



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION ONE
ALBANY, NY 12232
www.dot.ny.gov

SAM ZHOU, P.E.
ACTING REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

February 24, 2014

Mayor Joseph Keegan
Village of Castleton-on Hudson
PO Box 126
Castleton, NY 12033

RE: PIN 1932.85
Scott Ave Grade Crossing
Town of Schodack/Village of Castleton-on-Hudson
Rensselaer County

Dear Mayor Keegan,

We appreciate your January 13, 2014 correspondence conveying that your engineering consultants provided information to assist in the consideration of constructing a boardwalk along the shoreline from the water treatment plant to the desired park/recreational area. Internally, we too came to a similar conclusion that walking almost a half mile, let alone pushing a stroller, or carrying a loaded picnic basket, was likely to be too great of a distance to be an effective means of accessing the site. We are understanding of the complications associated developing an appropriately sized parking area and the corresponding boardwalk leading from the Castleton Boat Club to the desired park area as well.

Your recent correspondence also provided two additional project alternatives, which have been summarized below, with our initial comments directly following.

Large narrow parking lot along westside of Route 9J, (in the vicinity of Seaman Avenue), with switchback bridge over the tracks followed by a short boardwalk to the desired park area. The switchback bridge is very similar to the alternative developed by DOT staff several years ago. In consideration of the need to address access accommodations for all prospective park goers, of all abilities, elevators had been incorporated. (Making the traveled way of the bridge ADA compliant would not be cost effective.)

Fill the "inlet/bay" of the Hudson River between the lands owned by the Castleton Boat Club and Daniel O'Neill, (with space being provided to the Boat Club for parking), purchase the O'Neill property (presumably for parking for those desiring to access the park), and construction of a boardwalk to the park. Section 404 of the Clean Water Act establishes a program that regulates the discharge of dredged or fill material into waters of the United States, including wetlands, and/or infrastructure development

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for highways projects. The premise of the program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment or (2) the nation's waters would be significantly degraded.

If this alternative/option were to be pursued, it is believed that there would be difficulty in conveying that all steps have been taken to avoid impact to the water/aquatic resource.

Unfortunately, we see significant complications with the options recently presented to the Department. That being said, it is believed that the alternative previously prepared, presented to the Village, and included as the preferred alternative in the Final Design Report (2009) met the project's objective in a cost effective manner.

Should you have any questions, or would like to meet to discuss this matter further, please contact Rob Cherry of my staff.

Sincerely,

Sam Zhou
Acting Regional Director,
Region One