief synopsis of the foregoing determination and findings in at least two (2) successive issues of an official newspaper of general circulation in Westchester County.
§4. The Commissioner is further authorized and directed to serve, by personal service or certified mail, return receipt requested, a notice of the brief synopsis upon each assessment record billing owner or his or her attorney of record whose property may be acquired.

§5. Such notice of the brief synopsis shall:

(a) Include the information required by EDPL §204(B)(2);

(b) State that copies of the determination and findings will be forwarded to each individual upon written request and without cost;

(c) Inform each notified individual that, under EDPL §207, any person aggrieved by the County of Westchester’s determination and findings may seek judicial review thereof in the appellate division of the supreme court second department, by filing a petition in such court within thirty days after the completion of the publication of the determination and findings;

(d) Inform each notified individual that, pursuant to EDPL §207 and 208, the exclusive venue for judicial review of the County of Westchester’s determination and findings relating to the proposed public project is the appellate division of the supreme court in the judicial department where the property to be condemned is located.

§6. This Act shall take effect immediately.
SYNOPSIS OF EMINENT DOMAIN PROCEDURE LAW
DETERMINATION AND FINDINGS

In accordance with Section 204 of the New York Eminent Domain Procedure Law ("EDPL"), a synopsis is hereby given of the Determination and Findings of the Westchester County Board of Legislators regarding the proposed public project (PIN 8110.13) for the replacement of the Bronx River Parkway Bridges at Crane Road over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Town of Greenburgh and Village of Scarsdale, New York ("Crane Road Bridge Project"). The Crane Road Bridge Project is situated in the Bronx River Parkway Reservation between Ardsley Road to the south and the Bronx River Parkway signalized intersection, at the Crane Road southbound exit, to the north. This location was selected because it is the site of the existing roadway and bridges that are being replaced due poor condition.

In accordance with Article 2 of the EDPL, a public hearing for the Crane Road Bridge Project was held on December 6, 2010 at 7:43 p.m. in the chambers of the Board of Legislators, Room 800, Michaela Office Building, 148 Martine Avenue, White Plains, New York ("Public Hearing"). During the course of the oral presentation phase of the Public Hearing, all matters required by the EDPL and appropriate to such Public Hearing were identified and explained to persons then in attendance, and at the conclusion of the oral presentation persons in attendance were given an opportunity to speak. There was one public speaker. At the conclusion of the public comment phase, the Public Hearing was adjourned. Additional written comments regarding the Crane Road Bridge Project were accepted by the County of Westchester until the close of business on December 20, 2010. A transcript of the Public Hearing, together with the exhibits and written comments, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation and is also available for review at:

The proposed public use, benefit and purpose to be served by the Crane Road Bridge Project are: (i) eliminating structural deficiencies by replacing in its entirety both deficient bridges; (ii) providing a new alignment which offers increased lane widths, paved left and right shoulders, increased horizontal curve radii and a new exit deceleration lane; (iii) constructing the new structures adjacent to the existing bridges allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction; (iv) minimizing potential impacts to adjacent properties noting that numerous environmental studies were performed as part of the Crane Road Bridge Project and the Preferred Alternative (see below) is the most beneficial in that it will have only a minor impact on the noise around the bridges and will minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale and there will be no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community; (v) minimizing the impacts to the Bronx River Parkway Reservation noting that the Crane Road Bridge Project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement; and (vi) enhancing pedestrian safety by including the construction of a pedestrian
access ramp along with the bridges enabling residents of the area greater access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

The following alternatives were considered:

a. Alternative 0 (No Build “Null” Alternative) – This alternative provided for the continued maintenance of the existing Crane Road Bridge structures only with an increasing amount of maintenance, time and money required to keep the bridge open to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

b. Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) – This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

c. Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) – This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction;

d. Alternative C (Replacement Structure on Adjacent Alignment - South) – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

Alternative C was deemed the preferred alternative because it satisfies all of the Crane Road Bridge Project objectives and is considered prudent and feasible.

The Crane Road Bridge Project will have among other things, the following effects upon the residents and/or businesses of the locality: (i) a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station; (ii) will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad; (iii) will require property acquisitions, but will not affect land uses, change travel patterns, or have any permanent effect on local planning; and (iv) will not have any negative impacts on the aesthetics of the area, rather various elements of the Crane Road Bridge Project will enhance the appearance of the area while replicating the existing structures.

The Crane Road Bridge Project was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617. The Westchester County Board of Legislators was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the
project on January 21, 2009 by Resolution No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the Crane Road Bridge Project.

Copies of the complete determination and findings will be forwarded upon written request without cost and can be found at www.westchestergov.com/craneroadbridge.

John J. Hsu
Commissioner
County of Westchester Department of Public Works and Transportation
HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

As you may recall, on November 8, 2010, your Honorable Board approved Resolution 152-2010, which set a date for a public hearing pursuant to New York Eminent Domain Procedure Law ("EDPL") Section 201, for capital project P0018, Bronx River Parkway at Crane Road over Bronx River and Railroad ("Project"). The purpose of the hearing was to inform the public about the Project and review the public use to be served by the Project and any impact on the environment and local residents.

Your Committee has been advised that the public hearing was held in the chambers of the Westchester Board of Legislators on December 6, 2010 and commenced at approximately 7:43 p.m. Your Committee has been further advised of the following: that during the course of the oral presentation phase of the public hearing all matters required by the EDPL and appropriate to such a public hearing were identified and explained to persons then in attendance; that at the conclusion of the oral presentation phase persons in attendance were given an opportunity to speak and comment on the proposed Project; that there was only one public speaker; and that at the conclusion of the public comment phase the hearing was adjourned. It is your Committee’s understanding that additional written comments regarding the proposed Project were accepted by the County until the close of business on December 20, 2010. Your Committee has been further informed that a transcript of the public hearing, together with exhibits that were identified during the public hearing and written comments received by the County, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation and is also available for review at: www.westchestergov.com/craneroadbridge.
In accordance with the requirements of EDPL §204, within 90 days after the conclusion of the public hearing, the County is required to make its determination and findings concerning the Project and is also required to publish a brief synopsis of such determination and findings. In order to timely comply with these statutory requirements, it will be necessary for your Honorable Board to adopt the Act transmitted herewith no later than the meeting of the Board of Legislators scheduled for February 28, 2011, as publication must be completed by March 6, 2011.

The attached Act, when adopted, will constitute your Honorable Board’s determination and findings with respect to the Project and will also authorize and direct the Commissioner of the Westchester County Department of Public Works and Transportation, or his duly authorized designee, (the “Commissioner”) to publish the brief synopsis in accordance with EDPL §204, which requires that the brief synopsis be published in at least two successive issues of an official newspaper of general circulation. The Act will also authorize and direct the Commissioner, in compliance with EDPL §204, to serve, by personal service or certified mail, return receipt requested, a notice of the brief synopsis to each assessment record billing owner or his or her attorney of record.

The determination and findings specifies the following:

(a) The proposed Project is located on the Bronx River Parkway between Ardsley Road and the signalized intersection of the Bronx River Parkway’s Crane Road southbound exit. The Crane Road Bridge carries the Bronx River Parkway over the Bronx River and the Metro-North Railroad Harlem Line in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York. This location was selected because it is the site of the existing roadway and bridges sought to be replaced due poor condition and which have required extensive repairs in recent years to keep traffic flowing.

(b) The public use, benefit or purpose to be served by the proposed Project, PIN 8110.13, Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (“River Bridge”) and Metro-North Railroad (“Railroad Bridge”) in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York, will include:
• the replacement of the River Bridge superstructure and substructure with a deck widening of 20’-2” on a similar alignment;

• the replacement of the Railroad Bridge with a redundant type structure (composite prestressed concrete box beam bridge);

• the replacement of the existing River Bridge piers will retain the form of the historic pier configuration, while relocating them along a similar alignment;

• the replacement of the River Bridge superstructure will retain a replicated architectural treatment;

• the replacement of the River Bridge south abutment and retaining walls will have reconfigured locations and dimensions, but will retain a replicated architectural treatment;

• the replacement of the middle abutment (between the River Bridge and the Railroad Bridge) and the north abutment of the Railroad Bridge will be reconfigured and will be approximately 20’-2” wider to accommodate the new widened deck over the Metro-North Railroad tracks;

• the replacement of the Crane Road Bridge will lessen the existing non-standard features including lane width, shoulder width, horizontal curvature, grade, vertical clearance, design speed, and minimum stopping sight distance;

• the calculated design speed for the replacement of the Crane Road Bridge will be increased from 22 mph to 32 mph (based on the calculated stopping sight distance of 221’-11” along the parapet of the southbound right lane).

(c) The proposed Project objectives are to: eliminate structural deficiencies; correct traffic operation and safety deficiencies; maintain traffic on the Bronx River Parkway; minimize potential impacts to adjacent parcels; minimize impacts to the Bronx River Parkway Reservation and enhance pedestrian access. More specifically, the general effect of the Project on the environment and residents are as follows:

(i) **Eliminate Structural Deficiencies** – The proposed public Project will eliminate structural deficiencies by replacing in its entirety both deficient bridges.

(ii) **Correct Traffic Operation and Safety Deficiencies** – The proposed public Project will replace the bridges on a new alignment offering increased lane widths, paved left and right shoulders, increased horizontal curve radii, and create an exit deceleration lane.

(iii) **Maintain Traffic on the Bronx River Parkway** – The proposed public Project will construct the new structures adjacent to the existing bridges, allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction.

(iv) **Minimize Potential Impacts to Adjacent Parcels** – Numerous environmental studies were performed as part of the proposed public Project and the preferred alternative is the most beneficial in that it will have only a minor impact on the noise around the bridges and will
Minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale. There are no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community.

(v) Minimize the Impacts to the Bronx River Parkway Reservation – The proposed public Project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement.

(vi) Enhance Pedestrian Access – The proposed public Project includes the construction of a pedestrian access ramp along with the bridges enabling residents of the area greater access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

(d) The following alternatives were considered:

(i) Alternative 0 (No Build “Null” Alternative) – This alternative provided for the continued maintenance of the existing Crane Road Bridge structure only with an increasing amount of maintenance, time and money required to keep the bridge open to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

(ii) Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) – This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

(iii) Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) – This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction; and

(iv) Alternative C (Replacement Structure on Adjacent Alignment - South) – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

(c) The reasons for selecting Alternative C (“Preferred Alternative”) include:

(i) Alternative 0 (No Build “Null” Alternative) would result in continued deterioration of the bridge structure and retention of non-standard and non-confirming conditions, and would not fulfill any Project objectives. Therefore, this alternative has been determined to not be feasible and prudent and has been eliminated from further consideration.

(ii) Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) would not completely eliminate all structural and safety deficiencies since it would retain the existing deficient piers on the River Bridge and thus not satisfy all of the needs of the Project. This alternative would also limit the deck width, retain substandard shoulder and lane widths, and have inferior safe stopping sight distance compared to the other alternatives. It
would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(iii) Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) would eliminate all structural deficiencies but would not improve traffic and operational deficiencies to the extent possible with the Preferred Alternative and as such does not meet the needs of the Project. In addition, it would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(f) This was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the project by this Board on January 21, 2009 by Resolution No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the proposed project. Additionally, pursuant to the National Environmental Policy Act ("NEPA"), this Project was classified as a Class II Categorical Exclusion in accordance with 23 CFR 771.117(d)(3). The Federal Highway Administration concurred with the NEPA designation on March 17, 2010.

(g) The proposed Project will have among other things, the following effects upon the residents and/or businesses of the locality:

(i) The proposed public Project will have a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station.

(ii) The proposed public Project will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad.

(iii) The proposed public Project will require small acquisitions but will not affect land uses, change travel patterns, or have any permanent effect on local planning.

(iv) The proposed public Project will not have any negative impacts on the aesthetics of the area. Rather, various elements of the Project will enhance the appearance of the area while replicating the existing structures.

(h) The proposed Project has been reviewed by the State Office of Parks, Recreation and Historic Preservation with regard to its affect on historical and cultural resources. By letter dated February 20, 2008, the State Historic Preservation Office ("SHPO") indicated its concurrence with the recommendation that the Crane Road Bridge should be rehabilitated or replaced. Additionally, by letter dated June 26, 2008, SHPO determined that the proposed Project will affect resources on the national register of historic places, but these affects are limited to the Crane Road Bridge which is a contributing element of the Bronx River Parkway Reservation's
National Register designation and concurs with the selection of the Preferred Alternative. The Westchester County Department of Public Works received approval of a Section 4(f) Evaluation of the Proposed Impacts from the New York State Department of Transportation on March 8, 2010 and from the Federal Highway Administration on March 17, 2010. The Section 4(f) Evaluation concluded that there is no prudent and feasible alternative to the replacement of the Crane Road Bridge.

Your Committee has been advised that after the publication of the synopsis is complete, the County will be required to make reasonable and expeditious efforts to “justly compensate” the property owners by negotiation and agreement, pursuant to EDPL §301. Under subsequent legislation to establish the amount to be offered for the property to be acquired, your Honorable Board will be presented with a recommendation of just compensation based on a formal appraisal process. Once your Honorable Board establishes the amount of just compensation, the County will then make a written offer to the property owners. Where a property owner notifies the County that it accepts the County’s offer, the County will prepare the necessary documents concerning the acquisition. If a property owner rejects the offer or fails to notify the County that it is accepting the offer, then the County will have the right to initiate condemnation proceedings. In such event, additional legislation will be submitted to your Honorable Board seeking authorization to commence a condemnation proceeding.

The Planning Department has advised that since there is no change in the scope of the Project, no further action under SEQRA is required. Your Committee concurs with this conclusion.

It should be noted that an affirmative vote of a majority of the voting strength of your Honorable Board is required in order to adopt the proposed Act. Your Committee has carefully considered the annexed proposed Act and recommends its adoption. As your
Honorable Board may recall, in order to take advantage of the substantial amount of federal and state funding that is available for this Project, construction authorization needs to be in place prior to September of 2011.

Dated: February 11, 2011
White Plains, New York

[Signatures]

COMMITTEE ON PUBLIC WORKS, PARKS, LABOR & TRANSPORTATION

COMMITTEE ON LEGISLATION

C: TSA 1.18.11
CAPITAL BUDGET IMPACT
(To be completed by Finance Department and Budget Department)

A) ☐ GENERAL FUND ☐ AIRPORT ☐ SPECIAL REVENUE FUND (Districts)

EXPENSES AND REVENUES

Source of County Funds (check one): ☐ Current Appropriations
☐ Capital Budget Amendment

B) BONDING AUTHORIZATIONS

Total Principal  $ _____ PPU: _____ Anticipated Interest Rate _____%

Anticipated Annual Cost (Principal and Interest)  $ _____

Total Debt Service (Annual Cost X Term)   $ _____

Finance Department: _____

C) IMPACT ON OPERATING BUDGET
(To be completed by Operating Department and reviewed by Budget Department)

Potential Related Expenses: Annual  $ _____

Potential Related Revenues: Annual  $ _____

Anticipated Savings to County and/or Impact on Department Operations
(Describe in detail for current and next four years.):


Prepared by: Robert Abbamont
Title: Program Coordinator (Capital Planning)
Department: Public Works and Transportation

Reviewed By: [Signature] Budget Department

If you need more space, please attach additional sheets.
ACT NO. ____-2011

An ACT adopting the determination and findings relating to the proposed public project (PIN 8110.13) concerning the replacement of the Bronx River Parkway bridges (at Crane Road) over Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Town of Greenburgh and Village of Scarsdale, New York in accordance with New York Eminent Domain Procedure Law §204.

WHEREAS, the Bronx River Parkway’s functional classification, as defined by the Federal Highway Administration, is an “urban principal arterial (expressway)” located in the south central portion of Westchester County and Bronx County; and

WHEREAS, the Bronx River Parkway, in Westchester County, provides a north/south link between the Kensico Dam Plaza and the City of New York; and

WHEREAS, the structure at Crane Road is comprised of two bridges that carry the Bronx River Parkway over the Bronx River (“River Bridge”) and over the Metropolitan Transportation Authority’s Metro-North Railroad Harlem Line (“ Railroad Bridge”) (hereinafter collectively referred to as “Crane Road Bridge”), the Crane Road Bridge is situated in the Bronx River Parkway Reservation between Ardsley Road to the south and the Bronx River Parkway signalized intersection, at the Crane Road southbound exit, to the north; and

WHEREAS, the portion of the Bronx River Parkway located in Westchester County, and the Crane Road Bridge, are owned and maintained by the County of Westchester; and

WHEREAS, the County of Westchester, in response to the deteriorated condition of the Crane Road Bridge and the existing traffic and safety concerns, initiated a project to address deficiencies associated with these structures; and

WHEREAS, in January of 2006, an Initial Project Proposal (IPP) was completed and approved by the State of New York for inclusion in the Transportation Improvement Program; and

WHEREAS, the bridge over the river (BIN 3348779), having a 2007 NYS Condition Rating of 4.589, is categorized as “Deficient” under the NYS Condition Rating system; and

WHEREAS, the bridge over the railroad (BIN 3348789), having a 2008 NYS Condition Rating of 4.255, is categorized as “Deficient” under the NYS Condition Rating system; and

WHEREAS, the Crane Road Bridge has become increasingly deteriorated with two separate incidents in December 2006 and July 2007, involving holes forming in the concrete
deck of the bridge over the river and resulted in emergency travel lane closures until repairs could be completed; and

WHEREAS, an in depth inspection performed in 2008 revealed the concrete deck slab of the Crane Road Bridge is in a state of advanced deterioration which increases the risk of additional deck holes that would result in emergency lane or bridge closures thereby impacting the traveling public; and

WHEREAS, the replacement of the Crane Road Bridge is needed to insure the continued service of the roadway as a critical link in the regional transportation system and to improve traffic safety along the Bronx River Parkway; and

WHEREAS, based upon testing and analysis conducted during the design phase of this project, a determination was made that, due to the widespread advanced deterioration of the two bridges, both bridges must be replaced in their entirety; and

WHEREAS, the project objectives include eliminating structural deficiencies, correcting traffic operation and safety deficiencies, maintaining traffic on the Bronx River Parkway, minimizing potential impacts to adjacent properties, minimizing impacts to Bronx River Parkway Reservation and enhancing pedestrian access; and

WHEREAS, the County of Westchester Department of Public Works implemented a program to incorporate public involvement which included four (4) public informational meetings held at the Westchester County Center in the City of White Plains between October 2007 and April 2009, and included consideration of the following environmental issues: regional and community growth; conservation/preservation; surface water quality; archaeological resources; historic resources; parks and recreational facilities; socioeconomic conditions; air quality; noise; traffic; and hazardous waste/contaminated materials; and

WHEREAS, the purpose of the public informational meetings was to present environmental evaluations and design alternatives and solicit comments from the local residents or other stakeholders; and

WHEREAS, following consideration of public input, the County of Westchester Department of Public Works and its consultants did incorporate measures into the project design to address stated concerns where warranted; and

WHEREAS, the County of Westchester Department of Public Works and its consultants prepared and periodically revised the project design to accomplish the replacement of the Crane Road Bridge, which design included the development and consideration of various preliminary alternatives; and

WHEREAS, based on the analysis of data gathered by the County of Westchester Department of Public Works and its consultants and comments received through the public involvement program, Alternative C (Replacement of Bronx River Parkway Bridges on adjacent alignment to the south and east), was deemed to be the preferred alternative for Final Design Approval ("Preferred Alternative"); and
WHEREAS, on January 21, 2009 by Resolution No. 12-2009 the Crane Road Bridge project was classified as a Type I Action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board, acting as Lead Agency, issued a Negative Declaration wherein it was determined that there would be no significant impact on the environment for the proposed project; and

WHEREAS, the Crane Road Bridge project is classified as a Type II Categorical Exclusion under the National Environmental Policy Act ("NEPA") with NEPA concurrence issued by the Federal Highway Administration on March 17, 2010, and

WHEREAS, the County of Westchester has considered the general effect of the proposed project on the residents of the localities in which the proposed project is to be undertaken; and

WHEREAS, representatives of the County of Westchester have met with owners and interested parties who may be affected by the proposed public project and have made every effort to minimize the impact that the proposed public project will have on adjacent properties; and

WHEREAS, the Preferred Alternative would require the County of Westchester to acquire real property rights for approximately nine (9) properties within the proposed project area; and

WHEREAS, in accordance with Article 2 of the New York Eminent Domain Procedure Law ("EDPL"), the oral presentation and comment phase of the public hearing was held on December 6, 2010 at approximately 7:43 p.m. in the chambers of the Board of Legislators, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York ("Public Hearing"), for the purpose of outlining the project’s purpose, proposed location, possible alternate locations, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels; and

WHEREAS, during the course of the aforementioned oral presentation phase of the Public Hearing, all matters required by the EDPL and appropriate to such Public Hearing were identified and explained to persons then in attendance, and at the conclusion of the oral presentation such persons in attendance were given an opportunity to speak and comment on the proposed public project, and there was only one public speaker; and

WHEREAS, at the conclusion of the public comment phase of the aforementioned Public Hearing, the Public Hearing was adjourned; and

WHEREAS, additional written public comments regarding the proposed project were accepted by the County of Westchester until the close of business on December 20, 2010 and that said comments were incorporated into the record of the Public Hearing; and

WHEREAS, in addition, a transcript of the Public Hearing, together with the exhibits that were identified during the oral presentation phase of the Public Hearing and written comments, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation, and is also available for review at: www.westchestergov.com/craneroadbridge.
BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The following constitutes the determination and findings of the Board of Legislators of the County of Westchester, State of New York, with respect to PIN 8110.13, the proposed replacement of the bridges that carry the Bronx River Parkway over the Bronx River ("River Bridge") and over the Metropolitan Transportation Authority's Metro-North Railroad Harlem Line ("Railroad Bridge") (hereinafter collectively referred to as "Crane Road Bridge") in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York:

(a) The Crane Road Bridge is located on the Bronx River Parkway Reservation between Ardsley Road to the south and the Bronx River Parkway signalized intersection, at the Crane Road southbound exit, to the north. The Crane Road Bridge carries the Bronx River Parkway over the Bronx River and over the Metropolitan Transportation Authority’s Metro-North Railroad Harlem Line in the Town of Greenburgh and the Village of Scarsdale, Westchester County, New York. This location was selected because it is the site of the existing roadway and bridges sought to be replaced due poor condition and which have required extensive repairs in recent years to keep traffic flowing.

(b) The public use, benefit or purpose to be served by the proposed public project, will include:

- the replacement of the River Bridge superstructure and substructure with a deck widening of 20'-2" on a similar alignment;

- the replacement of the Railroad Bridge with a redundant type structure (composite prestressed concrete box beam bridge);

- the replacement of the existing River Bridge piers will retain the form of the historic pier configuration, while relocating them along a similar alignment;

- the replacement of the River Bridge superstructure will retain a replicated architectural treatment;

- the replacement of the River Bridge south abutment and retaining walls will have reconfigured locations and dimensions, but will retain a replicated architectural treatment;

- the replacement of the middle abutment (between the River Bridge and the Railroad Bridge) and the north abutment of the Railroad Bridge will be reconfigured and will be approximately 20'-2" wider to accommodate the new widened deck over the Metro-North Railroad tracks;

- the replacement of the Crane Road Bridge will lessen the existing; non-standard features including lane width, shoulder width, horizontal curvature, grade, vertical clearance, design speed, and minimum stopping sight distance;
the calculated design speed for the replacement of the Crane Road Bridge will be increased from 22 mph to 32 mph (based on the calculated stopping sight distance of 221'-11" along the parapet of the southbound right lane).

(c) The proposed public project objectives are to: eliminate structural deficiencies; correct traffic operation and safety deficiencies; maintain traffic on the Bronx River Parkway; minimize potential impacts to adjacent parcels; minimize impacts to the Bronx River Parkway Reservation and enhance pedestrian access. More specifically, the general effect of the project on the environment and residents are as follows:

i. **Eliminate Structural Deficiencies** – The proposed public project will eliminate structural deficiencies by replacing in its entirety both deficient bridges.

ii. **Correct Traffic Operation and Safety Deficiencies** – The proposed public project will replace the bridges on a new alignment offering increased lane widths, paved left and right shoulders, increased horizontal curve radii, and create an exit deceleration lane.

iii. **Maintain Traffic on the Bronx River Parkway** – The proposed public project will construct the new structures adjacent to the existing bridges, allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction.

iv. **Minimize Potential Impacts to Adjacent Parcels** – Numerous environmental studies were performed as part of the proposed public project and the Preferred Alternative is the most beneficial in that it will have only a minor impact on the noise around the bridges and will minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale. There are no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community.

v. **Minimize the Impacts to the Bronx River Parkway Reservation** – The proposed public project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement.

vi. **Enhance Pedestrian Access** – The proposed public project includes the construction of a pedestrian access ramp along with the bridges enabling residents of the area greater access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

(d) The following alternatives were considered:

i. **Alternative 0 (No Build “Null” Alternative)** – This alternative provided for the continued maintenance of the existing Crane Road Bridge structure only with an increasing amount of maintenance, time and money required to keep the bridge open.
to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

ii. Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) - This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

iii. Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) - This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction; and

iv. Alternative C (Replacement Structure on Adjacent Alignment - South) – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

(e) The reasons for selecting Alternative C as the Preferred Alternative include:

i. Alternative 0 (No Build “Null” Alternative) would result in continued deterioration of the bridge structure and retention of non-standard and non-confirming conditions, and would not fulfill any project objectives. Therefore, this alternative has been determined to not be feasible and prudent and has been eliminated from further consideration.

ii. Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) would not completely eliminate all structural and safety deficiencies since it would retain the existing deficient piers on the River Bridge and thus not satisfy all of the needs of the project. This alternative would also limit the deck width, retain substandard shoulder and lane widths, and have inferior safe stopping sight distance compared to the other alternatives. It would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

iii. Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) would eliminate all structural deficiencies but would not improve traffic and operational deficiencies to the extent possible with the Preferred Alternative and as such does not meet the needs of the project. In addition it would be necessary to construct a temporary bridge to maintain traffic flow, which would be costly and result in similar property and environmental impacts as the Preferred Alternative.

(f) This project was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, and this Board was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the project by this Board on January 21, 2009 by Resolution
No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the proposed project.

(g) It is hereby concluded that the proposed public project will have among other things, the following effects upon the residents and/or businesses of the locality:

(i) The proposed public project will have a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station.

(ii) The proposed public project will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad.

(iii) The proposed public project will require small acquisitions but will not affect land uses, change travel patterns, or have any permanent effect on local planning.

(iv) The proposed public project will not have any negative impacts on the aesthetics of the area. Rather, various elements of the project will enhance the appearance of the area while replicating the existing structures.

(h) The proposed project has been reviewed by the State Office of Parks, Recreation and Historic Preservation with regard to its affect on historical and cultural resources. By letter dated February 20, 2008, the State Historic Preservation Office (“SHPO”) indicated its concurrence with the recommendation that the Crane Road Bridge should be rehabilitated or replaced. Additionally, by letter dated June 26, 2008, SHPO determined that the proposed project will affect resources on the national register of historic places, but these affects are limited to the Crane Road Bridge which is a contributing element of the Bronx River Parkway Reservation’s National Register designation and concurs with the selection of the Preferred Alternative. The Westchester County Department of Public Works received approval of a Section 4(f) Evaluation of the Proposed Impacts from the New York State Department of Transportation on March 8, 2010 and from the Federal Highway Administration on March 17, 2010. The Section 4(f) Evaluation concluded that there is no prudent and feasible alternative to the replacement of the Crane Road Bridge.

§2. The foregoing constitutes the determination and findings of this Board and is hereby adopted.

§3. The Commissioner of the Westchester County Department of Public Works and Transportation, or his duly authorized designee, (“Commissioner”) is hereby authorized and directed to publish a brief synopsis of the foregoing determination and findings in at least two (2) successive issues of an official newspaper of general circulation in Westchester County.
§4. The Commissioner is further authorized and directed to serve, by personal service or certified mail, return receipt requested, a notice of the brief synopsis upon each assessment record billing owner or his or her attorney of record whose property may be acquired.

§5. Such notice of the brief synopsis shall:

(a) Include the information required by EDPL §204(B)(2);

(b) State that copies of the determination and findings will be forwarded to each individual upon written request and without cost;

(c) Inform each notified individual that, under EDPL §207, any person aggrieved by the County of Westchester’s determination and findings may seek judicial review thereof in the appellate division of the supreme court second department, by filing a petition in such court within thirty days after the completion of the publication of the determination and findings;

(d) Inform each notified individual that, pursuant to EDPL §207 and 208, the exclusive venue for judicial review of the County of Westchester’s determination and findings relating to the proposed public project is the appellate division of the supreme court in the judicial department where the property to be condemned is located.

§6. This Act shall take effect immediately.
SYNOPSIS OF EMINENT DOMAIN PROCEDURE LAW
DETERMINATION AND FINDINGS

In accordance with Section 204 of the New York Eminent Domain Procedure Law ("EDPL"), a synopsis is hereby given of the Determination and Findings of the Westchester County Board of Legislators regarding the proposed public project (PIN 8110.13) for the replacement of the Bronx River Parkway Bridges at Crane Road over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Town of Greenburgh and Village of Scarsdale, New York ("Crane Road Bridge Project"). The Crane Road Bridge Project is situated in the Bronx River Parkway Reservation between Ardsley Road to the south and the Bronx River Parkway signalized intersection, at the Crane Road southbound exit, to the north. This location was selected because it is the site of the existing roadway and bridges that are being replaced due poor condition.

In accordance with Article 2 of the EDPL, a public hearing for the Crane Road Bridge Project was held on December 6, 2010 at 7:43 p.m. in the chambers of the Board of Legislators, Room 800, Michaela Office Building, 148 Martine Avenue, White Plains, New York ("Public Hearing"). During the course of the oral presentation phase of the Public Hearing, all matters required by the EDPL and appropriate to such Public Hearing were identified and explained to persons then in attendance, and at the conclusion of the oral presentation persons in attendance were given an opportunity to speak. There was one public speaker. At the conclusion of the public comment phase, the Public Hearing was adjourned. Additional written comments regarding the Crane Road Bridge Project were accepted by the County of Westchester until the close of business on December 20, 2010. A transcript of the Public Hearing, together with the exhibits and written comments, has been made available for inspection and examination by the public at the offices of the Westchester County Clerk and the Westchester County Department of Public Works and Transportation and is also available for review at: www.westchestergov.com/craneroadbridge.

The proposed public use, benefit and purpose to be served by the Crane Road Bridge Project are: (i) eliminating structural deficiencies by replacing in its entirety both deficient bridges; (ii) providing a new alignment which offers increased lane widths, paved left and right shoulders, increased horizontal curve radii and a new exit deceleration lane; (iii) constructing the new structures adjacent to the existing bridges allowing the existing bridges to continue to accommodate vehicular flow during the large majority of the construction; (iv) minimizing potential impacts to adjacent properties noting that numerous environmental studies were performed as part of the Crane Road Bridge Project and the Preferred Alternative (see below) is the most beneficial in that it will have only a minor impact on the noise around the bridges and will minimally impair the visual quality of the bridges from properties that are located in the Town of Greenburgh and the Village of Scarsdale and there will be no other impacts, environmental or otherwise, to any of the residential or commercial properties in either community; (v) minimizing the impacts to the Bronx River Parkway Reservation noting that the Crane Road Bridge Project includes soil and erosion control measures, a stormwater pollution prevention and protection plan, and replaces all trees removed during the construction of the replacement bridges in accordance with the Laws of Westchester County concerning tree replacement; and (vi) enhancing pedestrian safety by including the construction of a pedestrian
access ramp along with the bridges enabling residents of the area greater access to the Bronx River Pathway and the southbound railroad platform at the Scarsdale Train Station.

The following alternatives were considered:

a. Alternative 0 (No Build “Null” Alternative) – This alternative provided for the continued maintenance of the existing Crane Road Bridge structures only with an increasing amount of maintenance, time and money required to keep the bridge open to traffic. It is included as a benchmark alternative against which the Build alternatives were compared;

b. Alternative A (Reconstructed Structure on Existing Alignment with Temporary Bridge) – This alternative would reconstruct the existing Crane Road Bridge along the existing alignment with a minor symmetrical deck widening supported on existing piers. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the reconstruction;

c. Alternative B (Replacement Structure on Similar Alignment with Temporary Bridge) – This alternative would construct a replacement bridge on a similar alignment. A temporary bridge would be provided south of the existing Crane Road Bridge to maintain traffic during the construction;

d. Alternative C (Replacement Structure on Adjacent Alignment - South) – This alternative would construct a replacement structure on a new alignment immediately south and east of the existing Crane Road Bridge. The existing structure would remain open to traffic during construction and would subsequently be removed following the completion of the new bridge.

Alternative C was deemed the preferred alternative because it satisfies all of the Crane Road Bridge Project objectives and is considered prudent and feasible.

The Crane Road Bridge Project will have among other things, the following effects upon the residents and/or businesses of the locality: (i) a beneficial impact on the residents of the area by improving overall public safety by reducing existing non-standard horizontal curves and non-standard sight distances, creating a new alignment to accommodate four 11 foot wide lanes, a 2.5 foot wide left shoulder, a 4 foot wide right shoulder, plus a deceleration lane for the northbound exit, as well as a pedestrian walkway to the Bronx River Pathway, which can also access the northern end of the southbound train platform at the Scarsdale Station; (ii) will not require relocations, nor have any long term impacts on residents or businesses, including the MTA Metro-North Railroad; (iii) will require property acquisitions, but will not affect land uses, change travel patterns, or have any permanent effect on local planning; and (iv) will not have any negative impacts on the aesthetics of the area, rather various elements of the Crane Road Bridge Project will enhance the appearance of the area while replicating the existing structures.

The Crane Road Bridge Project was classified as a Type I action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617. The Westchester County Board of Legislators was designated to serve as lead agency. A Full Environmental Assessment Form was prepared and a Negative Declaration was issued for the
project on January 21, 2009 by Resolution No. 12-2009, wherein it was determined that there would be no significant impact on the environment for the Crane Road Bridge Project.

Copies of the complete determination and findings will be forwarded upon written request without cost and can be found at www.westchester.gov/craneroadbridge.

John J. Hsu
Commissioner
County of Westchester Department of Public Works and Transportation