

SCRIPT FOR PUBLIC HEARING - PIN 5111.77

MRS. VAIDYA: I'D LIKE TO ASK EVERYONE TO TAKE A SEAT SO WE CAN BEGIN THE FORMAL PRESENTATION PORTION OF THE HEARING.

GOOD EVENING, LADIES AND GENTLEMEN. IT IS NOW ABOUT 5:00 PM, AND I CALL THE FORMAL PRESENTATION OF THE PUBLIC HEARING TO ORDER.

MY NAME IS SANJYOT VAIDYA. I AM THE REGIONAL DESIGN ENGINEER FOR THE BUFFALO REGION OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION. I WILL BE PRESIDING AT THIS DESIGN PUBLIC HEARING ON THE PROPOSED HIGHWAY RECONSTRUCTION AND BRIDGE REPLACEMENT PROJECT LOCATED ON US ROUTE 20, SOUTHWESTERN BOULEVARD, BETWEEN LEYDECKER ROAD AND SENECA STREET.

BEFORE WE PROCEED ANY FURTHER, WE WOULD LIKE TO THANK AMELIA GREENAN, DEPUTY TOWN SUPERVISOR, FOR HER HELP IN ARRANGING THE USE OF THIS SITE FOR THE PUBLIC HEARING.

A FEW HOUSE KEEPING MEASURES - THE FIRE EXITS ARE
LOCATED TO THE REAR OF THE ROOM. THE RESTROOMS ARE
LOCATED TO THE LEFT OF THE MAIN ENTRANCE OF THE BUILDING

AT THIS TIME, WE WILL GO THROUGH A SHORT PRESENTATION
EXPLAINING THE PROPOSED PROJECT.

(Show the locations of the Fire Exits and Restrooms)

➔ SHOW POWER POINT PRESENTATION

Slide 1 – SLIDE TO BE ON THE SCREEN FROM START OF FORMAL
SESSION

Slide 2
THE PROJECT EXTENDS ON SOUTHWESTERN BOULEVARD FROM
650 FEET WEST OF RESERVE ROAD TO SENECA STREET LOCATED
IN THE TOWNS OF WEST SENECA, ELMA AND ORCHARD PARK IN
ERIE COUNTY.

Slide 3 –THE PROPOSED PROJECT WILL

- REPLACE THE EXISTING BRIDGE OVER CAZENOVIA CREEK WITH A WIDENED FIVE LANE SECTION BRIDGE
- TO THE SOUTH OF THE BRIDGE, SOUTHWESTERN BOULEVARD WILL BE RECONSTRUCTED WITH A SLIGHT SHIFT THE EAST TO MATCH THE NEW ALIGNMENT OF THE BRIDGE.
- AS A RESULT, KINSLEY ROAD WILL ALSO HAVE TO BE SLIGHTLY REALIGNED TO PROVIDE SAFE DISTANCE FROM US ROUTE 20.
- SOUTHWESTERN BLVD TO THE NORTH OF THE BRIDGE WILL BE RECONSTRUCTED AND WIDENED FROM A THREE LANE TO A FIVE LANE SECTION.
- NEW SIDEWALKS WILL BE ADDED ON BOTH SIDES OF THE PROPOSED BRIDGE AND NORTH OF THE BRIDGE TO SENECA STREET
- NEW DRAINAGE AND SIDEWALK RAMPS COMPLIANT WITH THE AMERICANS WITH DISABILITIES ACT WILL ALSO BE INSTALLED

Slide 4 – HIGHWAY RECONSTRUCTION SOUTH OF THE BRIDGE

THIS SLIDE SHOWS THE REALIGNMENT OF SOUTHWESTERN BOULEVARD AS IT APPROACHES THE BRIDGE. THE HATCHED AREA INDICATES THE PORTION OF THE EXISTING ROADWAY THAT WILL BE REMOVED. THIS PORTION OF THE ROADWAY WILL UNDERGO FULL DEPTH RECONSTRUCTION.

Slide 5 – KINSLEY ROAD RECONSTRUCTION –

THIS SLIDE SHOWS THE PROPOSED PLAN AND SECTION FOR THE REALIGNMENT OF KINSLEY ROAD WHICH IS NEEDED TO PROVIDE SAFE DISTANCE FROM THE SHIFTED SOUTHWESTERN BLVD.

Slide 6 – US ROUTE 20 HIGHWAY SECTIONS SOUTH OF THE BRIDGE -

THIS SLIDE SHOWS THE EXISTING AND PROPOSED SECTIONS FOR THE HIGHWAY FROM RESERVE ROAD TO THE BRIDGE OVER CAZENOVIA CREEK. THE EXISTING ROADWAY IS A FIVE LANE SECTION AND WILL CONTINUE TO BE A FIVE LANE SECTION WITH SOME MODIFICATIONS IN LANE AND SHOULDER WIDTHS

Slide 7 –

THIS SLIDE SHOWS THE EXISTING BRIDGE AND A CONCEPTUAL VIEW OF PROPOSED BRIDGE OVER CAZENOVIA CREEK. THE NEW

BRIDGE IS PROPOSED TO HAVE FOUR SPANS AS SHOWN IN THE ELEVATION SECTION.

Slide 8 –

THIS SLIDE SHOWS THE TYPICAL SECTIONS OF THE EXISTING AND PROPOSED CONDITIONS OF THE HIGHWAY RECONSTRUCTION FROM THE BRIDGE TO SENECA STREET. THE ROADWAY WILL BE WIDENED FROM THE CURRENT 3 LANE SECTION TO A 5 LANE SECTION.

Slide 9 –

TRAFFIC WILL BE MAINTAINED ON SITE DURING ROADWAY RECONSTRUCTION THROUGH LANE SHIFTS AND TEMPORARY LANE AND SHOULDER CLOSURES

A MINIMUM OF ONE LANE IN EACH DIRECTION WILL BE MAINTAINED AT ALL TIMES. NO NIGHT WORK IS ANTICIPATED.

THE BRIDGE RECONSTRUCTION WILL BE STAGED TO MAINTAIN ONE LANE IN EACH DIRECTION.

Slide 10 –

DURING STAGE 1 OF THE CONSTRUCTION, ONE LANE OF TRAFFIC IN EACH DIRECTION WILL BE MAINTAINED ON THE EXISTING BRIDGE WHILE THE EAST SIDE OF THE NEW BRIDGE IS BEING CONSTRUCTED.

IN STAGE TWO TRAFFIC WILL BE MOVED OVER TO THE NEWLY CONSTRUCTED PORTION OF THE BRIDGE WHILE THE REMAINDER OF THE NEW BRIDGE IS UNDER CONSTRUCTION.

STAGE 3, WHICH NOT SHOWN ON THIS SLIDE WILL INCLUDE THE CLOSURE POUR FOR THE GAP BETWEEN THE TWO SECTIONS OF THE NEWLY CONSTRUCTED BRIDGE

Slide 11 – FINAL PROPOSED BRIDGE SECTION

Slide 12 – RIGHT OF WAY (ROW) ACQUISITIONS –

THERE ARE TWELVE (12) FEE TAKES, SEVENTY-TWO (72) TEMPORARY EASEMENTS (TE), AND FIVE (5) PERMANENT EASEMENTS (PE).

SMALL PARCELS OF LAND WILL BE ACQUIRED FOR ROAD WIDENING NORTH OF THE BRIDGE AND FOR REALIGNING US ROUTE 20 SOUTH OF THE BRIDGE. NO RESIDENTIAL BUILDINGS NEED TO BE ACQUIRED, AND THE ACQUISITIONS ARE NOT EXPECTED TO ADVERSELY AFFECT BUSINESSES.

AFFECTED PROPERTY OWNERS WILL BE CONTACTED DIRECTLY BY NYSDOT OFFICE OF RIGHT OF WAY

Slide 14 – CURRENT PROJECT SCHEDULE:

ANTICIPATED DESIGN APPROVAL IS IN SUMMER 2022

ANTICIPATED CONSTRUCTION BID OPENING IS IN FALL 2023

ANTICIPATED START OF CONSTRUCTION IS IN THE FALL 2023

ANTICIPATED CONSTRUCTION COMPLETION IS DECEMBER 2025.

THE PURPOSE OF THIS PUBLIC HEARING IS TO PRESENT THE ALTERNATIVE THAT HAS BEEN DEVELOPED AND TO DISCUSS THE SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS OF THE

PROJECT. IT IS ALSO AN OPPORTUNITY FOR YOU TO EXPRESS YOUR VIEWS ON THE PROPOSED DESIGN OPTION BEFORE A DESIGN RECOMMENDATION IS SELECTED. WE ARE HERE TO LISTEN TO YOUR COMMENTS.

THE PLANS SHOWN HERE ARE ENLARGED VERSIONS OF THE PLANS SHOWN IN THE PROJECT DRAFT DESIGN REPORT. THESE PLANS ARE STILL PRELIMINARY.

THIS HEARING IS BEING HELD IN AN OPEN FORUM FORMAT SINCE 4:00 PM THIS AFTERNOON. IT IS CALLED AN OPEN FORUM PUBLIC HEARING BECAUSE IT INCLUDES AN INFORMATION SESSION THAT AFFORDS YOU THE OPPORTUNITY TO SPEAK ONE-ON-ONE WITH DEPARTMENT REPRESENTATIVES AND LEARN MORE ABOUT THE PROJECT.

WE SUGGEST YOU VISIT THE DISPLAYS AND SPEAK DIRECTLY WITH THE REPRESENTATIVES AVAILABLE ABOUT ANY QUESTION OR CONCERN YOU MAY HAVE. IF YOU DID NOT, PLEASE TAKE THE OPPORTUNITY TO DO SO AFTER THIS PRESENTATION.

WE ARE NOW IN THE FORMAL PART OF THE PUBLIC HEARING. THIS FORMAL HEARING SESSION IS INCLUDED TO SATISFY PROCEDURAL REQUIREMENTS, EXPLAIN THE ENVIRONMENTAL AND REAL ESTATE ACQUISITION PROCESS, AND TO GATHER INPUT FROM THE PUBLIC ON THE PROPOSED PROJECT.

DEPARTMENT REPRESENTATIVES WILL REMAIN AVAILABLE, IF NECESSARY, AFTER THE CLOSE OF THIS FORMAL PRESENTATION TO DISCUSS WITH YOU ANY QUESTIONS THAT YOU MAY HAVE ON THE DESIGN CONCEPT. THESE DEPARTMENT REPRESENTATIVES ARE AVAILABLE TO DISCUSS ENGINEERING, SOCIAL, ECONOMIC, ENVIRONMENTAL, AND REAL ESTATE CONSIDERATIONS.

THERE IS ALSO A STENOGRAPHER WHO HAS BEEN AVAILABLE FOR ANYONE WISHING TO MAKE ORAL COMMENTS FOR THE RECORD BUT DID NOT WISH TO DO SO IN FRONT OF AN AUDIENCE IN THIS SESSION.

IF YOU HAVE A SPECIFIC QUESTION THAT YOU WOULD LIKE ADDRESSED DURING THIS HEARING, YOU CAN APPROACH ANY PERSON WITH A NAME TAG. THEY WILL EXPLAIN THE DISPLAY AND ANSWER YOUR QUESTIONS OR WILL DIRECT YOU TO SOMEONE WHO WILL BE ABLE TO HELP YOU.

AT THIS TIME, I WOULD LIKE TO INTRODUCE THE PEOPLE WHO WILL BE PARTICIPATING IN THIS FORMAL SESSION.

ON MY (LEFT / RIGHT) IS NORM DUENNEBACKE, REGIONAL STRUCTURES ENGINEER AND PROJECT MANAGER FOR THE SUBJECT PROJECT. NORM WILL GIVE A BRIEF OVERVIEW OF THE PUBLIC REVIEW PROCESS THAT WE ARE FOLLOWING HERE TONIGHT.

NEXT TO NORM IS TONY DISPENZA. TONY REPRESENTS OUR REGIONAL REAL ESTATE GROUP AND WILL EXPLAIN THE RIGHT-OF-WAY ACQUISITION PROCEDURES THAT ARE USED BY THE DEPARTMENT OF TRANSPORTATION.

ALSO, PRESENT ARE SEVERAL DEPARTMENTAL STAFF TO HELP ANSWER YOUR QUESTIONS AND LISTEN TO YOUR COMMENTS. FOLLOWING THE REAL ESTATE PRESENTATION, WE WILL RECEIVE INDIVIDUAL VIEWS AND COMMENTS FROM THE AUDIENCE. ALL STATEMENTS RECEIVED AT EITHER THE INFORMAL OR FORMAL SESSION OF THIS HEARING, AS WELL AS THOSE PRESENTED IN WRITING BY AUGUST 5TH 2022 WILL BECOME PART OF THE RECORD AND BE CONSIDERED IN PREPARATION OF THE DESIGN RECOMMENDATION FOR THIS PROJECT.

WE WOULD LIKE THIS MEETING TO RUN AS SMOOTHLY AS POSSIBLE AND ASK THAT YOU BE CONSIDERATE OF THOSE MAKING STATEMENTS. WE WANT TO MAKE SURE THAT ALL PEOPLE THAT WISH TO MAKE A STATEMENT FEEL COMFORTABLE. AT THIS TIME, I WILL NOW TURN THE HEARING OVER TO MR. DUENNEBACKE.

(Pause)

MR. DUENNEBACKE: THANK YOU SANJYOT. MY NAME IS NORM DUENNEBACKE. I AM THE REGIONAL STRUCTURES ENGINEER AND A PROJECT MANAGER FOR THE DEPARTMENT OF TRANSPORTATION.

I WILL NOW CONTINUE WITH AN OVERVIEW OF THE ENVIRONMENTAL PROCEDURES WE ARE FOLLOWING FOR THIS PROJECT.

THE LEGAL NOTICE ADVERTISING THIS PUBLIC HEARING WAS PUBLISHED THIS YEAR ON JUNE 21ST AND JULY 14TH IN THE BUFFALO NEWS.

THE STENOGRAPHER WILL NOW ENTER THE COMPLETE NOTICE OF THE PUBLIC HEARING AS PUBLISHED INTO THE RECORD. I WILL DISPENSE WITH THE READING OF THIS NOTICE AS COPIES OF THE NOTICE ARE AVAILABLE FROM THE DEPARTMENT OF TRANSPORTATION UPON REQUEST.

[Hand a copy of the notice to the stenographer with the request that it be typed verbatim into the transcript.]

THIS HEARING IS BEING CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 23, U.S. CODE, SECTION 128 AND TITLE 40, CODE OF FEDERAL REGULATIONS, PARTS 1500 TO 1508.

THE PROJECT IS BEING PROGRESSED AS A CATEGORICAL EXCLUSION PENDING FEDERAL HIGHWAY ADMINISTRATION (FHWA) APPROVAL.

THE INTENT OF THIS DESIGN PUBLIC HEARING IS TO AFFORD THE OPPORTUNITY FOR PUBLIC PARTICIPATION IN THE CONSIDERATION OF HIGHWAY DESIGN OPTIONS.

ALL INTERESTED PERSONS ARE INVITED TO BECOME FULLY ACQUAINTED WITH THIS HIGHWAY AND BRIDGE PROPOSAL AND TO EXPRESS THEIR VIEWS AT THIS STAGE WHILE THE FLEXIBILITY TO RESPOND TO THOSE VIEWS STILL EXISTS. AT THIS TIME, OUR PLANS FOR THIS PROJECT ARE PRELIMINARY.

AS YOU ENTERED THIS ROOM TONIGHT, YOU SHOULD HAVE RECEIVED A REGISTRATION CARD.

[Show Card]

THE PURPOSE OF THESE REGISTRATION CARDS IS TO OBTAIN A REGISTER OF ATTENDANCE AND ALSO TO HELP US ALLOW SUFFICIENT TIME FOR EACH PERSON WHO WISHES TO MAKE A STATEMENT. IF YOU DID NOT RECEIVE A REGISTRATION CARD, OR IF YOUR CARD HAS NOT BEEN COLLECTED, PLEASE RAISE YOUR HAND.

[Pause]

LET THE RECORD SHOW THAT EVERYONE HAS RECEIVED A REGISTRATION CARD AND THAT EACH CARD HAS BEEN COLLECTED.

[Ushers at the ready with handouts (brochures and comment sheets)]

UPON ENTERING THIS AUDITORIUM, YOU SHOULD HAVE BEEN OFFERED A PRINTED BROCHURE WHICH BRIEFLY DESCRIBES THE GENERAL FEATURES OF THE PROPOSED PROJECT.

[Show Brochure]

ALSO AVAILABLE ARE COMMENT SHEETS FOR YOUR USE IF YOU WOULD LIKE TO MAKE A COMMENT ABOUT THE PROPOSED PROJECT.

[Show Comment Sheet]

THE COMMENT SHEET CAN BE RETURNED TO US TONIGHT OR BY AUGUST 05TH , 2022 TO BE INCLUDED IN THE RECORD. THE COMMENT SHEET CAN BE CONVENIENTLY FOLDED AND TAPED AND IT IS PRE-ADDRESSED FOR YOU TO MAIL TO US. IT IS NECESSARY TO ATTACH A FIRST-CLASS STAMP TO THE COMMENT SHEET BEFORE IT IS MAILED.

IF YOU DID NOT RECEIVE A BROCHURE OR A COMMENT SHEET AND WOULD LIKE ONE OR BOTH, PLEASE RAISE YOUR HAND.

[Pause while ushers hand out brochures and comment sheets as necessary.]

LET THE RECORD SHOW THAT EVERYONE THAT WANTED A BROCHURE OR COMMENT SHEET HAS RECEIVED ONE.

BOOKLETS ENTITLED “HOW YOUR STATE ACQUIRES PROPERTY FOR PUBLIC PURPOSES” ARE AVAILABLE AT THE REGISTRATION DESK.

[Show Right-of-Way Booklets]

THESE BOOKLETS INCLUDE GENERAL INFORMATION ON PROPERTY ACQUISITION PROCEDURES. YOU WILL GET A MORE DETAILED EXPLANATION OF THE PROPERTY ACQUISITION PROCESS LATER IN THIS PRESENTATION.

THE DETAILS OF THE STUDIES OF THE PROPOSED PROJECT ARE DOCUMENTED IN THE DRAFT DESIGN REPORT DATED JUNE 2022.

[Show Draft Design Report]

THIS REPORT HAS BEEN AVAILABLE FOR YOUR REVIEW OR COPYING AT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION OFFICE IN BUFFALO, AT THE WEST SENECA, COMMUNITY CENTER AND LIBRARY, AND THE TOWN ELMA PUBLIC LIBRARY.

COPIES OF THE REPORT ARE ALSO ON DISPLAY HERE TONIGHT.

IN ADDITION TO THE PROJECT REPORTS, WE HAVE VISUAL DISPLAYS AVAILABLE HERE FOR YOUR REVIEW. THESE DISPLAYS INCLUDE PLANS AND PHOTOS OF THE US ROUTE 20 AND BRIDGE OVER THE CAZENOVIA CREEK. WE ENCOURAGE YOU TO REVIEW THESE DISPLAYS TONIGHT IF YOU HAVE NOT ALREADY DONE SO.

AS STATED EARLIER, DEPARTMENT REPRESENTATIVES WILL BE AVAILABLE AT THE DISPLAYS TO ANSWER QUESTIONS INFORMALLY. THE STENOGRAPHER IS ALSO AVAILABLE TO

ACCEPT VERBAL COMMENT FOR THE RECORD. WRITTEN COMMENTS ARE ALSO BEING ACCEPTED TONIGHT AND UNTIL AUGUST 05TH 2022.

IN CONNECTION WITH THE DESIGN STUDIES FOR THIS PROJECT, THE DEPARTMENT OF TRANSPORTATION HAS SOLICITED THE VIEWS OF FEDERAL, STATE AND LOCAL GOVERNMENTS AND AGENCIES WHICH WE BELIEVE MIGHT BE INTERESTED IN OR AFFECTED BY THE DESIGN OF THIS PROJECT. ALL COMMENTS RECEIVED BY THE DEPARTMENT OF TRANSPORTATION ARE PART OF THE PROJECT RECORD AND WILL BE AVAILABLE FOR YOUR INSPECTION AND COPYING AT THE OFFICE OF THE REGIONAL DIRECTOR.

THE PROCEEDINGS OF THIS HEARING ARE BEING RECORDED. WHEN COMPLETED, THE TRANSCRIPT WILL ALSO BE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE REGIONAL DIRECTOR. STATEMENTS MAY BE PRESENTED AT THIS HEARING EITHER ORALLY OR IN WRITING.

AFTER THE COMMENTS FROM THIS HEARING AND THE VIEWS OF THE CONTACTED AGENCIES ARE FULLY EVALUATED, THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION WILL RECOMMEND A COURSE OF ACTION.

AT ANY TIME AFTER THIS HEARING, ALL INFORMATION DEVELOPED FOR THE PROPOSED PROJECT WILL BE AVAILABLE, UPON REQUEST, FOR PUBLIC INSPECTION AND COPYING AT THE OFFICE OF THE REGIONAL DIRECTOR.

I WILL NOW TURN THE MEETING OVER TO MR. DISPENZA WHO WILL CONTINUE WITH THE PRESENTATION REGARDING THE REAL ESTATE ACQUISITION PROCESS.

TONY DISPENZA: THANK YOU NORM.

GOOD EVENING,

MY NAME IS TONY DISPENZA; I REPRESENT THE OFFICE OF RIGHT OF WAY AT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION.

IF A "BUILD" ALTERNATIVE IS SELECTED, OUR DESIGN ENGINEERS WILL ESTABLISH THE AMOUNT OF RIGHT-OF-WAY REQUIRED TO

ACCOMMODATE THE PROJECT DESIGN. TITLE SEARCHES WILL BE CONDUCTED BY THE DEPARTMENT, AND INDIVIDUAL APPROPRIATION MAPS WILL BE DRAWN FOR EACH AFFECTED PROPERTY. IT IS AT THIS POINT THAT THE OFFICE OF RIGHT-OF-WAY BECOMES INVOLVED AS IT IS OUR RESPONSIBILITY TO ACQUIRE THE LAND NECESSARY FOR THE HIGHWAY AND BRIDGE PROJECT.

AS THE FIRST STEP IN THE ACQUISITION PROCESS, A REAL ESTATE SPECIALIST WILL CONTACT EACH AFFECTED PROPERTY OWNER TO SCHEDULE AN APPOINTMENT AT THE OWNER'S CONVENIENCE. THIS MEETING, WHICH IS USUALLY AT THE ACQUISITION SITE, IS TO PROVIDE YOU WITH PRELIMINARY INFORMATION REGARDING THE PROPOSED ACQUISITION AND TO VERIFY OWNERSHIP AND/OR OCCUPANCY OF THE PROPERTY. THE REAL ESTATE SPECIALIST WILL ACCOMPLISH THE FOLLOWING:

- DELIVER A COPY OF THE ACQUISITION MAP;
- EXPLAIN THE PROJECT AND THE EFFECT THAT IT WILL HAVE ON THE PROPERTY.
- PROVIDE A PRELIMINARY TIMETABLE AND INFORMATION REGARDING THE DEPARTMENT'S ACQUISITION PROCESS.

IN THE NEXT STEP, THE DEPARTMENT WILL ORDER AN APPRAISAL FOR EACH AFFECTED PROPERTY. THIS ANALYSIS IS PREPARED BY STATE APPRAISERS OR CONSULTANT APPRAISERS HAVING SPECIALIZED TRAINING AND EXPERTISE IN THIS FIELD.

PER DEPARTMENT OF TRANSPORTATION POLICY, THE APPRAISER IS REQUIRED TO CONTACT ALL AFFECTED PROPERTY OWNERS INDIVIDUALLY, AND TO AFFORD EACH THE OPPORTUNITY TO ACCOMPANY THE APPRAISER DURING THE INSPECTION OF THE PROPERTY. THE APPRAISER WILL EXAMINE ALL FEATURES OF THE PROPERTY WHICH AFFECT ITS VALUE. ANY INFORMATION THAT YOU CAN PROVIDE WITH RESPECT TO YOUR PROPERTY IS WELCOMED. YOU ARE ENCOURAGED TO ACCOMPANY THE APPRAISER DURING THE INSPECTION.

THE APPRAISAL REPORTS ARE SUPPORTED BY RECENT LAND AND/OR IMPROVED SALES, AS APPLICABLE. PROPERTY OWNERS WILL BE PAID FOR ALL LAND, LAND IMPROVEMENTS, AND BUILDING IMPROVEMENTS WITHIN THE ACQUIRED AREA. A THOROUGH ANALYSIS OF THE

REMAINING PROPERTY WILL ALSO BE CONDUCTED. ANY ADVERSE AFFECT ON THE VALUE OF THE REMAINING PROPERTY WILL BE CONSIDERED. IF A TEMPORARY EASEMENT IS ACQUIRED, PAYMENT FOR THE RENTAL VALUE OF THE TEMPORARY EASEMENT WILL ALSO BE INCLUDED. WHEN THE APPRAISAL IS COMPLETED, IT UNDERGOES A MULTI-LAYERED REVIEW PROCESS BEFORE IT IS FINALLY APPROVED.

WE WORK UNDER A ONE-OFFER SYSTEM WHEREBY THE FULL APPROVED, APPRAISAL AMOUNT IS OFFERED. INCLUDED IN THE OFFER PACKAGE WILL BE A WRITTEN STATEMENT DETAILING THE OFFER. THE REAL ESTATE SPECIALIST ASSIGNED TO YOUR CLAIM WILL EXPLAIN THE AGREEMENTS, THE ACQUISITION PROCESS, AND THE PAYMENT PROCESS IN GREATER DETAIL.

YOU ARE ENTITLED TO RECEIVE THE STATE'S FULL OFFER OF COMPENSATION, EVEN IF YOU DISAGREE WITH THE SETTLEMENT OFFER AMOUNT. ANY PROPERTY OWNER WHO DISAGREES WITH OUR OFFER MAY ATTEMPT TO NEGOTIATE A SETTLEMENT BY PROVIDING APPROPRIATE DOCUMENTATION TO SUBSTANTIATE A REQUEST FOR

AN INCREASE IN HIS OR HER CLAIM. FAILING THAT, THE PROPERTY OWNER MAY ELECT TO FILE A CLAIM AGAINST THE STATE IN THE COURT OF CLAIMS.

SHORTLY AFTER THE OFFER IS MADE, THE DEPARTMENT OF TRANSPORTATION WILL LEGALLY ACQUIRE THE PROPERTY BY FILING A MAP AND NOTICE OF APPROPRIATION IN THE OFFICE OF THE COUNTY CLERK IN THE COUNTY WHERE THE PROPERTY IS LOCATED.

THE REAL ESTATE SPECIALIST ASSIGNED TO YOUR CLAIM WILL ASSIST YOU IN RECEIVING YOUR COMPENSATION, WHICH WILL BE PAID AFTER AN AGREEMENT IS SIGNED AND SATISFACTORY COMPLETION OF THE CLOSING PAPERS PREPARED BY THE NEW YORK STATE DEPARTMENT OF LAW.

THE DESIGN ALTERNATIVE BEING CONSIDERED WILL NOT NECESSITATE ANY RESIDENTIAL OR COMMERCIAL RELOCATIONS. SHOULD ANY RELOCATIONS BECOME NECESSARY, THE DEPARTMENT WILL PROVIDE RELOCATION SERVICES IN ACCORDANCE WITH TITLE II OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY

ACQUISITION POLICIES ACT OF 1970 AS AMENDED – COMMONLY REFERRED TO AS THE UNIFORM ACT.

IN CONCLUSION, I WOULD LIKE TO SAY THAT WE REALIZE THIS IS NOT THE TYPICAL BUYER/SELLER RELATIONSHIP. ALTHOUGH THE EMINENT DOMAIN PROCESS ALLOWS THE STATE TO ACQUIRE PRIVATE PROPERTY FOR PUBLIC USE,

YOU ARE ENTITLED TO “JUST COMPENSATION”. THE GOAL OF THE OFFICE OF RIGHT-OF-WAY IS TO MAKE SURE THAT THIS PROCESS PROCEEDS AS SMOOTHLY AS POSSIBLE FOR ALL CONCERNED.

THANK YOU FOR YOUR TIME AND ATTENTION.

I WILL NOW TURN THE MEETING BACK OVER TO MRS. VAIDYA.

MRS. VAIDYA: THANK YOU TONY.

WE HAVE CONCLUDED OUR FORMAL PRESENTATION AND WE ARE ABOUT TO RECEIVE YOUR COMMENTS.

IF THERE IS ANYONE IN THE AUDIENCE WHO WISHES TO MAKE A STATEMENT AND HAS NOT YET FILLED OUT ONE OF THE REGISTRATION CARDS, PLEASE DO SO NOW.

[Pause]

WHEN I CALL YOUR NAME, PLEASE APPROACH THE MICROPHONE. BEFORE BEGINNING YOUR STATEMENT, KINDLY STATE YOUR NAME AND ADDRESS AND YOUR POSITION WITH ANY ORGANIZATION WHICH YOU MAY REPRESENT. PLEASE SPEAK CLEARLY SO THAT THE STENOGRAPHER CAN MAKE AN ACCURATE RECORD OF YOUR STATEMENT. WE ASK THAT YOU KEEP YOUR COMMENTS TO 5 MINUTES OR LESS SO THAT EVERYONE ATTENDING HAS A CHANCE TO SPEAK. PLEASE NOTE THAT WE WILL NOT BE DIRECTLY RESPONDING TO THE COMMENTS MADE IN THE FORMAL SESSION, DEPARTMENT REPRESENTATIVES WILL BE AVAILABLE TO ANSWER QUESTIONS AFTER THE CONCLUSION OF THE FORMAL SESSION.

I NOW CALL FOR THE STATEMENTS.

[Statements Received]

DOES ANYONE ELSE WISH TO MAKE A STATEMENT?

[Pause]

THIS CONCLUDES THE FORMAL PRESENTATION SEGMENT OF THIS PUBLIC HEARING. AS STATED EARLIER, DEPARTMENT REPRESENTATIVES WILL BE AVAILABLE TO ADDRESS INDIVIDUAL QUESTIONS AND CONCERNS, IF NECESSARY, AT THE CLOSE OF THIS MEETING. ADDITIONAL WRITTEN COMMENTS MAY BE SUBMITTED UNTIL AUGUST 05TH, 2022 AT THE OFFICE OF THE REGIONAL DIRECTOR AT 100 SENECA STREET IN BUFFALO.

I WOULD LIKE TO THANK EVERYONE FOR YOUR EXPRESSIONS OF CONCERN, COMMENTS AND SUGGESTIONS. THEY WILL ALL BE STUDIED AND CONSIDERED PRIOR TO OUR MAKING A DESIGN RECOMMENDATION.

AS THERE ARE NO MORE STATEMENTS CONCERNING THIS PROJECT, I DECLARE THIS HEARING ADJOURNED. ON BEHALF OF

THE DEPARTMENT, I THANK YOU FOR ATTENDING THIS PUBLIC HEARING. GOOD NIGHT AND HAVE A SAFE TRIP HOME.