**TOWN OF PLATTSBURGH**

**TOWN BOARD SEMI MONTHLY MEETING**

**June 3, 2021**

**Resolution NO. 21-091 Rehabilitation of Sunset Drive & relocation and improvement of railroad crossing** # 249109H

**WHEREAS**, the Town of Plattsburgh is a municipal corporation created and existing under and by virtue of the Laws of the State of New York and located in and forming a part of the county of Clinton in said State; and

**WHEREAS**, the Canadian Pacific Railway is a domestic railroad corporation organized and created by and under the Laws of the State of New York and operating surface railroad and tracks in said state and particularly through the said Town of Plattsburgh; and

**WHEREAS**, the said Canadian Pacific Railway has for many years owned and operated through the said town, its tracks and railroad and that its tracks extend in a general north direction in and through the said town and that the said tracks are laid and extend 100 feet wide generally throughout said town; and

**WHEREAS**, the said Town of Plattsburgh has a population in excess of 11,000 and is located [midway] between the Towns of Peru and Beekmantown, and is on the main line of the said railroad and that the traffic of said railroad in the said Town of Plattsburgh is moderate, consisting primarily of 1 north-bound & 1 south-bound Amtrak train per day and typically 1-2 north bound and southbound freight trains per day; and

**WHEREAS**, attached hereto and forming part of a proposed petition and application to the New York State Commissioner of Transportation, is a Schematic Design Project Summary including maps of a portion of said municipality wherein appears Sunset Drive, together with the railroad tracks owned and operated by the Canadian Pacific Railway in the vicinity of said street; that as appears by and from said map. The existing crossing shown on said map is currently considered to be inadequate and poorly situated due to the curve and steepness in the approach. Sunset Drive will be upgraded overall coinciding with the development of the surrounding Battlefield Memorial Gateway Park, and an improvement by relocation of the crossing should be made concurrently. The proposed relocation of the crossing would be accomplished by straightening the approach, perpendicular to the tracks and creating a new extension beyond the tracks approximately 180 feet north of the existing crossing. The objective of the project is to provide highly desirable waterfront access to the public through enhanced public safety improvements to the crossing; and

**WHEREAS**, modification of the existing crossing is not ideal as it runs parallel to the tracks then turns 90 degrees suddenly to cross the tracks. This limits the line of sight at the crossing, and due to limited available area, it is not feasible to improve the grading for an enhanced approach; and

**WHEREAS**, the existing crossing (#249109H) is a minimally improved timber crossing that provides access to waterfront property owned by the Town of Plattsburgh (former USAF fueling docks) as well as one additional private property to the south. The crossing is currently used multiple times a day by non-commercial visitors accessing the jetties for fishing, vistas, and recreation. It is also used periodically by the private landowner to the south as the only deeded access to said property. The existing crossing location and design offers only limited sight distance and no crossing protection in the form of fencing or traffic control arms. The proposed relocation of the crossing for public use would employ all necessary safety measures as determined by NYSDOT and CP Rail standards. Not only would these improvements provide enhanced access by the public to a valuable waterfront asset, it would improve the access for an existing property owner; and

**WHEREAS,** said proposed improvements are detailed on the Battlefield Memorial Gateway Schematic Design Project Summary dated March 31, 2021; and

**WHEREAS,** A petition of the Town Board to the New York State Commissioner of Transportation is required under § 91 of the New York Railroad Law, for the relocation and alteration and improvement of the crossing of Sunset Drive and the railroad operated by Canadian Pacific Railway, and for the subsequent discontinuance of the existing crossing once improvements are completed; now, therefore be it

**RESOLVED,** that the Town Board does hereby authorize and direct the Town Planning & Community Development Department to prepare said petition; and, be it further

**RESOLVED,** the Town Board does hereby authorize the Town Supervisor to sign, execute, and transmit the documents necessary for said petition; and, it is further

**RESOLVED,** that copy of this resolution be provided to the Planning & Community Development & Highway Departments.

**Motion:**

**Seconded by:**

**Discussion:**

**Roll Call: Yes No Absent Carried Tabled**

**Thomas E. Wood Meg E. Bobbin**

**Barbara E. Hebert**

**Charles A. Kostyk**

**Michael S. Cashman**