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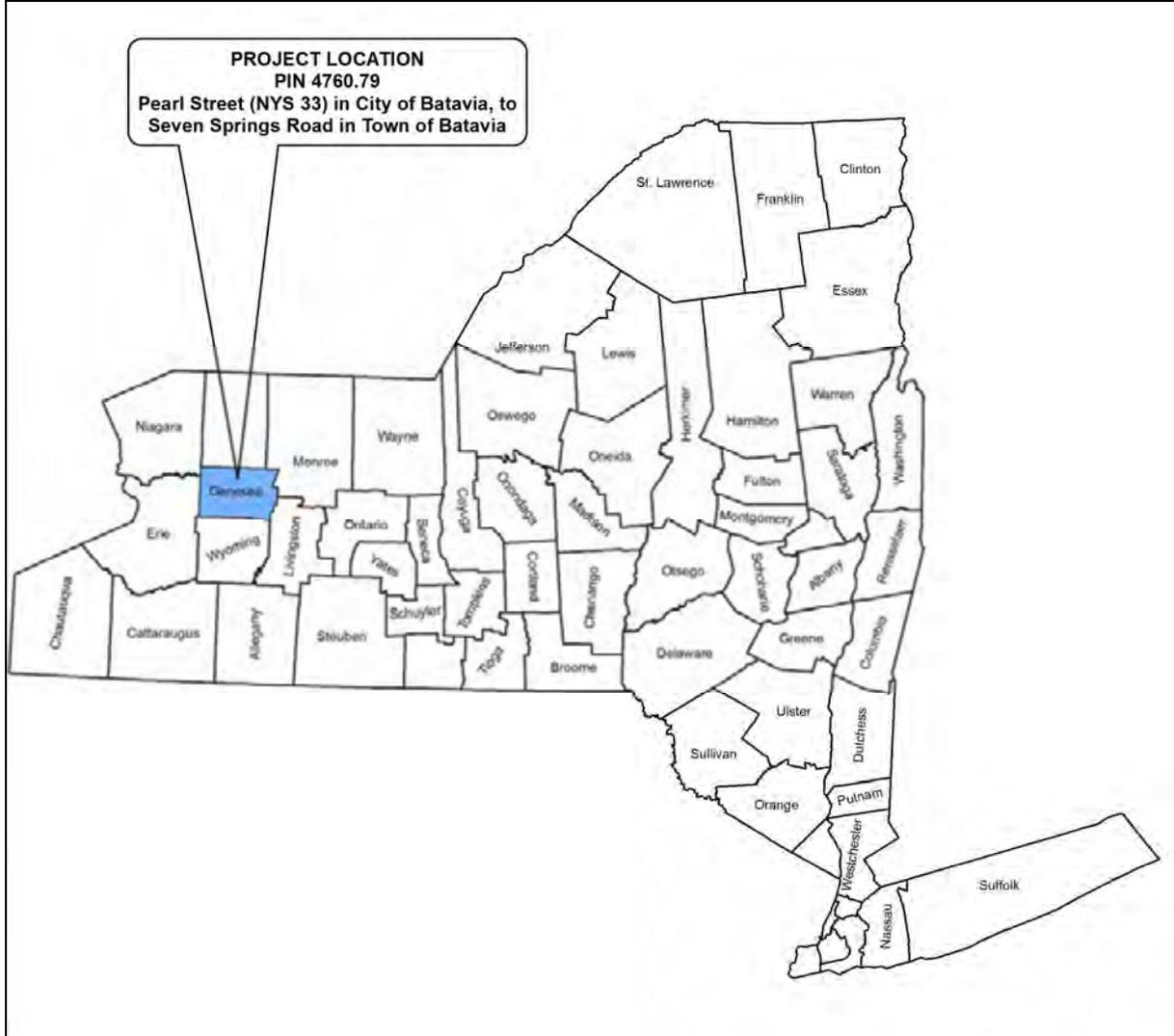
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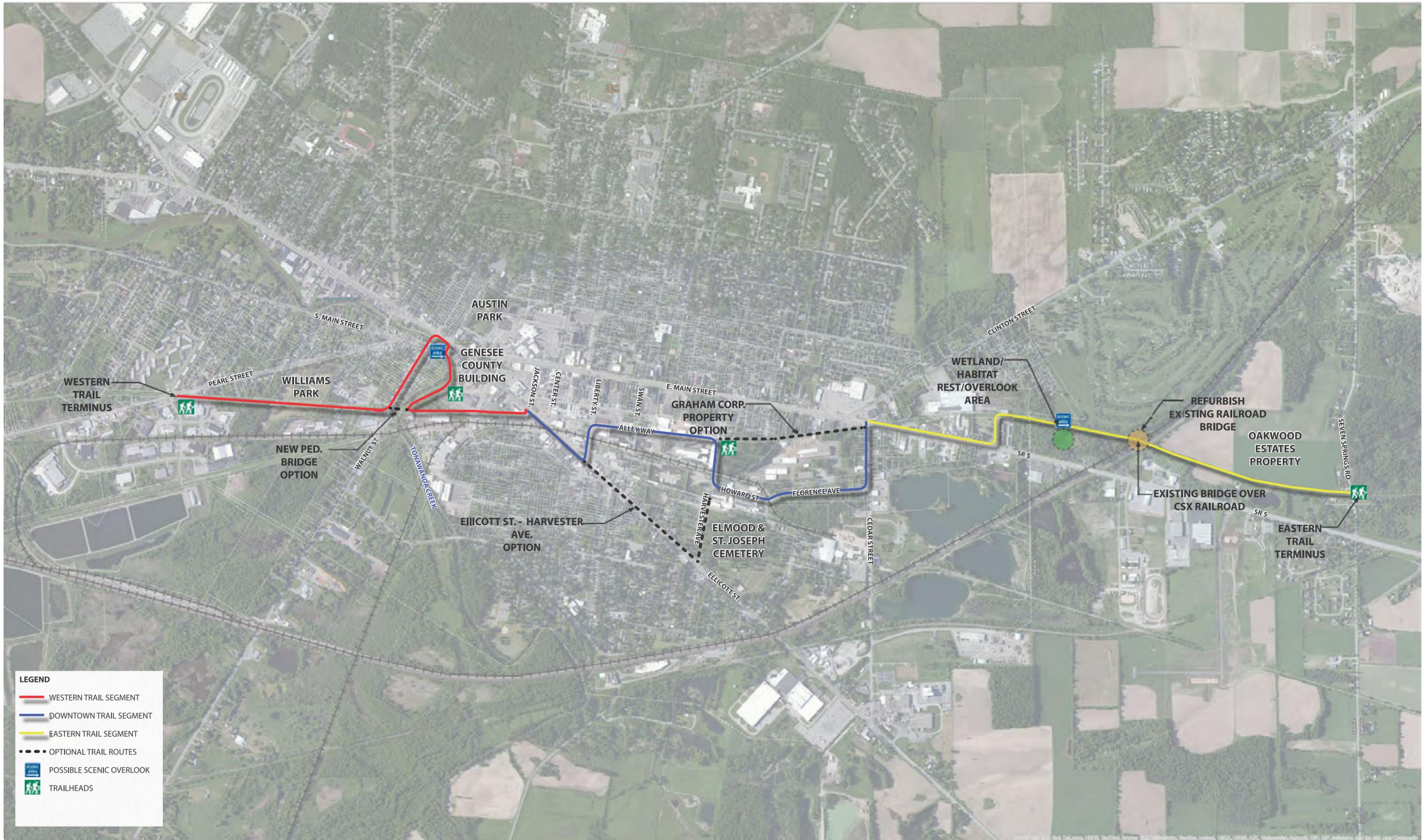
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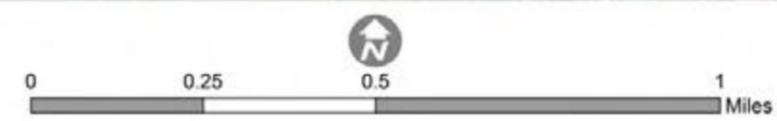
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ELLICOTT TRAIL TEP PROJECT | TRAIL SEGMENT MAP
 Town & City of Batavia, New York



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CHAPTER 2 – PROJECT INFORMATION

2.1 Local Plans for the Project Area

This project is an approved Transportation Enhancement Program (TEP) project (PIN 4760.79).

The proposed **Ellicott Trail** project implements the recommendations, policies and goals, of several State, regional, and local plans as follows:

- The project will implement recommendations of the *Batavia Brownfield Opportunity Area* plan to construct trail improvements in the City of Batavia that connects strategic economic development sites.
- The project will also implement recommendations of the City's *Comprehensive Plan* to provide a trail through the heart of the City and the County's *Comprehensive Plan* to provide walking trails at industrial parks in the County.
- *New York Statewide Transportation Plan* which encourages consideration of pedestrians and bicyclist safety in DOT projects.
- *New York Complete Streets Legislation* – the project is consistent with the new policy to consider all users, including pedestrians and bicyclists, in state funded transportation projects.
- *NY Bicycle and Pedestrian Plan* – the project supports the plan by providing increased mobility, improved safety and accessibility for pedestrians and bicyclists.
- *Finger Lakes Regional Economic Development Council Plan* – supports the goal to invest in Community Infrastructure by reinforcing identity, sense of place and character through downtown development; and strengthening transportation infrastructure through preservation and maintenance of existing systems.
- *Finger Lakes Regional Sustainability Plan* – supports the land use and transportation recommendations regarding investing in urban centers and alternative transportation.
- *Genesee County Central Corridor Plan* – project supports the recommendation to “Explore multi-use trail path connections within the study area that link neighborhoods, schools, commercial areas and regional trail systems. Expanding non-vehicular travel options will help the City and Town will help expand multi-modal transportation options.”

2.2. Abutting Trail Segments and Future Plans for Abutting Trail Segments

Currently, there are no formal pedestrian or bike trails in Genesee County with the exception of a short section of the Finger Lakes Trail near Darien, New York. The concept to construct a new trail in Genesee County emerged from two different entities. Recently, a residential developer in the area requested the installation of a trail near his proposed development (Oakwood Estates). The developer has recognized that a trail is a key component of his new residential development because it provides alternative transportation and recreational benefits that many potential homebuyers demand today.

At the same time, the City of Batavia has proposed a new trail in its recently completed draft Brownfield Opportunity Area (BOA) project. The BOA project evaluated redevelopment options for four underutilized sites within the City of Batavia. After consulting stakeholders and the public during development of the plan, and reviewing previous plans for a trail through the City, the BOA steering committee recommended the construction of a trail from the Tonawanda Creek to the new Town of Batavia Agri-Business Park (home to two new yogurt production plants employing 236 people). The trail would connect two of the four strategic BOA sites. In addition, the trail would advance a similar internal city trail concept in the City's *Comprehensive Plan* and the promotion of trails recommended in the *Genesee County Central Corridor Plan*.

2.3 Transportation Conditions, Deficiencies and Engineering Considerations

2.3.1 Traffic and Safety and Maintenance Operations

2.3.1.1 Functional Classification and National Highway System (NHS)

Exhibit 2.1 Classification Data				
Route(s)	NY 63/Ellicott St.	NY 33/Pearl St.; NY 98/Walnut St.; NY 5/E. Main St.	Jackson St.; Cedar St.	Evans St.; Center St.; Harvester Ave.; Howard St.; Florence Ave.; Seven Springs Rd.
Functional Classification	Urban Principal	Urban Minor Arterial	Urban Major Collector	Urban Major Collector
National Highway System (NHS)	Yes	No	No	No
Designated Truck Access Route	Yes	Yes	Yes	No
Qualifying Highway	Yes	Yes	Yes	No
Within 1 mile (1.6 km) of a Qualifying Highway	Yes	Yes	Yes	Yes
Within the 16 ft (4.9 m) vertical clearance network	No	No	No	No

2.3.1.2 Control of Access

There will be no control of access for pedestrians, bicyclists, and other forms of non-motorized transportation. Bollards or gates will be implemented at logical locations to prohibit motorized vehicle usage while still allowing access for maintenance and emergency vehicles.

2.3.1.3 Traffic Control Devices

1. **Traffic Signs:** There are numerous traffic control signs along the various roadway segments within the project limits which are generally in good conditions. The scope of the project does not include replacement and/or upgrading of all traffic signs along roadway segments within the project limits, however, additional signage will be warranted in various locations along existing roadway segments which the proposed trail will utilize, parallel, or cross.
2. **Pavement Markings:** Existing pavement markings along the roadways consists of white edge lines, yellow centerlines, white lane lines, hatching, stop bars, crosswalks, and pavement marking symbols.
3. **Traffic Control Signals:** There are four (4) traffic control signals within the project limits at the intersections of Ellicott St./Jackson St., Ellicott St., Center St., Ellicott St./Harvester Ave., and E. Main St./Cedar St.

2.3.1.4 Traffic Volumes –

Traffic data includes traffic tube volume counts from New York State Department of Transportation (NYSDOT). Dates of the counts vary from 2009 to 2014. All of the daily and hourly traffic volumes are based on two-way traffic. The annual average daily traffic (AADT) and design hourly volumes (DHV) are summarized below.

Exhibit 2.2 Existing and Future Traffic Volumes								
Year	Existing (2015)		ETC (2016)		ETC+10 (2026)		ETC+20 (2036)	
Route	AADT	DHV	AADT	DHV	AADT	DHV	AADT	DHV
NY 63/Ellicott St.	11,417	913	11,474	918	12,060	965	12,677	1,014
NY 33/Pearl St.	4,452	356	4,474	358	4,703	376	4,944	396
NY 98/Walnut St.	5,487	439	5,515	441	5,797	464	6,093	487
NY 5/E. Main St.	11,212	897	11,268	901	11,844	948	12,450	996
Jackson St.	4,134	331	4,154	332	4,367	349	4,590	367
Cedar St.	3,879	310	3,898	312	4,097	328	4,307	345
Harvester Ave.	3,170	254	3,186	255	3,349	268	3,520	282
Howard St.	958	77	963	77	1,012	81	1,064	85
Florence Ave.	713	56	716	57	753	60	791	63
Seven Springs Rd.	2,067	165	2,077	166	2,184	175	2,295	184

Note: ETC is the Estimated Time of Completion

Future no-build design year traffic volume forecasts – The Estimated Time of Completion (ETC) + 20 design year was selected per PDM Appendix 5.

2.3.1.5 Speeds

The posted speed on all roadways within the project limits is 30 mph.

2.3.1.6 Level of Service

This project does not include any roadway reconstruction or impacts to the travel lanes. The proposed trail will utilize existing sidewalks and bike lanes. Therefore, a level of service and mobility analyses is not warranted as part of this project.

2.3.1.7 Work Zone Safety & Mobility

A. Work Zone Traffic Control (WZTC) Plan

Routes for emergency vehicles will be maintained and open during construction. Shoulder closures and short term lane closures with flaggers daily will be necessary to tie in the trail to the existing highway. The details for the work zone traffic control will be prepared and evaluated during final design.

B. Special Provisions

Due to the ability to maintain traffic with acceptable delays during the daylight hours, night time construction will not be utilized. The use of time related provisions will not be necessary for this Project. The work zone traffic control will need to be coordinated with local officials and residents.

2.3.1.8 Safety Considerations, Accident History and Analysis

Primary safety issues to be considered as part of this project include trail access control and safety devices where the proposed trail facility intersects with adjacent roadways such as Pearl St., Walnut Ave., Evans St., Jackson St., Ellicott St., Center St., Harvester Ave., Howard St., Florence Ave., Cedar St., E. Main St., and Seven Springs Rd. In areas where the proposed trail route will cross existing roadways and streets, new crosswalk signage, striping, and accompanying treatments will be installed to improve pedestrian and bicycle safety and reduce potential conflicts. All signage and striping will be in accordance with the National Manual on Uniform Traffic Control Devices (NMUTCD).

Accident data was collected for the most recent three years between January 31, 2012 and January 31, 2015. In total, 94 accidents were documented on the various roadways within the project limits. The table below summarizes the number of accidents that occurred on each roadway:

Exhibit 2.3 Accident Summary	
Route(s)	Number of Accidents
Pearl St.	2
Walnut St.	7
Evans St.	5
Ellicott St.	12
Jackson St.	18
Center St.	3
Liberty St.	13
Swan St.	8
Harvester Ave.	9
Howard St.	2
Cedar St.	11
E. Main St.	4

2.3.1.9 Ownership and Maintenance Jurisdiction

Once construction of the **Ellicott Trail** is complete, the operation and maintenance of the trail within the Town of Batavia will be coordinated through the Town and the operation and maintenance of the trail within the City of Batavia will be coordinated through the City. Periodic visits will be scheduled to inspect the trail to assess the condition of the trail and its surroundings, collect debris, perform any required maintenance and mow shoulders of the trail as needed. The operation will be coordinated between the Town and City staff. Periodic visits will be performed to track attendance and visually witness the patron use.

2.3.2 Multimodal

2.3.2.1 Pedestrians and Bicyclists

Portions of the existing trail alignment can be considered a rustic trail or an unimproved recreational facility, and does not provide ADA accessible use. Also, there are existing footpaths on the proposed trail alignment that do not physically link up to another trail facility. The proposed **Ellicott Trail** will be constructed as a shared use path in accordance with the Design Standards outlined in Section 2.3.3.1 and will provide ADA accessibility to pedestrians and bicyclists. All access points to the trail will be ADA accessible. All proposed roadway crossings for pedestrians and bicyclists will be located where adequate sight distance and gap in traffic is available to allow trail users to safely cross the public roadway. Advanced warning signage of proposed crossings will be provided. The project proposes to utilize a shared roadway crossing for both pedestrians and bicyclists.

2.3.3 Infrastructure

2.3.3.1 Design Standards

This project will be designed to meet or exceed the standards and guidelines contained in the following:

- AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, 2004 and AASHTO Guide for the Development of Bicycle Facilities, 2012.

In addition, this project will also reference the following additional design guidance:

- NYSDOT Highway Design Manual, Chapters 17 and 18.

2.3.3.2 Critical Design Elements

Exhibit 2.6 Design Criteria for Ellicott Trail Off-Road Trail Segments				
Element		Standard	Existing Condition	Proposed Condition
1	Minimum Design Speed	20 mph	N/A	20 mph
2	Trail Surface	All Weather	Dirt/grass	Stonedust
3	Pedestrian Bridge Width	8'	16'	12' 6"
4	Shared-Use Trail Minimum Width	10'	Varies	10' Max., 8' Min.
5	Shared-Use Trail Shoulder Width	2'	N/A	2'
6	Maximum Grade	5%	N/A	5%
7	Minimum Horizontal Radius	74'	N/A	75' Min.
8	Design Superelevation	2% Max.	N/A	2% Max.
9	Stopping Site Distance	125'	N/A	150' Min.
10	Minimum Horizontal Clearance	2'	N/A	2'
11	Minimum Vertical Clearance	8'	Varies	8'
12	Minimum Rail Height	42"	N/A	42"
13	Pedestrian Accommodations	In compliance with ADA guidelines and HDM Chapter 18	Not ADA Compliant	In compliance with ADA guidelines and HDM Chapter 18

Exhibit 2.7				
Design Criteria for Ellicott Trail On-Road Trail Segments				
Element		Standard	Existing Condition	Proposed Condition
1	Design Speed	30 mph	25-30mph posted	Maintain Existing
	- Urban Local - Urban Arterial & Collector	35 mph	30-35 mph posted	
2	Lane Width	11 ft	Varies	Varies
3	Shoulder Width (to accommodate bikes)	4 ft. min.	Varies	4' Min.
4	Bridge Roadway Width	N/A	N/A	N/A
5	Maximum Grade		Varies	Maintain Existing
	- Urban Local	15% max. (30 mph)		
	- Urban Collector	11% max. (30 mph)		
	- Urban Arterial	8% max. (35 mph) / 9% max. (30mph)		
6	Horizontal Curvature		Varies	Maintain Existing
	- Urban Arterial & Collector	371 ft min. (at $e_{max}=4%$) (30 mph)		
	- Urban Local	282 ft. min. (at $e_{max}=4%$) (30 mph)		
7	Superelevation Rate	4% Maximum	Varies	Maintain Existing
8	Stopping Sight Distance		Varies	Maintain Existing
	- Urban Arterial & Collector	200 ft min. (30 mph)/250 ft. min. (35 mph)		
	- Urban Local	200 ft. min. (30 mph)		
9	Horizontal Clearance	10 ft (3.0 m) without barrier; Where barrier provided, use larger of 4 ft (1.2 m) or shoulder width	Varies	Maintain Existing
10	Vertical Clearance (above traveled way)	14 ft (4.3 m) Minimum (Also note vertical clearance to lower roadway here where applicable) 16'-6" ft (5.05 m) Minimum for Thru-Truss BM Section 2.4	Varies	Maintain Existing
11	Pavement Cross Slope	1.5% Min. to 2% Max. HDM Section 2.7.3.1 K	Varies	Maintain Existing
12	Rollover	4% between travel lanes; 8% at edge of traveled way; HDM Section xx	Varies	Maintain Existing
13	Structural Capacity	N/A	N/A	N/A
14	Pedestrian Accommodation	5 ft sidewalk min.	Varies	5' min.

(1) The Regional Traffic Engineer has concurred that the use of a Design Speed of XX mph (km/h) is consistent with the anticipated off-peak 85th percentile speed within the range of functional class speeds for the terrain and volume.

2.3.3.4 Existing and Proposed Bridge Plan and Sections

No improvements are proposed to the existing pedestrian bridge crossing Tonawanda Creek connecting Main Street with NYS Route 63.

The existing abandoned railroad bridge over CSX will be rehabilitated to safely carry trail traffic. This bridge is a riveted steel thru girder structure of which the timber elements have been removed. The existing structure appears to be in good condition and it is anticipated that the steel structure will be able to be retained in its current condition. The scope of work needed to rehabilitate the bridge for the trail will consist of installing a new timber deck, timber railing, and a steel fence. CSX will need to review the proposed scope of work and give their approval. It is understood that their primary concerns will be to ensure there will be no reductions in horizontal or vertical clearances, and that the tracks are adequately protected. The above mentioned fence and deck will need to have no openings larger than 2 inches to a height of 8 feet above the trail surface. It is anticipated that CSX will provide their approval with minimal coordination required.

2.3.3.5 Geotechnical

There are no special geotechnical concerns with the soils or rock slopes within the project area.

2.3.3.6 Hydraulics of Bridges and Culverts

There are no bridges or culverts within the project limits as part of the proposed alternative that require a hydraulic analysis. If the proposed pedestrian bridge over Tonawanda Creek, discussed under the Trail Options, is chosen to be included then a hydraulic analysis will be required for that new crossing. It is anticipated that this proposed bridge will be similar in span and elevation as adjacent bridges crossing this waterway (there is an existing upstream railroad bridge and a downstream pedestrian bridge). This crossing will be expected to have no negative impacts on the hydraulic performance of Tonawanda Creek through the site.

2.3.3.7 Utilities

Within the project limits, there are overhead electric and telephone lines at the road crossings and along the on-road segments. Any sidewalk reconstruction that may be required along the proposed on-road segments will minimize utility disturbance.

At this time, no utility permits are anticipated for this project.

2.3.3.8 Right of Way

The proposed Ellicott Trail project will pass through three types of property with different ownership characteristics:

- A) Public Property
 - State and City streets – bicycle and pedestrian use permitted as of right;
 - City owned property between Evans Street and the Tonawanda Creek – the City supports the project and is a co-applicant with the Town of Batavia;
 - County owned property near the Tonawanda Creek – the County supports the project.
- B) National Grid Property
 - Utility easements between Pearl Street and Evans Street

C) Private Property Owners

- Between Harvester and Swan Streets
- Between Swan and Liberty Streets
- Trailhead area and eastern sections near Seven Springs Road.
- Trail section between Jackson Street and the Tonawanda Creek.

Specifically, as of the preliminary design phase, the following tax ID's and property owners have been identified as parcels from which property acquisition may be necessary in order to construct the trail (See Appendix C for property owner authorization and support letters):

Exhibit 2.8 ROW Acquisition Table		
Tax ID	Owner	Municipality
84.013-1-44	Niagara Mohawk	City of Batavia
84.014-2-50	Niagara Mohawk dba Nat'l Grid	City of Batavia
84.010-4-24	City of Batavia	City of Batavia
84.010-4-13.2	City of Batavia	City of Batavia
84.010-4-13.1	County of Genesee	City of Batavia
84.014-2-4	City of Batavia	City of Batavia
84.014-2-61	Della Penna	City of Batavia
84.014-2-51	Genesee and Mohawk Valley Railroad Co., Inc.	City of Batavia
84.015-1-38	Genesee & Mohawk Valley Railroad Company	City of Batavia
84.015-1-9.111	Reinhart Enterprises Inc	City of Batavia
84.016-1-55.1	Joseph L & Sons, Inc Mancuso	City of Batavia
84.016-1-54	Genesee & Mohawk Valley Railroad Company	City of Batavia
85.013-1-23	Unknown	City of Batavia
85.013-1-72.21	Unknown	City of Batavia
85.013-1-74	Batavia Gardens Associates, L.P.	City of Batavia
85.013-1-72.22	City of Batavia	City of Batavia
13.-1-107.1	Jeffrey Freeman	Town of Batavia
13.-1-107.2	Niagara Mohawk Power Corp	Town of Batavia

2.3.3.9 Landscaping/Environmental Enhancement

Clearing of some existing shrubs and selective removal of trees will be required in order to maximize safety, provide adequate vertical and horizontal clearance for the trail, and provide view sheds at optimal locations. Site furniture and materials including signage, bollards, gates, benches, and bicycle racks will be provided at rest areas, trailheads, and points of interest.

Plant materials will be used in trail design to serve the following functions:

- Plant root systems used to stabilize slopes and control soil moisture to combat erosion.
- To define boundaries and direct movement of pedestrians through public spaces and to direct the public away from nearby homes or businesses.

- Screen the trail from adjacent land uses and to create visual separation.
- Maintain wildlife habitat throughout the project area
- Provide an enhanced user experience providing shade, native flora, and aesthetic quality

2.4.1 NYS Smart Growth Public Infrastructure Policy Act (SGPIPA)

Pursuant to ECL Article 6, this project is compliant with the New York State Smart Growth Public Infrastructure Policy Act (SGPIPA).

To the extent practicable this project has met the relevant criteria as described in ECL § 6-0107 and reflects the current project scope. The Smart Growth Screening Tool is provided in Appendix B.

2.4.2 Cemeteries

As stated previously, this project will provide access to multiple cultural, architectural, and historic resources along the route, including Batavia Cemetery, which is a National Historic Landmark. No impact will be made to nearby cemeteries (Batavia Cemetery, Elmwood Cemetery, or Saint Joseph Cemetery).

CHAPTER 3 – SOCIAL, ECONOMIC AND ENVIRONMENTAL CONSIDERATIONS

Refer to the Environmental Checklist included in Appendix B for information on all environmental issues for which the project was screened.

3.1 National Environmental Policy Act (NEPA)

The Design Engineer has determined that this project is a NEPA Class II Action – C List Categorical Exclusion, in accordance with the NYSDOT Environmental Action Plan (EAP) and Title 23, Part 771 of the Code of Federal Regulations (23 CFR 771). A copy of the Federal Environmental Approval Worksheet is included in Appendix B. Please note that based on preliminary design, it is estimated that .45 acres of tree removal will be required to construct the trail.

3.2 State Environmental Quality Review Act (SEQRA)

The project is being progressed as an Unlisted Action as per Part 617, Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR Part 617). The Town of Batavia is the lead agency for SEQRA and is currently undergoing the SEQR determination and coordination. The final SEQR determination will be documented in the Final Design Report.

3.3 Additional Environmental Information

3.3.1 Wetlands

A review of the New York State Department of Environmental Conservation's (NYSDEC) Freshwater Wetlands Mapping and the U.S. Fish and Wildlife Service's (USFWS) National Wetland Inventory (NWI) mapping of the project corridor indicated that several mapped NWI wetlands are located near the project corridor. No state regulated (NYSDEC) freshwater wetlands were mapped immediately adjacent to or possibly within 100-feet of the proposed Ellicott Trail project corridor.

Several NWI mapped wetlands are located both north and south of the abandoned railroad grade in the Western Trail Segment within the Town of Batavia, Genesee County, New York. These NWI mapped wetlands are palustrine, forested and scrub/shrub type wetlands.

A site visit was completed by Barton & Loguidice on May 11th and 12th of 2015. Visual observations of vegetative communities, soils, and hydrology were used to determine the wetland boundaries in the field. Two wetland boundaries were delineated in the field during the site visit (Wetland A and Wetland B). The entire Wetland A boundary was delineated in the field. Wetland A was observed along the Western Trail Segment. Only the area of Wetland A located immediately adjacent to the proposed Ellicott Trail right of way was delineated in the field. Wetland B was observed along the Eastern Trail Segment. Both delineated wetlands were identified along the existing abandoned railroad embankment toe of slope. The location of delineated Wetland B corresponds with the location of NWI mapped wetland PFO1E (palustrine, forested, broad-leaved deciduous, seasonally flooded/saturated). Currently, potential impacts to these wetland resources are not known; as design progresses, impacts to these resources will be reassessed. If impacts do occur to these delineated wetlands, a Joint Application for Permit (JAP) will be completed and submitted to the US Army Corps of Engineers (USACE). A Section 404 Clean Water Act permit will be required by the USACE and progressed using Nationwide Permit 14 – Linear

Transportation. No NYSDEC freshwater wetland permits will be required since there are no mapped NYSDEC wetlands adjacent to or within 100 feet of the proposed trail alignment. In addition to the Section 404 permit, a Section 401 Water Quality Certification may also need to be obtained from the NYSDEC. A Wetland Delineation Report has been completed for this project and is available under a separate cover upon request.

3.3.2 Surface Waterbodies and Watercourses

The NYSDEC's stream mapping indicates one stream crossing within the project limits. Currently, Tonawanda Creek (Stream 1) is crossed by a wooden footbridge north of Walnut Street and south of West Main Street. One of the potential project alternatives includes a new pedestrian footbridge spanning Tonawanda Creek east of Walnut Street. Tonawanda Creek (Water Index Number: (O-158-12) enters the Niagara River from the east at the Erie-Niagara County line. The Niagara River then flows north and into Lake Ontario. Tonawanda Creek meets the definition of a Water of the U.S. under federal regulations. Given the current preferred alternative, no impacts to this surface water resource are expected. If the Tonawanda Creek footbridge alternative is progressed, potential impacts to this waterway will be further assessed. During the on-site delineation effort, two other unmapped surface water resources were identified, Stream 2 and Stream 3. Both of these streams were located in the Eastern Trail Segment. Stream 2 was observed flowing south through the project corridor. Flow from Stream 2 continues south, outside of the project corridor, and into Wetland B. Stream 3 drains Wetland B east and then to the north, where flow continues north outside of the project corridor and into Bigelow Creek (Ont. 117-19-30), which flows north and eventually into the Genesee River (Ont. 117). Both unmapped streams are assumed to be Class C waters.

Based on field observations, the three stream resources identified within the proposed work segments meet the definition of Waters of the U.S. and are regulated by the USACE under Section 404 of the Clean Water Act. A Section 404 Nationwide Permit and a Section 401 Water Quality Certification will be obtained if any temporary or permanent impacts to these streams are proposed as part of the project. In addition, one of these three streams, Stream 1, represents a state navigable waterway. An Article 15 permit will be required if activities that impact Stream 1 are proposed (Tonawanda Creek Bridge Option).

3.3.3 Floodplains

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Mapping (FIRM) shows that portions of the proposed project area lie within a mapped 100-year flood zone. Portions of the Western Trail Segment and Central Trail Segment are mapped within FEMA Zones A4 and AH, respectively. These flood zone designations represent areas that are subject to inundation by the 1-percent-annual-chance flood event (100 year flooding). Currently, potential impacts to these FEMA mapped flood zones are unknown. As final design is progressed, potential impacts to these areas will be avoided and minimized to the greatest possible extent. If determined to be applicable, the requirements of Executive Order 11988 will be followed.

3.3.4 Stormwater Management

The proposed project will require conformance with the NYS Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) general permit program for stormwater discharges for construction activities, under GP 0-015-001. A site specific Stormwater Pollution Prevention Plan (SWPPP) will be developed for this project. Per Appendix B of the SPDES General Permit, bike path and trail projects require the preparation of a SWPPP that only includes erosion and sediment controls. No permanent post construction measures for water quality or quantity are required for this project.

3.3.5 General Ecology and Wildlife Resources

In order to comply with potential future permit reviews and information requests, an assessment was completed to determine the extent of impacts, if any; this project may have on federal and state listed

threatened and endangered species populations and habitat. Records of species of special concern, candidate species, rare species, and unique ecological communities were also researched and analyzed.

The U.S. Fish and Wildlife Service (USFWS) New York Field Office's website was reviewed to determine whether any federally listed endangered, threatened, or candidate species are known to inhabit the proposed project corridor or adjacent areas. The USFWS' Information, Planning and Conservation (IPAC) System reported two (2) federally protected species that could potentially inhabit the Ellicott Trail project corridor: the northern long-eared bat (*Myotis septentrionalis* – Threatened) and Houghton's goldenrod (*Solidago houghtonii* – threatened). A printout of the IPaC results is provided in the Threatened and Endangered Species Assessment (Appendix B).

The Natural Heritage Program (NHP) was contacted for information regarding the reported presence of any endangered species, threatened species, species of special concern, or significant natural communities within or adjacent to the project area. A response was received from the NHP on May 12, 2015, which indicated that there are no known records of rare or state-listed animals or plants, or significant natural communities, on or in the immediate vicinity of the project corridor. The NHP's response letter is included for review as Attachment B.

To determine the presence or absence of these reported species and/or their habitats within the proposed project limits, a habitat assessment was completed by B&L personnel on May 11th and 12th of 2015. Areas adjacent to and within the limits of the proposed project were observed to contain potential habitat for northern long-eared bats. Suitable roosting and foraging habitat for the northern long-eared bat includes mixed age stands of trees greater than three inches diameter at breast height (DBH), with foraging habitat containing areas of open water. These habitat requirements were observed within and adjacent to the Ellicott Trail project corridor. Dominant tree species observed within forested segments include: box elder (*Acer negundo*), green ash (*Fraxinus pennsylvanica*), silver maple (*Acer saccharinum*), white willow (*Salix alba*), sugar maple (*Acer saccharum*), staghorn sumac (*Rhus typhina*), common buckthorn (*Rhamnus cathartica*) and eastern cottonwood (*Populus deltoides*). It is estimated that 0.45 acres of land will require the removal of woody vegetation. Though some of the woody species and vegetative community types documented within the project's disturbance limits are characteristic of suitable northern long-eared bat habitat, the linear nature of the proposed project and the dominance of saplings and woody shrubs (less than 3 inches DBH) within the areas to be cleared, minimizes the potential adverse effects that the project will have on such suitable habitat areas. In accordance with the Northern Long-eared Bat Interim Conference and Planning Guidance document, the cutting of trees ≥ 3 " DBH will occur from October 1 through March 31. By adhering to the Conservation Cutting Window timelines, a determination of "may affect, not likely to adversely affect" is recommended for the northern long-eared bat.

Based on the results of the habitat site assessment and the review of additional information, a determination of "No Effect" is recommended for the Houghton's goldenrod. There is one known population of Houghton's goldenrod in NYS; this location is approximately 10 miles from the eastern extent of the Ellicott Trail corridor in the Bergen Swamp. Additionally, suitable habitats for this species, such as open, calcareous, lakeshore habitats, or marl fen wetlands, were not observed within the proposed project area.

Details regarding the observations documented during the habitat assessment and the effect determinations recommended for the federal protected species identified above, are located in the Threatened and Endangered Species Assessment, provided in Appendix B.

3.3.6 Historic and Cultural Resources

The Ellicott Trail project will enhance the local historic and cultural environment by providing access to multiple cultural, architectural and historic resources along the route including:

- Batavia Cemetery, a National Historic Landmark;
- Harvester Center, a historic industrial landscape;

- Downtown Batavia, including multiple historic buildings;
- The Genesee Courthouse National Historic District, and
- Tonawanda Creek

Coordination with SHPO regarding assessment of obligations for compliance under Section 106 of the National Historic Preservation Act was completed. A memorandum from the Regional DOT office stating that the project will no potential effects on historic properties is included in Appendix B.

3.3.7 Parks and Recreational Resources

The project will link local parks and recreational resources such as Williams Park, Austin Park, Centennial Park, Dewitt Park and Terry Hills Golf Course. Physically connecting these recreational resources via construction of the Ellicott Trail will allow greater mobility and access, and hopefully increase usership within the local community.

3.3.8 Air Quality

This project has been evaluated in accordance with the NYSDOT's The Environmental Manual (TEM). Chapter 1 Air Quality was reviewed to determine whether or not an air quality analysis is required. Due to the proposed scope of the project, an air quality analysis is not necessary. This project will not result in an increase in vehicular traffic or idle times. The project will enhance an existing corridor to allow for non-motorized, recreational travel. Genesee County meets the transportation/air quality conformity requirements for transportation plans, programs, and projects under Title 40 CFR Parts 51 and 93. Based on these factors, a detailed air quality analysis is not required.

3.3.9 Noise

This project has been evaluated to see if it meets the criteria for classification as a Type I project under Section 772.5(h) of the Procedures for Abatement of Highway Traffic Noise and Construction Noise (23 CFR 72). The project is not a Type I project under FHWA's guidance regarding noise analysis and abatement and is therefore exempt from noise study requirements. The project does not meet the Type I criteria because there will be no significant changes to the vertical/horizontal alignment of any roadways, or an increase in the number of through-fare traffic lanes along any roadway.

A temporary increase in noise levels may result during the construction of this project. These noise levels will be limited to the construction phase of the project and will be minimized to the extent possible. Best management practices for noise will be employed during the construction of this project. The Contractor will be required to observe all applicable local, state, and federal noise ordinances. No long-term noise impacts are anticipated to result from this project.

3.3.10 Asbestos

B&L conducted an asbestos survey on May 11th and 12th 2015, along the proposed project corridor. Five (5) suspect Asbestos Containing Materials (ACMs) were collected within the project corridor and from an existing bridge structure that crosses an active CSX Railroad in the Eastern Trail Segment. Two caulk materials were sampled from sidewalk joints along sidewalks in the Western Trail Segment and the Central Trail Segment. Two paint materials and a mastic material were sampled from the bridge structure in the Eastern Trail Segment. Laboratory analysis of these five (5) suspect ACMs resulted in negative findings for asbestos; these five (5) materials are not ACMs. The Asbestos Survey Report is available under a separate cover upon request.

3.3.11 Contaminated and Hazardous Materials

B&L has completed a Phase I Environmental Site Assessment (ESA) report in conformance with the general scope and limitations of ASTM Practice E 1527-05 and Chapter 5 of the NYSDOT's TEM for the

project location. This assessment was completed to recognize hazardous waste/contaminated material concerns associated with the proposed project. A hazardous waste and contaminated materials site screening of the project corridor was conducted on May 11th and 12th of 2015. The Phase I ESA included a review of state and federal regulatory databases, historic aerial photographs, historic topographic and Sanborn Insurance mapping, and also a project corridor "walkover" to determine the potential for impacts within and immediately adjacent to the proposed project area.

The trail corridor will include on- and off-road segments; approximately 2/3 of the trail is off-road (utilizing an abandoned railroad corridor) and 1/3 runs along local roadways. A Phase 1 ESA is currently being completed for the project. The Phase 1 ESA will be finalized and made available for review upon request. If during this assessment, evidence of recognized environmental conditions (RECs), historic recognized environmental conditions (HRECs), or controlled recognized environmental conditions (CRECs) are revealed, documentation will be included in the project plans for the proper removal and disposal of identified contaminated or hazardous materials.

A visual inspection of the bridge structure spanning the CSX Railroad in the Eastern Trail Segment was conducted to locate and collect materials requiring laboratory submission for lead analysis. Two (2) paint samples were submitted to Life Science Laboratories, Inc. (LSL) in East Syracuse, New York for lead analysis. A sample of silver paint was collected from the underside of the bridge structure, along the girders. This sample was reported to contain lead levels of 31%, which is above Occupational Safety and Health Administration (OSHA) standards of one percent (1%). A green paint sample was collected from the bridge's superstructure. This sample was reported as being lead-based, with a total lead value of 37%. Conditions regarding the removal and disposal of surface paint or painted bridge members will be included in the plan, specification and engineering (PS&E) documents. Such actions must be done in accordance with state and federal regulations pertaining to lead-containing components. Results of the lead analysis are included in the Phase 1 ESA, available upon request under separate cover.

3.3.12 Cumulative Effects

The cumulative effects are a summation of the impacts that can result from individually minor, but collectively significant, actions taken or that are likely to take place over a period of time. The proposed project is not anticipated to have any significant negative cumulative impacts on the surrounding area or on the environment. The cumulative effects of this project are anticipated to be beneficial to the surrounding community and user groups.