

Appendix L: Tab 3



February 28, 2023

Mr. Jeff Davis
Barclay Damon LLP
Barclay Damon Tower
125 East Jefferson Street
Syracuse, New York 13202

Via Email

**Re: 2nd Review of Full EAF Part 1 and Exhibits for District East
OCIDA Environmental and Engineering Services Support
JMT Job #22-02972-001**

Dear Mr. Davis,

As requested by Barclay Damon LLP, JMT of New York, Inc. (JMT) has reviewed the full Environmental Assessment Form (EAF) Part 1 and the accompanying twelve exhibits received for District East, a proposed development project in the Town of DeWitt. The materials were prepared to comply with the requirements of the State Environmental Quality Review Act (SEQR) and were received by JMT on January 16, 2023, January 23, 2023, and January 24, 2023. The following has not been received and therefore is not part of this review: *L. NYSDOT Consultation*.

Upon review of the materials received, JMT provides the following comments:

EAF Narrative, dated January 2023

Applicant states section B.13 will be updated once TIS is updated per NYSDOT comments. The section should be consistent with the traffic section in EAF D.2.j.

Recommend revising section *A. Introduction and Project Description* to include: a) total acreage of project b) total acreage currently controlled by the applicant c) total acreage to be obtained by eminent domain for clarity purposes d) change in acreage as a result of the project for clarity purposes. Alternatively, a table may be used to convey this information.

Full Environmental Assessment Form Part 1, dated January 24, 2023

A. Project and Applicant/Sponsor Information.

Brief Description of Proposed Action. Recommend revising the project description to include the proposed size of the project. This section should focus specifically on the proposed action, while the EAF Narrative can provide the additional background information. Currently, only the existing square footage of the former shopping center is provided in this section and the primary focus is on the requested eminent domain action. Details should be included exclusively in the EAF Narrative, while a brief project description for the proposed actions should be provided in the EAF.

With regard to the Eminent Domain write up in the EAF Narrative and reference in the EAF, we recommend the language be modified as follows:

As part of its application to OCIDA, in addition to a Payment in Lieu of Tax Agreement, sales tax exemption, and mortgage tax exemptions, the Applicant is requesting that OCIDA exercise its authority to acquire certain lands and real property

rights by purchase or through the exercise of its power of eminent domain pursuant to and consistent with the New York Eminent Domain Procedure Law ("NYEDPL") for the purposes of acquiring all needed rights for a unified and comprehensive redevelopment of the overall 68± acre site ("Site"). The Applicant signed a contract to purchase a large portion of the Site with Onondaga County for purposes of moving forward with the Applicant's proposed redevelopment project. The contract is contingent on the Applicant acquiring, or the County and/or OCIDA acquiring and conveying title to the former Sears sites (tax map lots 063.-01-2.4 and 063.-01-2.5) totaling 2.54 acres and Macy's site (tax lots 063.-01-02.3) totaling 1.67 acres, as well as the rights under a certain Amended and Restated Construction, Operation and Reciprocal Easement Agreement dated September 13, 1995 ("REA"), which encumbers a meaningful partition of the Site. The REA limits the ability to redevelop the Site or otherwise use it for anything other than an enclosed mall. The acquisition of the Sears and Macy's sites and property rights is necessary to allow for a unified and comprehensive plan for redevelopment of the Site for the public purpose of addressing ongoing blight and economic underutilization of the lands at issue and creating a vibrant, walkable, mixed-use town center development. To date, the Applicant, after considerable effort and numerous offers, has been unable to reach an agreement to acquire the former Sears and Macy's parcels and as such is requesting OCIDA exercise its authority to acquire the subject lands and real property rights through the exercise of its power of eminent domain pursuant to and consistent with the NYEDPL.

D. Project Details.

D.1.b. This section should reference section A. *Introduction and Project Description* of the EAF Narrative for clarification purposes.

D.2.j.vii. Does this response reflect public transportation or electric/other alternative vehicles? Please clarify.

E. Site and Setting of Proposed Action

E.2.c. EAF Narrative is referenced, but there is no discussion of onsite soils in the EAF Narrative. Please address, accordingly.

Exhibits

Exhibit I – Visibility Assessment

This exhibit was reviewed to ensure visual and aesthetic impacts were properly evaluated to determine the potential significance of the proposed project pursuant to SEQR. As a general note, there are capitalization errors (i.e., Vsa, Dsm, etc.) in the names under the List of Tables and List of Figures within the Table of Contents on page ii. The following are the comments specific to the Visibility Assessment:

1. A figure for DSM Viewshed Result for 5-mile radius should be included to support the statement in section 2.1 *Visual Study Area*, "The results of the viewshed analysis support the use of a 1-mile VSA due to limited available views beyond 1-mile."
2. Recommend labeling the resources shown in Figure 4. *Visually Sensitive Resources within the VSA* to correlate with those resources listed in the table included as Attachment A, *Visually Sensitive Resources*.
3. Section 6.0 Conclusion should list the one resource identified as having views of the proposed project, but not the existing mall, along with a brief discussion of potential mitigation measures. Per NYSDEC Program Policy DEP-00-2, this includes: screening, relocation, camouflage/disguise, low profile, downsizing, alternate technologies, maintenance, non-specular materials, and lighting.

Exhibit K – Traffic Impact Assessment

JMT understands this will be addressed at a later date, when more information becomes available.

The following comments are with regard to the GTS Consulting response letter, dated November 21, 2022 and updated TIS, dated January 2023. This was prepared in response to the initial first review comments, dated November 9, 2022 and TIS, dated May 2022. GTS provided an additional response letter, dated January 27, 2023 regarding I-81 project/I-481 interchange, however, as disclosed above, the document is not part of this review. Overall, several of JMT's previous comments have not been addressed, with the intent for NYSDOT to complete their review first.

The first comment about providing adequate details to support an environmental impact determination was not acknowledged. Expanding upon this, please specify the purpose of the TIS in the report introduction and what effort is it intended to be a part of.

An additional comment from those previously provided is to label applicable roadways with both state and local names. For example, Erie Blvd is NY RT 5 (Erie Blvd). This should be applied to report text and figures as needed.

Below are comments previously mentioned and are numbered to reference the appropriate origin.

1. Please provide those referenced requirements from NYSDOT when they become available. Additionally, the TIS added the intersection Genesee St / Jamesville Road. Why was this added to the study area?
2. Please provide the scoping process document with NYDOT when they become available. The concern is by not considering this based upon the previous reasons, the validity of the study would be open to further scrutiny from others.
3. The comment is no longer relevant due to the TIS, dated January 2023 was updated to Synchro 11.
4. The original comment already acknowledged heavy vehicles counts were collected. The comment was not addressed for heavy vehicles to be described further in the report writeup section. To further clarify, information related to what the site generated heavy vehicles will be, what routes and entrances and exits would they take? This additional traffic impact appears to not have been assessed.
5. The comment was not addressed for existing public transportation routes and bus stops to be described further in the report. The study briefly mentions the existence of transit users in the area and combining transit with multi-use trips using a 15% credit calculation, which the previous TIS version used 10%. The comment is asking to expand upon this topic to address the impacts on traffic and energy of reduced air pollutant emissions and energy uses. Please provide further explanation or source material for using the 15% statistic.
6. These comments are no longer relevant due to the change in proposed land use.
7. These comments are no longer relevant due to the change in proposed land use.
8. This comment has been complied with and the pass-by trip calculation only includes Retail & Supermarket now. However, the trip generation notes a 20% decrease in movie theater trips is assumed. This reduction could be higher, as <https://www.statista.com/statistics/187073/tickets-sold-at-the-north-american-box-office-since-1980/> shows that 2021 movie ticket sales were over 60% lower than 2019. Using 40% reduction is recommended.

9. This is an expanded comment from Comment 5 above. The response providing more information on pedestrian features and bus stops should be incorporated into the TIS report.
10. This comment is no longer relevant and has been addressed.
11. The response repeats what the comment already acknowledges. Additionally, recommend describing what is the acceptable LOS for rural or urban is and defining the roadway classification for the roadway network. The TIS 3.7 describes the 2017 background no-build as maintaining LOS/Delay from 2022, however for AM Genesee/Jamesville intersection, NB Left of LOS E is the only movement to improve its delay performance. Can this be confirmed? The TIS 3.8 describe two intersections not performed using Synchro 11, what program were they analyzed with? The TIS 3.9 states that all intersections with mitigation will meet acceptable LOS, but the LOS summary table shows Genesee/Jamesville as LOS E for AM.
12. The capacity analysis was not performed per HDM by reporting results using SimTraffic. The response of using Synchro is still not clear to satisfy the comment. Were the results using Synchro's own calculation method, HCM 6th Edition or another version? Since the queue results are not using Simtraffic, they do not meet HDM requirements as stated on the TIS cover page statement.
13. Analysis results for reporting travel speeds under proposed conditions was responded to be provided later with NYSDOT comments.
14. The response mentions only one intersection has modifications with no others recommended. However, TIS Section 3.9 lists several other intersections that require mitigation beyond just timing adjustments. Please clarify the non-signal timing adjustment mitigations required.
15. The response that Erie Blvd / E Genesee St is still a LOS E for PM peak, and no further mitigation would be needed will be addressed after NYSDOT completes their review.
16. The response states the minor adjustments in volumes were due to balancing. Please describe in detail this balancing approach, was it from driveways, data collection times, or other reasons. Recommend adding this section into the TIS report.
17. The response to crash reduction measures and mitigation was for it to be completed later with NYSDOT comments and GTS recommended no reduction measures since no patterns were identified. Expanding further, Section 4.0 states the severity of accidents should be considered, but they are never mentioned when describing the total crashes in the area. Mitigation recommendations to address any serious injury or fatal types should be considered. Each intersection is summarized in the report and for example Erie Blvd/Genesee St states the predominate accident type, but this do not appear to be considered with mitigation.

Exhibit N – Noise Analysis

JMT has completed a review of the initial response to comments (provided in an email from Issac Old to Cosimo Pagano, dated December 2, 2022) and draft revised Construction Noise Analysis for District East Redevelopment memorandum prepared by Isaac Old, dated January 12, 2023. In general, RSG has addressed JMT comments, but additional analysis, detail or clarification are recommended as described below. Additionally, in some cases RSG email responses were included verbatim in the revised memo without context, resulting in confusing language. The following address RSG's email response and memo updates, and are numbered consistently with JMT's previous comments.

1. When completing the revised noise impact analysis, it is recommended that additional discussion be provided of the existing receptors (e.g., residential, commercial, cemetery, etc.), their geographic distribution in relation to the proposed project, and their relative "sensitivity" to noise impacts.
2. While it is understood that defining precise locations of point and line sources may not be practical at this stage, it is common to collocate sources near potentially sensitive receptors in a hypothetical scenario that is representative of a "worst case scenario". Please provide a discussion of how use of a generalized area source adequately assesses "worst case scenarios" in respect to identified potentially sensitive receptors.
3. It is understood that providing model inputs may be a tedious endeavor, but providing such information is necessary to fully understand how the noise impact analysis was developed and its adequacy at assessing potential noise impacts to nearby receptors. Please note that the language used to update the memo lacks the context of JMT's original comment and is therefore confusing.
4. Previous JMT comment (Comment 4) has been addressed.
5. Previous JMT comment (Comment 5) has been addressed.
6. Additional clarification and discussion of the selected use factors and the adequacy of using a use factor to assess the worst-case scenarios is required. Specifically, the Road Noise Construction Manual describes a use factor as a description of how often (as a percentage of a workday) that a select piece of equipment may be operating at full power, not necessarily how many minutes per day. As an example, an HVAC fan or generator may be provided a 100% use factor, whereas a single short-duration demolition blast 1%. The response describes the use factor as the number of minutes used per day. Please clarify why the use factor is necessary in assessing worst case impacts and further expound upon how a use factor is incorporated into the model.

Additionally, please provide more information on the adequacy of selected use factors. For example, during the demolition phase, the provided table indicates that each piece of equipment will only be used 4.8 hours per construction day. Per Town of Dewitt code, construction activities may occur from 7:00AM to 7:30PM. Please explain how the 4.8 hour factor was arrived at.

7. Previous JMT comment (Comment 7) has been addressed.
8. As noise is cumulative, it is important to incorporate existing ambient noise conditions at potentially sensitive noise receptors to assess the degree to which noise levels can be expected to increase over the existing ambient environment. It is recommended that, in addition to the contour mapping, specific potentially sensitive receptors be identified and a table provided that describes existing ambient and the potential increase over ambient during each phase of construction. For example, according to figure 13, in 2033 there is a potential for noise levels to reach 70 dBA at the cemetery. According to data collected at ambient monitoring Location B, this presents a potential increase over ambient of 17 dBA. According to NYSDEC's Noise Policy, such an increase over ambient is "objectional". In addition to providing a table that provides existing ambient and the potential increase over ambient for each phase for sensitive receptors, it should be demonstrated that there are *specific* mitigative measures available to address potential impacts identified in the assessment. It is understood that specific measures may need to be flexible as the facts of the project evolve, but it is necessary to demonstrate the efficacy of available mitigative measures.
9. As noted in the comment above, per NYSDEC's Noise Policy, "*When an assessment of the potential for adverse noise impacts indicates the need for noise mitigation, it is preferred that specifications for such measures be incorporated in a noise analysis and in the applicant's work or operational plan necessary for a complete application.*" It is understood that specific measures may need to be flexible as the facts of the project evolve, but it is necessary to demonstrate the efficacy of available mitigative measures. While project phasing may not yet be finalized, an assessment of the

adequacy of potentially necessary mitigation measures cannot be completed based on the information provided. The Construction Noise Assessment states that *"If mitigation is necessary to reduce the impact on these northerly properties, construction site fencing with noise barrier material attached to the fencing could be used along the northern edge of the property to reduce the sound propagating northward during the phases that involve construction along the northern edge of the Project site."* It remains unclear whether potential impacts to offsite receptors can be mitigated by the proposed measures. In order for a determination to be made on potential noise impacts, it is recommended that the Construction Noise Assessment be updated to specify, at a minimum, whether and where mitigation is required, what mitigation measures are proposed and the potential level of effectiveness of those measures, and what performance standards or construction configurations will determine when and where to implement the proposed mitigation measures.

10. Operation-phase noise analysis is typically completed during environmental impact review for proposed projects. Please provide a discussion of why an assessment of noise impacts during the "operation" phase of the project is not warranted. Alternatively, please provide a scenario that assesses potential noise impacts during the operation phase. In order for the noise impact analysis to be considered complete in accordance with NYSDEC's Noise Policy and SEQRA, all project phases (including operation) must be considered. It is recommended that either a representative scenario for the operational phase is presented or alternatively a discussion of how noise impacts will be assessed as understanding and location of mechanical equipment will be incorporated into the future design and approval process.

Additional comments may be expected if other materials (including those which have been revised) are submitted in the future. If you have any questions regarding the information above, please feel free to contact Alexandra Carroll at (518) 218-5925.

Sincerely,

JMT of New York, Inc.



Alexandra Carroll, GISP
Associate



Robert C. LaFleur, PG
Vice President

Cc.: D. Long, JMT



Department of Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

DAVID P. SMITH, P.E.
Regional Director

June 1, 2023

Mr. John O'Brien
Hueber-Breuer Construction Co., Inc.
P.O. Box 515
Syracuse, NY 13205

Dear Mr. O'Brien:

RE: DISTRICT EAST DEVELOPMENT
JANUARY 2023 TRAFFIC IMPACT STUDY
TOWN OF DEWITT, ONONDAGA COUNTY

The New York State Department of Transportation (NYSDOT) has completed its review of the January 2023 Traffic Impact Study (TIS) prepared by GTS Consulting for the subject project. The below comments and requirements are intended to address relevant areas of concern within the Department's jurisdiction to mitigate the proposed development's impacts. If mitigated as outlined below, the proposed development would not have a significant negative impact to the State's highway network.

Route 5 (Erie Blvd) @ Kinne Road

Proposed mitigation:

- Extend the existing northbound left turn lane from 185 feet to 300 feet of storage.
 - **Agree**
- Reduce the signal cycle length to 100 seconds during all three peak hours.
 - **Disagree:** A significant reduction in signal timing in addition to a large increase in trips is not advisable.

Additional mitigation:

- Change signal phasing to run northbound and southbound concurrent lefts. Turning templates must be checked to verify movements. Intersection modification, i.e., pavement marking changes and lane realignment, may be required.
- Install "elephant tracks" for northbound and southbound left turns.

Route 5 (Erie Blvd) @ Grenfell Road / North Access

Proposed mitigation:

- Modify the site access to provide a westbound left/through lane and a 150-foot westbound right turn lane.
 - **Agree.**
- Modify the existing traffic signal to accommodate the proposed revised access.
 - **Agree with comments:** Proposed modification to the site access will require changes to the signal, requiring a structural analysis per current T3SAP standards. If it is determined the existing signal cannot accommodate the additional signal heads, the signal must be replaced.

- Implement timing adjustments.
 - **Agree with comments:** NYSDOT will optimize the signal timing based on field conditions at the time of completion.

Additional mitigation:

- Reallocate existing southbound through lane to create a dual left into the site. Install appropriate signage and pavement markings as needed. Turning templates must be checked to verify movements for access design and possible intersection modification.

Route 5 (Erie Blvd) @ South Access

Proposed mitigation:

- None

Additional mitigation:

- This was built in 1970 and has exceeded its life expectancy. Therefore, the signal must be fully replaced, and a new permit signal agreement put into place. Some of the recently installed pedestrian signals and video detection equipment can likely be saved and reused.

Route 5 (Erie Blvd) @ Route 92

Proposed mitigation:

- Construct a 2nd eastbound left turn lane on Genesee Street with 175 feet of storage.
 - **Agree with comments:**
 - Considering the roadway geometry, the construction feasibility is questionable. Preliminary design plans must be submitted for review to determine if the mitigation is practical. If it is determined the eastbound dual left is unfeasible as a mitigation alternative, preliminary study shows that a roundabout is a viable option at this intersection.
 - Proposed mitigation requires modification to the signal, requiring a structural analysis per current T3SAP standards, to determine if the existing signal can accommodate the additional signal heads. If it can't, the signal must be replaced.
- Modify Erie Blvd northbound to include two lanes receiving the dual eastbound left turn movement. Restripe to align the westbound right turn slip ramp to the outside travel lane.
 - **Agree with comments:** All traffic not destined to the development would need to change lanes to continue northbound, creating some concern for merging and side swipes. The design should take notice of providing adequate distance to change lanes and include appropriate signage.
- Implement timing adjustments.
 - **Agree with comments:** NYSDOT will optimize the signal timing based on field conditions and the time of completion.

John O'Brien
June 1, 2023
Page 3

Additional mitigation:

- Preliminary study shows that a multilane roundabout is a more viable option at this intersection than constructing a 2nd eastbound left turn lane and is NYSDOT's preferred mitigation alternative. Additional analysis is underway and may stem supplemental requirements, such as a queue cutter for the adjacent signal. A preliminary sketch is attached.
- A Rectangular Rapid Flashing Beacon must be installed to increase pedestrian safety at the channelized westbound right turn crossing.

Route 92 (E. Genesee St) @ Jamesville Rd

Proposed Mitigation

- Implement timing adjustments.
 - **Agree with comments:** NYSDOT will optimize the signal timing based on field conditions and the time of completion.

Route 5

- Sidewalk along the east side of Route 5 from E. Genesee St to Kinne Rd is required.

Kinne Road

- NYSDOT will defer to the Town of DeWitt for review, mitigation requirements, and approval of access and impacts to Kinne Road. It should be noted that there are areas of concern within the TIS including access management, trip distribution, and level-of-service. If determined necessary, mitigation at Kinne Rd @ Butternut Dr should be coordinated with NYSDOT due to the Empire State Trail and State ownership of the adjacent bridges and I-481 ROW.

Any work within the state Right-of-Way (ROW) will require coordination with the NYSDOT to obtain a highway work permit. Please continue to coordinate with the regional Highway Work Permit Group. Any questions regarding the permit process or TIS review can be directed to Jeffrey Deep, Acting Regional Permit Engineer, at Jeffrey.Deep@dot.ny.gov or (315) 428-3233.

Very truly yours,



Scott R. Bates, P.E., PTOE
Regional Traffic Engineer

Attachment

cc: Robert Petrovich, Onondaga County Industrial Development Agency
Terry Brown, Town of DeWitt Planning





Consulting

1396 White Bridge Road
Chittenango, NY 13037
Tel: (315) 391-5110

June 8, 2023

Hueber Breuer
PO Box 515
Syracuse, NY 13205-0515

Attn: Mr. John O'Brien – Senior Project Manager

**Re: Response to JMT 1-31-2023 2nd Review Traffic Study Comments – District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

Dear Mr. O'Brien:

I have reviewed the 2nd Review January 31st, 2023 comments from JMT regarding EAF Part 1 for the proposed District East development, specifically the comments related to the traffic impact study completed by GTS Consulting. It is noted that NYSDOT has completed their review of the January 2023 Traffic Impact Study and have concluded that the project will not have any significant impacts on traffic operations on the state's highway network with the recommended mitigation outlined in NYSDOT's June 1, 2023 comment letter. In order to maintain continuity with NYSDOT's review, we would prefer to not modify the January 2023 traffic study as it stands and to provide any additional information as needed through supplemental submissions.

The following provides a summary of the comments from JMT's January 31st letter (in italics) followed by my response to each.

The first comment about providing adequate details to support an environmental determination was not acknowledged. Expanding upon this, please specify the purpose of the TIS in the report introduction and what effort it is intended to be part of.

The traffic impact study was completed to identify potential impacts on traffic operations in the area as a result of the proposed development and to identify proposed mitigation to address those impacts. As noted in NYSDOT's June 1st review comment, NYSDOT has determined that the project will have no significant impact on the State's routes in the area based on recommended mitigation outlined in the NYSDOT letter.

An additional comment from those previously provided is to label the applicable roadways with both state and local names. For example, Erie Blvd is NY RT 5 (Erie Blvd). This should be applied to the report text and figures as needed.

It is noted that the TIS is not a formal design document and NYSDOT has accepted it using street names consistent with how the local population references those roadways. Inserting state and county route numbers throughout the text and figures will only serve to "clutter" the document.

2nd Comments on 11/29/22 Response Letter to First Review Comments

- 1. Please provide those referenced requirements from NYSDOT when they become available. Additionally, the TIS added the intersection of Genesee St / Jamesville Road. Why was this added to the study area.*



Mr. O'Brien
June 8, 2023
Page 2 of 6

**Re: Response to JMT 1-31-2023 2nd Review Traffic Study Comments – District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

The original scoping document provided to NYSDOT as well as emails regarding the scoping have been attached.

GTS Consulting and the project team decided to add the intersection of Genesee Street with Jamesville Road when taking a closer look at the Erie Boulevard / Genesee Street intersection given proximity and signal coordination.

2. *Please provide the scoping process document with NYSDOT when they become available. The concern is by not considering this based on the previous reasons, the validity of the study would be open to further scrutiny from others.*

The original scoping document provided to NYSDOT as well as emails regarding the scoping have been attached.

3. *The comment is no longer relevant due to the TIS, dated January 2023 was updated to Synchro11.*

No additional response necessary

4. *The original comment already acknowledged heavy vehicles counts were collected. The comment was not addressed for heavy vehicles to be described further in the report write up section. To further clarify, information related to what the site generated heavy vehicles will be, what route and entrances/exits would they take? This additional traffic impact appears to not have been addressed.*

Given the highly commercial nature of the area along Erie Boulevard and East Genesee Street, as well as existing access to the interstate highway system, the proposed development is not anticipated to have any significant impact on the existing traffic mix in the area with regards to percentage passenger cars verses percentage heavy vehicles. Specific routing on the site for truck traffic has not been identified as the site plan still needs to be finalized. Trucks would be expected to use the primary routes of Genesee Street and Erie Boulevard to access the site via the signalized intersections on Erie Boulevard.

5. *The comment was not addressed for existing public transportation routes and bus stops to be described further in the report. The study briefly mentions the existence of transit users in the area and combining transit with multi-use trips using a 15% credit calculation, which the previous TIS version used 10%. The comment is asking to expand upon this topic to address the impacts on traffic and energy of reduced air pollutant emissions and energy uses. Please provide further explanation or source material for using the 15% statistic.*

The transit/multi-use credit was increased as an engineering assumption given the increase in number of residential units from the previous to current versions the traffic impact study. NYSDOT reviewed the revised trips generation estimates and concurred with increasing the credit to 15%.

Existing bus routes along study area roadways will not be impacted by the proposed development. Additional stops within the development will be developed in coordination with public transportation agencies. Other alternative fuel issues such as charging stations, etc, will be addressed during site plan approvals.

**Re: Response to JMT 1-31-2023 2nd Review Traffic Study Comments – District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

The commercial-residential mixed use development is not going to significantly impact air pollutant emissions within an already heavily developed commercial-residential area.

6. *These comments are no longer relevant due to change in the proposed land use.*

No additional response necessary

7. *These comments are no longer relevant due to change in the proposed land use.*

No additional response necessary

8. *This comment has been complied with and the pass-by calculation only includes Retail & Supermarket now. However, the trip generation notes a 20% decrease in movie theater trips is assumed. This reduction could be higher, as <https://www.statista.com/statistics/187073/tickets-sold-at-north-american-box-office-since-1980/> shows that 2021 movie ticket sales were over 60% lower than 2019. Using 40% reduction is recommended.*

The 20% pass-by calculation provides a conservatively high estimate of new trips traveling to/from the area. Since approved mitigation is based on the more conservative numbers, no changes need to be made.

9. *This is an expanded comment from Comment 5 above. The response providing more information on pedestrian features and bus stops should be incorporated into this report.*

NYSDOT will require sidewalks along the property frontage on Erie Boulevard. On-site amenities will be determined in detail during the site plan phase of the project.

10. *This comment is no longer relevant and has been addressed.*

No additional response necessary

11. *The response repeats what the comment already acknowledges. Additionally, recommend describing what is the acceptable LOS for rural or urban is and defining the roadway classification for the roadway network. The TIS 3.7 describes the 2017 background no-build as maintaining LOS/Delay from 2022, however for AM Genesee/Jamesville intersection, NB Left of LOS E is the only movement to improve its delay performance. Can this be confirmed? The TIS 3.8 describe two intersections not performed using Synchro 11, what program were they analyzed with? The TIS 3.9 states that all intersections with mitigation will meet acceptable LOS, but the LOS summary table shows Genesee/Jamesville as LOS E for AM.*

We disagree that the summary tables are not organized and believe they do provide an easy side by comparison of results for each time period from existing through build conditions.

Acceptable Levels of Service are determined by the reviewing agency. As noted in the TIS, in this area, LOS D or better is “generally” considered acceptable for a signalized intersection and LOS E or better is “generally” considered acceptable for an unsignalized intersection.

**Re: Response to JMT 1-31-2023 2nd Review Traffic Study Comments – District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

The comment that LOS/Delay is “generally maintained” from the existing condition in the background condition is just noting that there are no significant increases in the delay from the existing condition. The NB Left on Jamesville @ Genesee is an LOS E in the AM existing and AM background.

The statement in Section 3.8 was misinterpreted. All capacity analyses were completed using Synchro 11. The analysis assumed no improvements other than the two intersection modifications.

The LOS E at Jamesville/Genesee under the build with mitigation scenario is consistent with existing operations.

12. *The capacity analysis was not performed per HDM by reporting results using SimTraffic. The response of using Synchro is still not clear to satisfy the comment. Were the results using Synchro's own calculation method, HCM 6th Edition or another version? Since the queue results are not using Simtraffic, they do not meet HDM requirements as stated on the TIS cover page statement.*

NYSDOT was asked about using Simtraffic for the queue results and they stated to use Synchro results. HCM 6th Edition was used for the unsignalized printouts.

13. *Analysis results for reporting travel speeds under proposed conditions was responded to be provided later with NYSDOT comments.*

The following table summarizes average arterial speeds by direction on the three primary roadways in the study under the four analysis scenarios:

		Erie Boulevard		Genesee Street		Kinne Road	
		NB	SB	EB	WB	EB	WB
Morning Peak	Existing	24 mph	19 mph	21 mph	29 mph	16 mph	19 mph
	Background	24 mph	19 mph	21 mph	28 mph	16 mph	19 mph
	Build	21 mph	17 mph	17 mph	24 mph	16v mph	17 mph
	w/Mitigation	22 mph	17 mph	20 mph	26 mph	19 mph	21 mph
Evening Peak	Existing	21 mph	19 mph	21 mph	24 mph	17 mph	17 mph
	Background	20 mph	19 mph	21 mph	24 mph	17 mph	17 mph
	Build	14 mph	14 mph	8 mph	23 mph	12 mph	13 mph
	w/Mitigation	18 mph	16 mph	9 mph	25 mph	19 mph	18 mph
		mph					
Saturday Peak	Existing	21 mph	19 mph	20 mph	30 mph	18 mph	19 mph
	Background	21 mph	19 mph	20 mph	29 mph	17 mph	18 mph
	Build	16 mph	13 mph	8 mph	27 mph	11 mph	11 mph
	w/Mitigation	17 mph	16 mph	18 mph	28 mph	19 mph	18 mph



Mr. O'Brien
June 8, 2023
Page 5 of 6

**Re: Response to JMT 1-31-2023 2nd Review Traffic Study Comments – District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

14. *The response mentions only one intersection has modifications with no others recommended. However, TIS Section 3.9 lists several other intersections that require mitigation beyond just timing adjustments. Please clarify the non-signal timing adjustment mitigations required.*

NYSDOT required mitigation is outlined in their June 1st comment letter. Additional mitigation includes monitoring the intersection on Kinne Road at Butternut to determine if signalization is warranted.

15. *The response that Erie Blvd / E Genesee St is still a LOS E for PM peak, and no further mitigation would be needed will be addressed after NYSDOT completes their review.*

NYSDOT required mitigation is outlined in their June 1st comment letter.

16. *The response states the minor adjustments in volumes were due to balancing. Please describe in detail this balancing approach, was it from driveways, data collection times, or other reasons. Recommend adding this section into the TIS report.*

Traffic volume counts at adjacent intersections never match up perfectly. The balancing adjustments are just minor adjustments to balance the traffic flow diagrams between intersections.

17. *The response to crash reduction measures and mitigation was for it to be completed later with NYSDOT comments and GTS recommended no reduction measures since no patterns were identified. Expanding further, Section 4.0 states the severity of accidents should be considered, but they are never mentioned when describing the total crashes in the area. Mitigation recommendations to address any serious injury or fatal types should be considered. Each intersection is summarized in the report and for example Erie Blvd/Genesee St states the predominate accident type, but this do not appear to be considered with mitigation.*

As noted in the traffic study, there were only 21 injury accidents in the data out of 126 total accidents. There were no fatality accidents recorded.

There are noted improvements at the two highest accident locations – Erie Boulevard at Kinne Road and Erie Boulevard @ Genesee Street. The next highest accident location (Genesee Street @ Jamesville Road) has an accident rate below the state wide average for similar facilities. The higher accident rate at the Kinne Road/Butternut Drive intersection has been noted, however are no noted options to address driver hesitation at an all way stop control intersection. Operations at this location will be improved if/when a traffic signal is warranted. The remaining locations have minor accident histories with 5 accidents or less.



Mr. O'Brien
June 8, 2023
Page 6 of 6

**Re: Response to JMT 1-31-2023 2nd Review Traffic Study Comments – District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

If you have any questions or need additional information, please call.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. T. Stansbury', is written over the printed name and title.

Gordon T. Stansbury, P.E., P.T.O.E.
GTS Consulting

Attachment – NYSDOT Scoping Document and Emails

Proposed Traffic Impact Assessment Scope of Work – Proposed District East Development Former Shoppingtown Mall – Town of DeWitt, NY

Project Understanding

The proposed development site is the former Shoppingtown Mall in the Town of DeWitt, NY. The site is currently vacant with the exception of the Chili's restaurant and Scotch 'N Sirloin restaurant along Erie Boulevard, and the Keybank on Kinne Road. The proposed District East development will be a mixed use development with commercial, office, residential and entertainment space. The following provides an overall breakdown of anticipated uses:

- General Retail – 207,500 SF
- Medical Office – 200,700 SF
- General Office – 41,600 SF
- Entertainment – 54,900 SF
- Movie Theater – 53,000 SF
- Apartments / Townhouses – 284 Units
- Condominiums – 138 Units

The existing access to the site includes a right in only/full exit driveway to Erie Boulevard, a full entrance/right out only driveway to Erie Boulevard opposite Grenfell Road, a right in only driveway from Kinne Road, a full access driveway to Kinne Road opposite Widewaters Parkway, a full access eastern driveway to Kinne Road, and a full access connection to Butternut Drive via Agway Drive. The proposed access to the development is as follows:

- Right in only / full exit driveway to Erie Boulevard - existing to remain
- Full Access to Erie Boulevard @ Grenfell Road – replacement of limited access driveway
- Right in/right out only driveway on Erie Boulevard – proposed 560 feet north of Grenfell Road
- Full access driveway to Kinne Road – replacement at existing right in only driveway
- Full access driveway to Kinne Road opposite Widewaters Parkway – existing to remain
- Full access driveway to Kinne Road opposite cemetery driveway – existing to remain
- Full access driveway to Kinne Road – proposed 250 feet east of cemetery driveway
- Full access driveway to Kinne Road – proposed 500 feet east of cemetery driveway
- Full access driveway to Kinne Road – proposed 900 feet east of cemetery driveway

A conceptual site plan has been attached for reference. It is requested that this plan be kept confidential at this time.

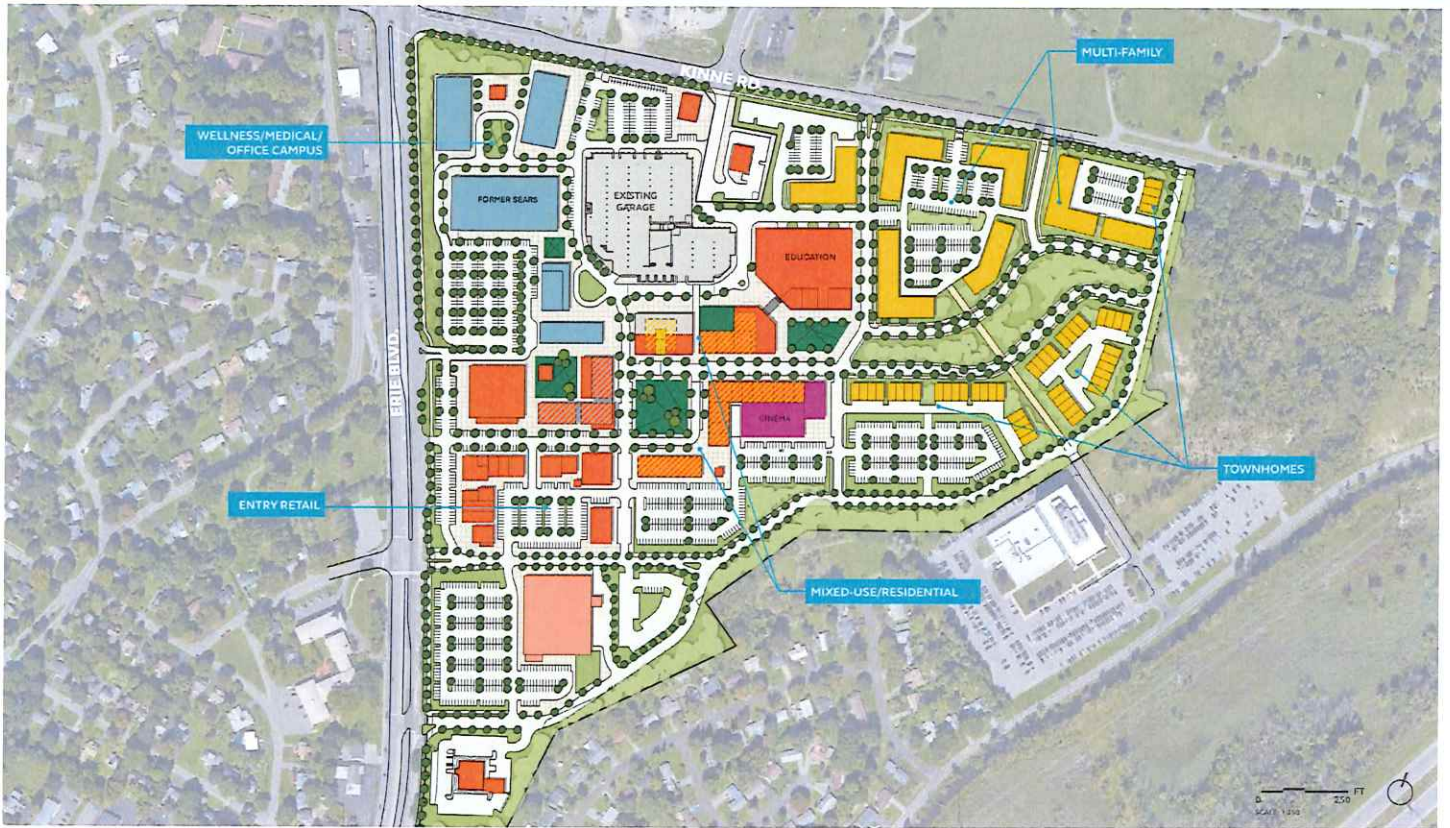
Proposed Scope of Services – Traffic Impact Study

1. Collect traffic turning movement counts at the following 7 study area intersections on a typical weekday morning between 7-9am, a typical Friday evening between 4-6pm and a typical Saturday midday between 11am-1pm to ensure that the actual peak hours of the adjacent streets are captured.
 - Erie Boulevard @ East Genesee Street
 - Erie Boulevard @ Southern Access
 - Erie Boulevard @ Grenfell Road / Northern Access
 - Erie Boulevard @ Kinne Road
 - Kinne Road @ Post Office Driveway / Right in Only Access
 - Kinne Road @ Widewaters Road / Site Access
 - Butternut Drive @ Agway Drive

**Proposed Traffic Impact Assessment Scope of Work – Proposed District East Development
Former Shoppingtown Mall – Town of DeWitt, NY**

Counts will include passenger cars, heavy vehicles by direction, pedestrians and will be completed when area schools are in session.

2. Collect 50 spot speed measurements on Erie Boulevard at the proposed new access location, and on Kinne Road to the east of the site to determine 85th percentile speeds under free flow conditions.
3. Review and verify available sight distances along Erie Boulevard and Kinne Road from the proposed unsignalized driveway locations.
4. Collect additional data needed to analyze traffic operations, including roadway geometry, speed limits and traffic control. Existing signal timing data will be obtained from NYSDOT to ensure that the signals are properly modeled.
5. Obtain the most current three years worth of accident data for the study area and complete an accident analysis. Accident data will be summarized in a tabular format, accident rates will be calculated and compared to statewide averages for similar facilities. Collision diagrams will not be prepared.
6. Review available AADT and speed data from the NYSDOT website for inclusion in the report.
7. Review historical traffic volumes and trends to identify adjustments to the existing traffic volumes to account for the current COVID pandemic.
8. Review recommended sight distances from AASHTO and compare with the actual distances that are available at the proposed driveways.
9. Complete a 2022 existing conditions capacity analysis of the study area intersections using Synchro10 in order to identify existing operations.
10. Grow the existing traffic volumes to the assumed 2027 design year, assuming a 5 year build out of the development.
11. Contact the Town of DeWitt and incorporate any approved development trips into the design year traffic volumes.
12. Contact NYSDOT and incorporate any planned roadway improvements and associated traffic pattern changes into the design year models.
13. Complete a 2027 background conditions capacity analysis.
14. Estimate the trips generated by the proposed development using the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition, or other data that may be available. Estimates will include new, multi-use and pass-by trips.
15. Develop an expected arrival/departure distribution of trips generated for the development based on existing travel patterns and access to the adjacent expressway system in the area.
16. Distribute the new and pass-by trips to study area intersections and site driveways, and add to the 2027 background traffic volumes for the resultant 2027 build traffic volumes expected when the development is complete.
17. Complete a capacity analysis of the build condition with no improvements to identify the potential impacts of the proposed development.
18. Complete an additional capacity analysis of the build condition traffic volumes with improvements, if any, needed to mitigate the impacts of the proposed development.
19. Summarize the above work using NYSDOT's TIS format.



SITE PLAN BY CRTKL



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DISTRICT EAST MASTER PLAN DEWITT, NEW YORK

Sheet Number:	S-1
Sheet Name:	SITE PLAN
Scale:	N.T.S.
Date:	JANUARY 17, 2022

Gordon Stansbury

From: Deep, Jeffrey (DOT) <Jeffrey.Deep@dot.ny.gov>
Sent: Friday, February 11, 2022 11:06 AM
To: GTSCONSULTING@TWCNY.RR.COM
Cc: 'John O'Brien'; Parmley, Elizabeth (DOT)
Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

Gordon,

Sounds good. Thanks for letting us know. We're looking into the SMTC modeling and will follow up with you soon. For the District East TIS we can move forward with the trip estimates and decide from there if we need more information before determining the limits, more of a stepped approach than usual.

Thank you,
Jeff

Jeffrey A. Deep
Assistant Permit Engineer
New York State Department of Transportation, Central New York Region
333 E. Washington Street, Syracuse, NY 13202
(315) 428-3233 | Jeffrey.Deep@dot.ny.gov
<https://www.dot.ny.gov/permits>



From: Gordon Stansbury <gtsconsulting@twcny.rr.com>
Sent: Wednesday, February 9, 2022 3:57 PM
To: Deep, Jeffrey (DOT) <Jeffrey.Deep@dot.ny.gov>
Cc: 'John O'Brien' <jobrien@hb1872.build>; Parmley, Elizabeth (DOT) <Elizabeth.Parmley@dot.ny.gov>
Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

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Jeff,

Thank you for your initial feedback. I will put together the trip generation estimate for the proposed development as well as an estimate for the mall as full occupancy and forward when complete.

Please note, I was talking with SMTC today (regarding the demand modeling you requested for the Lakeshore Village development). They have indicated that any modeling completed will have to be at the request of NYSDOT, since it is a private development project. The primary items they will need to complete demand modeling is number/type of residential units and number of jobs by broad use (retail, office, etc) for everything else. They will then be able to produce percentage traffic increases on area roadways which we will have to use to develop a distribution for our trip

generation estimate. I will work with John to get the jobs estimates and provide that with the trip generation estimate. We can coordinate on SMTC modeling after you have reviewed our information.

Thanks

Gordon

Gordon T. Stansbury P.E., PTOE

GTS Consulting

1396 White Bridge Road
Chittenango NY 13037
Phone: 315-391-5110

www.gtsconsulting-ny.com

From: Deep, Jeffrey (DOT) [<mailto:Jeffrey.Deep@dot.ny.gov>]

Sent: Wednesday, February 09, 2022 2:54 PM

To: GTSCONSULTING@TWCNY.RR.COM

Cc: 'John O'Brien' <jobrien@hb1872.build>; Parmley, Elizabeth (DOT) <Elizabeth.Parmley@dot.ny.gov>

Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

Gordon,

Thank you for reaching out early in the planning. Considering the size of the development, we'd like more information before determining the study area. SMTC demand modeling will need to be consulted and trip generation information provided for our review to better understand the magnitude of the development and possible impacts to the surrounding area.

Our preliminary comments on the TIS scope:

1. Study area:
 - a. Include E. Genesee @ Pickwick Rd.
 - b. Include Kinne Rd @ Butternut Dr and Towpath.
 - c. Additional intersection may be required.
2. PSAP Corridor improvements which are to be constructed this summer need to be incorporated into the future build models.
3. In addition to comparing to the existing conditions, the TIS should also compare as if the mall is fully occupied since there is mitigation already in place around the property.
4. The conceptual plan shows two new access points on Erie Blvd; only the one new right-in right-out is mentioned in the scope. In general, the Department is not in favor of additional access to Erie Blvd; it creates additional conflict points for both vehicles and pedestrians. The TIS should show why this access is beneficial to the State's road network/intersections.

Please let me know if you have any questions.

Thank you,

Jeff

Jeffrey A. Deep

Assistant Permit Engineer

New York State Department of Transportation, Central New York Region

333 E. Washington Street, Syracuse, NY 13202

(315) 428-3233 | Jeffrey.Deep@dot.ny.gov

Gordon Stansbury

From: Deep, Jeffrey (DOT) <Jeffrey.Deep@dot.ny.gov>
Sent: Monday, February 28, 2022 3:20 PM
To: GTSCONSULTING@TWCNY.RR.COM
Cc: 'John O'Brien'; Parmley, Elizabeth (DOT)
Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

Gordon,

Thank you for the information. We believed the ITE Trip Gen numbers for the existing mall size are very conservative compared to what the mall was or would be generating. Considering this and without having actual historic information to compare, we won't require a comparison or analysis of the mall as if it was fully operational.

We have no additional requirements for the TIS limits, summarized below:

- E. Genesee @ Pickwick Rd.
- Kinne Rd @ Butternut Dr and Towpath.
- Erie Boulevard @ East Genesee Street
- Erie Boulevard @ Southern Access
- Erie Boulevard @ Grenfell Road / Northern Access
- Erie Boulevard @ Kinne Road
- Kinne Road @ Post Office Driveway / Right in Only Access
- Kinne Road @ Widewaters Road / Site Access
- Butternut Drive @ Agway Drive

Please let me know if you have any questions.

Thank you,

Jeff

Jeffrey A. Deep

Acting Regional Permit Engineer

New York State Department of Transportation, Central New York Region

333 E. Washington Street, Syracuse, NY 13202

(315) 428-3233 | Jeffrey.Deep@dot.ny.gov

<https://www.dot.ny.gov/permits>



From: Gordon Stansbury <gtsconsulting@twcny.rr.com>

Sent: Friday, February 18, 2022 1:04 PM

To: Deep, Jeffrey (DOT) <Jeffrey.Deep@dot.ny.gov>

Cc: 'John O'Brien' <jobrien@hb1872.build>; Parmley, Elizabeth (DOT) <Elizabeth.Parmley@dot.ny.gov>

Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

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Jeff,

I have attached the trip generation estimate which shows both the proposed and previous estimates for the site. Overall, using a straight retail land use for the previous mall, I am estimating that at peak, the mall generated approximately 1000 trips during the morning peak, 4,046 trips during the evening peak and 5236 trips during the Saturday peak. The proposed redevelopment will be a significantly lower overall traffic generator with approximately 982 trips during the morning peak, 2060 trips during the evening peak and 2659 trips during the Saturday peak. I conservatively assumed a 10% multi-use/transit credit in the proposed estimate.

Please review and confirm if there are any additional study requirements in addition to your previous notes below.

Let me know if you need anything further to finalize the study scope.

Thanks

Gordon

Gordon T. Stansbury P.E., PTOE

GTS Consulting

1396 White Bridge Road
Chittenango NY 13037
Phone: 315-391-5110

www.gtsconsulting-ny.com

From: Deep, Jeffrey (DOT) [<mailto:Jeffrey.Deep@dot.ny.gov>]
Sent: Wednesday, February 09, 2022 2:54 PM
To: GTSCONSULTING@TWCNY.RR.COM
Cc: 'John O'Brien' <jobrien@hb1872.build>; Parmley, Elizabeth (DOT) <Elizabeth.Parmley@dot.ny.gov>
Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

Gordon,

Thank you for reaching out early in the planning. Considering the size of the development, we'd like more information before determining the study area. SMTC demand modeling will need to be consulted and trip generation information provided for our review to better understand the magnitude of the development and possible impacts to the surrounding area.

Our preliminary comments on the TIS scope:

1. Study area:
 - Include E. Genesee @ Pickwick Rd.
 - Include Kinne Rd @ Butternut Dr and Towpath.
 - Additional intersection may be required.
2. PSAP Corridor improvements which are to be constructed this summer need to be incorporated into the future build models.
3. In addition to comparing to the existing conditions, the TIS should also compare as if the mall is fully occupied since there is mitigation already in place around the property.

4. The conceptual plan shows two new access points on Erie Blvd; only the one new right-in right-out is mentioned in the scope. In general, the Department is not in favor of additional access to Erie Blvd; it creates additional conflict points for both vehicles and pedestrians. The TIS should show why this access is beneficial to the State's road network/intersections.

Please let me know if you have any questions.

Thank you,

Jeff

Jeffrey A. Deep

Assistant Permit Engineer

New York State Department of Transportation, Central New York Region

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<https://www.dot.ny.gov/permits>



From: Deep, Jeffrey (DOT)

Sent: Friday, February 4, 2022 1:03 PM

To: Gordon Stansbury <gtsconsulting@twcnny.rr.com>; Parmley, Elizabeth (DOT) <Elizabeth.Parmley@dot.ny.gov>

Cc: 'John O'Brien' <jobrien@hb1872.build>

Subject: RE: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

Good Afternoon Gordon,

Thanks, I hope you were too!

Thank you for the explanation and scope. We'll take a look and follow up with you soon.

Have a good weekend

Jeff

Jeffrey A. Deep

Assistant Permit Engineer

New York State Department of Transportation, Central New York Region

333 E. Washington Street, Syracuse, NY 13202

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<https://www.dot.ny.gov/permits>



From: Gordon Stansbury <gtsconsulting@twcnny.rr.com>

Sent: Friday, February 4, 2022 11:11 AM

To: Parmley, Elizabeth (DOT) <Elizabeth.Parmley@dot.ny.gov>; Deep, Jeffrey (DOT) <Jeffrey.Deep@dot.ny.gov>
Cc: 'John O'Brien' <jobrien@hb1872.build>
Subject: Traffic Impact Study Scoping - District East - Shopping town Mall Redevelopment

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good Morning Betsy and Jeff,

I hope you were both able to dig out this morning without too much hassle!

I am working with OHB REdev, LLC on the potential development of the Shoppingtown Mall site in DeWitt. The proposed redevelopment (District East) will be a mixed use including retail, medical office, office, entertainment and residential. The attached document provides a summary of the proposed uses, proposed access, and the proposed scope of the traffic study that I have prepared. There is also a conceptual layout plan for your consideration. We ask that you please keep the plan confidential at this time.

Can you please review and provide feedback on any additional items that you will require in the TIS. Most specifically, I am looking for feedback on the proposed study area intersections, I expect that I have the rest of the scope pretty well covered.

Let me know if you have any questions.

Thanks, have a good weekend.

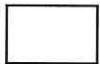
Gordon

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