

**NOTICE OF EMINENT DOMAIN PROCEDURE LAW (EDPL)  
DETERMINATION AND FINDINGS OF PUBLIC HEARING HELD JULY 26, 2016  
CITY OF SYRACUSE, PROJECT SPONSOR  
CREEKWALK PHASE II JEFFERSON STREET TO COLVIN STREET  
PROJECT IDENTIFICATION NO. 3755.14  
CITY OF SYRACUSE, ONONDAGA COUNTY, NEW YORK**

In accordance with the Eminent Domain Procedure Law (EDPL), the following is a synopsis of the determination and findings that have been made regarding the proposed **Creekwalk Phase II Project** to extend the Onondaga Creekwalk multipurpose trail within the City of Syracuse.

These determination and findings have been made in consideration of statements submitted by the public both during and after the public hearing held for this project. This project will proceed toward a letting scheduled for fall of 2018. Acquisition of the right-of-way required for the proposed project is scheduled to begin in March of 2017.

**Project Description**

The Creekwalk Phase II project involves constructing a continuous bicycle/pedestrian trail that will extend the existing Creekwalk (Phase I) within the Onondaga Creek Corridor. The proposed project is under the federal Transportation Improvement Program and funded 80% federal share/20% local share. A feasibility study for the project was completed in February 2008. The trail will be routed adjacent to Onondaga Creek where feasible; 20% of the proposed route will not be directly adjacent to the creek.

The preferred alternative route will extend the trail from Armory Square south 2.2 miles and will utilize Walton Street to West Street, enhance the West Street service road corridor by adding grass buffers and trees, cross Onondaga Street at West Street, meet up with Onondaga Creek near Temple Street and run adjacent to Onondaga creek south to Lower Onondaga Park and Kirk Park west.

Community and public input was received through six public information meetings, two community advisory committee meetings, the public hearing, and door-door canvassing in the project area. Public input has helped to guide the trail routing and basic design elements. The project will include construction of a 13-foot wide trail, trailhead and parking areas, selective clearing of brush and trees, and planting of native tree species. Creek viewpoints, fishing access points and a canoe/kayak access point to Onondaga Creek are proposed. Green infrastructure will be incorporated for stormwater management. Several greenspace/community areas are proposed; community input will be solicited for these areas during the detailed design phase. Safety parameters will include new lighting along the trail, and periodic police patrols; COPS camera platforms are planned pending funding.

The preferred alternative was presented in the June 2016 Draft Design Report and was based upon the 2008 Creekwalk Phase II Feasibility Study, public input, limiting environmental impacts, enhancing safety, constructability, economic concerns, and avoiding any increase in flood risk. Alternate routes proposed did not meet these requirements. The basic design of this project (preferred alternative) has not been changed from the Draft Design Report with the exception of a reduction of the size of a private property acquisition to address the property owner's concerns.

### **Public Benefits of the Creekwalk Phase II Project**

This proposed project is part of a long range objective to complete a safe and efficient pedestrian and bicycle transportation system within the Onondaga Creek corridor between Onondaga Lake and the southern limit of Syracuse at Dorwin Avenue. The Creekwalk Phase II project will provide enhanced and safe connections between downtown Syracuse and neighborhoods on Syracuse's south side and near-west side. The project will provide recreational benefits for pedestrians and bicyclists, increased access to Onondaga Creek, and a canoe/kayak water access in Kirk Park west. The project will enhance the communities in which it is located and will help to promote economic development.

### **Effects of the Project on the Environment**

The Creekwalk Phase II project is being progressed in accordance with the New York State Eminent Domain Procedures Law (EDPL), and having the NEPA Class II environmental classification with a Categorical Exclusion pending Federal Highway Administration (FHWA) Approval. The proposed project is classified as a Type I project in accordance with the State Environmental Quality Review (SEQR) Act, and the City of Syracuse is the lead agency. The project has these environmental classifications as the project does not have significant environmental impacts, no substantial controversy on environmental grounds, no significant impacts to public parks, historic buildings or cultural resources, and no inconsistencies with laws relating to environmental aspects. Based on this classification, neither an Environmental Impact Statement (EIS) nor an Environmental Assessment (EA) is required for the project.

### **Project Right-of-Way Acquisition**

The project routing requires acquisition of private and public property for right-of-way. 16 full-parcel acquisitions were identified in the Draft Design Report, including 10 vacant parcels owned by Onondaga County and 2 vacant private parcels. 22 partial-parcel acquisitions were identified, primarily being narrow strips of property on deep private parcels directly adjacent to the creek. One four-unit residential building was identified for demolition, which would require relocation of residents. One active commercial building (used for storage) and two inactive commercial buildings in disrepair were identified for demolition. The New York State Department of Transportation (NYSDOT) will conduct the property acquisitions through negotiation or through eminent domain. Based on the amount of right-of-way acquisition needed, an EDPL public hearing was required for the project. The public hearing was advertised in the Syracuse Post-Standard for five consecutive editions and letters notifying the affected property owners of the public hearing were sent by certified mail. The public hearing was held on July 26, 2016. Through the environmental screening, cultural resources survey, public meetings and public hearing, no significant impacts have been identified as a result of the proposed project.

### **Relevant Project Considerations**

Construction of the proposed project is estimated to start in spring 2019 and be completed by end of 2020. It is expected that different sections of the project will be under construction at different times during this period. Property owners and the public will be notified of upcoming construction and vehicular or pedestrian detours. As much as practical, two-way traffic will be maintained, and lane closures limited. A traffic control plan will be developed as part of the detailed design for the project. Emergency and Police access will be maintained. Access to businesses and residences will be maintained during construction.

Copies of the complete Determination and Findings will be forwarded upon written request without cost. In addition, all documents related to the July 26, 2016 public hearing are available for review at:

- City of Syracuse website: <http://www.syracuse.ny.us/cw2>
- City of Syracuse Department of Engineering, City Hall 4<sup>th</sup> Floor, 233 E. Washington Street, Syracuse, NY 13202
- Onondaga County Clerk's Office, 401 Montgomery St, Syracuse, NY 13202

Those property owners who may wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts, and objections raised at the hearing (§ 202 (C) (2) of Article 2, EDPL).

Each individual assessment record billing owner ("property owner") or his or her attorney of record whose property may be acquired shall note that, under § 207 (A), a petition to seek judicial review of the condemnor's determination and findings must be filed within 30 days (by November 30, 2016) after the condemnor's completion of its publication of its determination and findings. Further, the exclusive venue for judicial review of the condemnor's determination and findings is the appellate division of the supreme court in the judicial department where any part of the property to be condemned is located (§ 207 (B), § 208).

Further information on this project is available upon request during normal working hours. Direct inquiries to:

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