

## **Appendix E2**

Summary of Public Comments Received:  
8/8/2022 to 7/9/2023

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## **Appendix E2. Summary of Public Comments Received: 8/8/2022 to 7/9/2023**

The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) held a public scoping meeting for the NYS Route 33, Kensington Expressway Project (the Project) on June 30, 2022. The public scoping meeting commenced the scoping comment period. The scoping comment period officially ended on July 29, 2022; however, public comments received through August 3, 2022. The FHWA and NYSDOT released the Project Scoping Report (PSR) for the Project to the public in December 2022. Substantive comments received between June 30, 2022 and August 3, 2022 were responded to in the PSR.

The public was provided opportunities to submit comments on the Project in several ways since the end of the scoping comment period. Written comments could be submitted via email, the Project website, mail, and/or comment cards provided at the public information meeting held for the Project on June 20, 2023. Opportunities to provide oral comments privately, either through a stenographer or through voice-to-text recorders, were available at the public information meeting. A total of 131 public comments have been received since August 3, 2022, including comments received at the public information meeting. The NYSDOT and FHWA have considered these comments. This appendix provides summaries of, and responses to, the substantive comments received between August 8, 2022 and July 9, 2023.

The substantive comments received from the public and responses to those comments are organized by topic below. The substantive comments received for each topic were grouped and addressed together. This section also includes a table listing the commenters and the comment/response numbers associated with the submitted comments (see Table E2-1).

For additional information regarding public involvement, refer to Chapter 5 of this DDR/EA.

**Table E2-1. List of Public Commenters**

Name		Date Received &Source		Comment & Response Number
(Not Provided)	Kevin	8/8/2022	Comment Form	5-1; 10-7; 10-4
Davis	Philip	8/8/2022	Website	13-1
Osuch	Paul	10/18/2022	Website	6-1
Heffernan	Peter	11/11/2022	Email	6-1
Wilson-Shannon	Denise	11/12/2022	Website	8-1
Donofrio	Joseph	11/15/2022	Email	6-1; 13-1; 5-1
Cadzow	Daniel	12/6/2022	Email	1-1
Cadzow	Daniel	12/12/2022	Email	See above.
Randell	Edward	1/31/2023	Email	8-1
Banks	Marisa	2/11/2023	Comment Form	General Comment
Darby	Jimmy	2/15/2023	Website	General Comment
Bryant	Jenniece	3/2/2023	Website	14-1
Davis	Terri		Comment Form	3-1
Collins	Art		Comment Form	2-1; 10-4; 5-6
Clemons	Rochelle		Comment Form	7-4
Robinson-Smith	Beverly		Comment Form	7-1; 7-9
Yaeger	Lisa		Comment Form	5-2
Lewis	Precious		Comment Form	General Comment
Davis	Charles		Comment Form	7-2; 7-4
Burhonon	John	3/10/2023	Comment Form	3-1
Hall	Arthur	3/22/2023	Website	General Comment
Carrier	J. Allen	3/29/2023	U.S. Mail	4-1; 5-1
Stubbs	Gregory	4/3/2023	Email	10-2; 13-1
Weibel	Katie	4/7/2023	Website	General Comment
Stempien	Ryan	4/8/2023	Website	13-1; 1-1
Vogl	Mark	4/20/2023	Website	6-1
Syroczyński	Todd	4/22/2023	Website	14-1; 6-1
Davis	Philip	5/19/2023	Website	1-1; 10-2
Smith	Craig	5/22/2023	Website	1-1
Kieffer	Larry	6/12/2023	Email	14-1; 6-1
Ludwig	Kathryn	6/13/2023	Website	3-2; 10-2; 13-1
Aldridge	Valerie	6/15/2023	U.S. Mail	7-9; 7-3; 7-7
Ermer	Thomas	6/17/2023	Website	6-1
Smith	Craig	6/19/2023	Website	1-1
Ermer	Thomas	6/20/2023	Website	6-1
Gosch	Stephen	6/20/2023	Website	General Comment
Fetes	Kevin	6/20/2023	Website	6-1
Denne	Rita	6/20/2023	Website	6-1
Smith	William	6/20/2023	Website	3-1
Cyrus	Carla	6/20/2023	Website	2-1
Green	Tina	6/20/2023	Website	12-1
Tuppen	Zoe	6/20/2023	Email	5-2
Tuppen	Zoe	6/20/2023	Comment Form	5-2
Paradowski	Mark	6/20/2023	Email	10-2; 6-1
Udin	Susan	6/20/2023	Email	2-1
Koven-Gelman	Mara	6/20/2023	U.S. Mail	7-7; 7-5
Kramer	Collin	6/20/2023	Comment Form	9-1; 5-1; 5-2
Ettestad	Dave	6/20/2023	Comment Form	General Comment
Serweta	Greg	6/20/2023	Comment Form	5-2; 9-1; 12-1
Van Ness	Cynthia	6/20/2023	Comment Form	5-1

Name		Date Received &Source		Comment & Response Number
Sadoff	Andre	6/20/2023	Comment Form	14-1
Peck	Maia	6/20/2023	Comment Form	5-2; 9-1; 12-1
Snead	Julian	6/20/2023	Comment Form	7-4; 7-8; 7-1; 7-3
Reis	Carol	6/20/2023	Comment Form	9-1
Parker	Mark	6/20/2023	Comment Form	14-2
Stempien	Ryan	6/20/2023	Comment Form	13-1; 1-1
Ciurczak	Diane	6/20/2023	Comment Form	9-1; 10-7
Short	Thomas	6/20/2023	Comment Form	13-1; 6-1
Cashaw	Benjamin	6/20/2023	Comment Form	10-3
Johnson	Linda	6/20/2023	Comment Form	General Comment
Batson-Griggs	Deidre	6/20/2023	Comment Form	7-2
Kutz	Tyler	6/20/2023	Comment Form	12-1; 10-1
Small	Kayleigh	6/20/2023	Comment Form	13-1
Oberst	Alan	6/20/2023	Comment Form	12-1; 1-1; 10-6; 5-2
Oberst	Alan	6/20/2023	Comment Form	See above.
Oberst	Alan	6/20/2023	Comment Form	See above.
Oberst	Alan	6/20/2023	Comment Form	See above.
Oberst	Alan	6/20/2023	Comment Form	See above.
Yahya	N. Sidi	6/20/2023	Comment Form	5-1
Kieffer	Larry	6/20/2023	Meeting Transcript	6-1
Goldman	Deborah	6/20/2023	Meeting Transcript	7-5
Miller	Carolyn	6/20/2023	Meeting Transcript	5-5
Walker	Ronald	6/20/2023	Meeting Transcript	7-3
Short	Thomas	6/20/2023	Meeting Transcript	13-1; 6-1
Nowak	Mark	6/20/2023	Meeting Transcript	6-1; 3-1
Tielman	Tim	6/20/2023	Meeting Transcript	4-1;14-1;10-1;9-1;2-3
Cantor	Gerald	6/20/2023	Meeting Transcript	1-1
Hicks, Wilson-Shannon	Bobbie, Denise	6/20/2023	Meeting Transcript	5-5; 7-2; 10-5; 14-1
Kozlow	Jacob	6/20/2023	Meeting Transcript	3-2; 3-1
Holtz	Denise	6/20/2023	Meeting Transcript	5-1; 5-2
Fitzgerald	Patrick	6/20/2023	Meeting Transcript	5-1
Watson	Eileen	6/21/2023	U.S. Mail	5-2; 8-1
Murdock	Thomas	6/21/2023	Email	5-2; 2-1; 13-1
Winters	Liam	6/21/2023	Email	9-1
Ruth	Todd	6/21/2023	Website	General Comment
Chaney	Taylor	6/21/2023	Website	9-1; 12-1; 4-1; 10-1
Galbraith	Robert	6/21/2023	Website	13-1; 5-1; 2-1
Galbraith	Robert	6/21/2023	Email	See above.
Pritchard	Braden	6/22/2023	Website	13-1
Whalen	Kathryn	6/22/2023	Website	1-1; 9-1
Gaston	David	6/23/2023	Website	3-1; 5-4
Heffner	Chris	6/25/2023	Website	13-1; 5-1
Donofrio	Joseph	6/28/2023	Email	6-1
Sack	Daniel	6/30/2023	Email	13-1; 5-1; 2-3; 10-2
Seney	Brendan <sup>1</sup>	7/6/2023	Email	10-2;5-3;9-1;2-1;1-1;2-2
Colston	Monica	7/6/2023	Email	7-4; 7-8; 2-1; 10-7
Miller	Joan	7/6/2023	U.S. Mail	6-1
Garten	Greg	7/6/2023	U.S. Mail	5-1;5-2; 7-1 – 7-6; 7-8
Willis	Shari & Camille	7/6/2023	U.S. Mail	6-1; 7-3; 7-4; 7-8

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<sup>1</sup> GObike affiliation.

Name		Date Received &Source		Comment & Response Number
Kelley	Suzanne	7/6/2023	Website	General Comment
Funke	Douglas <sup>2</sup>	7/7/2023	Email	5-1; 13-1; 1-1; 8-1; 6-1
Cantor	Gerald	7/9/2023	Email	General Comment

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<sup>2</sup> Citizens for Regional Transit affiliation.

## **E2.1 LIGHT RAIL / PUBLIC TRANSPORTATION**

C1-1 Commenters requested that the Project implement mass transit (bus rapid transit, light rail, etc.) to connect downtown to the airport. Commenters suggested that the tunnel be used for a subway line rather than for vehicular traffic. In addition, commenters requested that the Project be designed so that mass transit expansion is not precluded in the future and recommended reducing the tunnel width due to the potential for future rail transit.

R1-1 As documented in Section 4.1 of this DDR/EA, the Niagara Frontier Transportation Authority (NFTA) is a Participating Agency on the Project. The NYSDOT will continue to coordinate with NFTA as the Project progresses regarding potential bus infrastructure improvements on Humboldt Parkway and other local roads within the transportation corridor. The Build Alternative would include the construction of concrete pads for future bus shelters to be installed by NFTA. Maintaining the existing capacity of NYS Route 33 (three lanes in each direction) preserves space for potential future increases in bus transit service.

Light rail transit is beyond the scope of the Project and NFTA is not currently proposing rail service in the transportation corridor. The implementation of the Project would not preclude the consideration of future light rail projects by others, as separate, independent actions.

## **E2.2 AIR QUALITY AND ENVIRONMENTAL CONCERNS**

C2-1 Commenters asked whether the Project would worsen the air quality in the neighborhood surrounding the transportation corridor, and they asked how the homes adjacent to the tunnel portals would be affected. Commenters asked whether the tunnel air would be cleaned before exiting the tunnel.

R2-1 As documented in Section 4.9 of this DDR/EA, the Build Alternative would result in a net zero change, or an average slight decrease, in the concentrations of fine particulate matter (PM<sub>2.5</sub>), coarse particulate matter (PM<sub>10</sub>), and carbon monoxide (CO) throughout the Air Quality Study Area with a slight increase in the concentrations of PM<sub>2.5</sub>, PM<sub>10</sub> and CO near the tunnel portals. The pollutant concentrations would be well below the National Ambient Air Quality Standards (NAAQS) with no adverse air quality effects to the people living in the adjacent neighborhoods or to those living in the homes directly adjacent to the tunnel portals. As documented in Section 3.2.2, air treatment is not needed.

C2-2 Commenters stated that the Project would have a negative effect on the climate by not reducing vehicle miles traveled and since the Project is not consistent with the greenhouse gas reduction goals of the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Metropolitan Planning Organization (MPO) 2050 Long Range Transportation Plan, the Erie County Climate Action Plan, or NY State Climate Scoping Plan.

R2-2 As described in Appendix D1: Local Land Use and Transportation Plans Summary and as evidenced by the Project's inclusion in the GBNRTC Transportation Improvement Plan (TIP) for Fiscal Years 2023 – 2027 (as the Kensington Corridor Project, PIN 551252), the Project is consistent with the goals of the Moving Forward 2050 Plan. Additionally, as described in Chapter 5 of the TIP (entitled Air Quality Conformity), GBNRTC determined that the Project meets the federal transportation conformity

requirements and completed an interagency consultation with the agencies that comprise the Interagency Consultation Group for air quality conformity in New York State (NYSDEC, NYSDOT, FHWA, FTA and USEPA). The GBNRTC Air Quality Determination regarding the 2023 – 2027 TIP and the related 2050 Metropolitan Transportation Plan Update may be accessed on the GBNRTC website.<sup>3</sup>

Section 4.10 of this DDR/EA describes the Project's construction and long-term effects relative to energy, greenhouse gases, and climate change, including the applicable regulatory context, and the Project's consistency with the Climate Leadership and Community Protection Act.

C2-3 Commenters asked how much noise the traffic and tunnel would make.

R2-3 As documented in Section 4.11 of this DDR/EA, the Build Alternative would not result in a perceptible noise increase (>3 dB(A) increase) throughout the traffic noise study area. The Build Alternative would result in perceptible decreases in traffic noise in the adjacent neighborhoods.

C2-4 Commenters asked how the Project would affect Scajaquada Creek.

R2-4 As documented in Section 4.12 of this DDR/EA, the portion of Scajaquada Creek located within the general Study Area is piped underground (the underground section of Scajaquada Creek is referred to as the "Scajaquada Drain" in this DDR/EA). The Build Alternative would result in positive effects to Scajaquada Creek since some of the stormwater previously discharged to the Scajaquada Drain and Creek would no longer be discharged to the Scajaquada Drain.

## **E2.3 ECONOMIC CONCERNS**

C3-1 Commenters asked how property values within the immediate neighborhoods would be affected and whether the Project would cause gentrification in the area. Commenters asked whether current homeowners could be protected from increases in property taxes due to gentrification.

R3-1 Section 4.21 of this DDR/EA discusses the potential indirect effects resulting from implementation of the Build Alternative, including potential effects to property values.

C3-2 Commenters asked how the Project would impact local businesses and if there would be grants or assistance for local/new businesses in the area. Commenters stated that the Project would weaken the local economy and small businesses since the underground tunnel would cause drivers to bypass the community.

R3-2 The potential effects of the Project on local businesses are discussed in Section 4.5 and Section 4.21 of this DDR/EA. The Project does not propose grants or assistance for new businesses in the area.

As described in Section 3.2.2 of this DDR/EA, the existing westbound on ramp from East Utica Street to NYS Route 33 and eastbound off ramp from NYS Route 33 to East Utica Street would be removed. Traffic from these ramps would access NYS

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<sup>3</sup> <https://gbnrtc.org/airquality>

Route 33 from an improved interchange at Best Street. As documented in Sections 4.5 and 4.21 of this DDR/EA, this minor change in access would have no effect upon regional vehicular travel through the area and would not impede trucks or other vehicles accessing local businesses. The Project is expected to result in beneficial effects on the local economy (see Sections 4.5 and 4.21 for further details).

## **E2.4 PROJECT LIMITS**

C4-1 Commenters asked if the Project limits could be extended north to Delaware Park and if the tunnel limits could be extended north to Delavan Avenue and south to the Fruit Belt or Michigan Avenue. Commenters also asked whether Humboldt Parkway could be extended to Goodell Street.

R4-1 As described in Section 1.4.1 of this DDR/EA, the NYSDOT and FHWA have established the defined transportation corridor for this Project in consideration of the following factors: the presence of the depressed highway sections with retaining walls, opportunities for connectivity with existing parkland and community resources, and physical and environmental constraints.

Prior to the June 30, 2022 public scoping meeting, the NYSDOT and FHWA initially defined the limits of the transportation corridor as Best Street to East Ferry Street. In consideration of public comments received during the scoping comment period, the limits were extended approximately 600 feet north to Sidney Street.

As documented in Section 1.4.1 of this DDR/EA, Best Street and Sidney Street represent logical termini/rational endpoints for this Project. Providing a connection to Delaware Park and reconnecting the Fruit Belt neighborhood is outside the scope of this Project. However, the Build Alternative would not preclude the consideration of future projects along the NYS Route 33 corridor as separate, independent actions.

C4-2 Commenters asked if the Project could be integrated with the NYS Route 198/Scajaquada Expressway planning study.

R4-2 As stated in Section 1.4.2 of this DDR/EA, the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) is currently conducting a planning study for the NYS Route 198/Scajaquada Expressway Corridor called the Region Central Initiative. The Region Central Initiative study area is based on the boundaries of eight neighborhoods surrounding the NYS Route 198 corridor, including Hamlin Park and Delavan Grider. With respect to NYS Route 33, the southern extent of the Region Central Initiative study area is East Ferry Street. The Region Central preferred scenario limits do not overlap with the limits of the Kensington Expressway Project (the Region Central limits end at the Route 33/Route 198 interchange). The Region Central Initiative and the NYS Route 33 Kensington Expressway Project have independent utility and decisions made regarding the NYS Route 33 Kensington Expressway Project will not constrain the consideration of alternatives in the Region Central Initiative study area. The investment to improve community and transportation conditions in the defined transportation corridor will be a reasonable and needed Project regardless of the outcome of the Region Central Initiative.

Although separate, the NYSDOT and FHWA will continue coordination with GBNRTC regarding the Region Central Initiative. GBNRTC has been and will continue to be involved in the environmental review process for the Kensington Expressway Project as a Participating Agency (see Chapter 5 of this DDR/EA).

## **E2.5 GREENSPACE / TUNNEL CAP**

C5-1 Commenters asked whether the trees in the parkway would match Olmsted's vision and the other Olmsted Parks in Buffalo (Bidwell, Chapin, and Lincoln). Commenters also asked why the Humboldt Parkway cannot be fully restored to match the other Olmsted Parkways. Other commenters asked whether the greenspace could have walkways, paths at non-through streets, benches, open spaces (without trees) for children to play sports, and/or an amusement park.

R5-1 As stated in Section 1.3.1 of this DDR/EA, one of the project objectives is to reconnect the surrounding community by creating continuous greenspace to enhance the visual and aesthetic environment of the transportation corridor. As described in Chapter 3 of this DDR/EA, the Build Alternative would meet this objective by creating a park area above the tunnel deck supportive of non-motorized transportation and recreation and creating connections to existing greenspace in Martin Luther King Jr. Park.

The Project is being developed in consideration of community input and the historic character of the landscape. As described in Section 3.4.4 of this DDR/EA, the Build Alternative would create a tree-lined parkway setting that resembles the Olmsted-designed landscape to the extent practicable with a wide median separating the northbound and southbound Humboldt Parkway. Based on stakeholder input, including that from the Buffalo Olmsted Parks Conservancy, there is a preference for replicating Olmsted's original design for Humboldt Parkway to the extent practicable. Open, non-treed spaces for play or sports, or any other recreational or commercial uses, do not align with Olmsted's historical landscape designs for the Humboldt Parkway. Benches within the open space are not part of the Build Alternative and do not align with Olmsted's original design. Crosswalks and/or paths at non-through streets across the greenspace on top of the tunnel cap are not currently proposed as part of the Build Alternative; however, these options could be considered as part of the final design of the Project. Three additional crossings would be created across the greenspace, at Butler Avenue/Sidney Street, Winslow Avenue, and Riley Street.

Regarding the full restoration of Humboldt Parkway, as documented in Section 5.2.10 of the Project Scoping Report, a concept that would remove NYS Route 33 from the NYS Route 198 interchange to Goodell Street and reestablish the former parkway setting (Concept 10) was considered. Concept 10 was inspired by the historic Humboldt Parkway design details but would not be an exact replica of historic conditions. As documented in the Project Scoping Report, Concept 10 would not meet the project objective and associated screening criterion related to maintaining the vehicular capacity of the existing transportation corridor. Based on this, and concerns related to redistributing expressway traffic to local streets, Concept 10 was dismissed from further consideration.

C5-2 Commenters asked about the tree species selection and soil requirements. Commenters asked whether 3 feet of soil would support tree growth to maturity and if the soil depth could be increased to 4 feet deep. Commenters indicated a preference for native tree



species and recommended that a professional arborist be consulted for tree recommendations and maintenance.

- R5-2 The landscape and environmental enhancements proposed as part of the Build Alternative are described in Section 3.4.4 of this DDR/EA. A minimum soil depth of 3 feet would be needed to support the growth and health of medium-sized trees (up to 50 feet in height at maturity). Increasing the depth of the soil atop the tunnel cap from the proposed 3 feet to 4 feet would require substantial design changes to the tunnel, including additional (deeper) rock excavation. These design changes would result in substantial additional costs. The selection of tree species has been and will continue to be developed in coordination with the Buffalo Olmsted Parks Conservancy and in consultation with registered landscape architects. Tree species selection would avoid deep rooted tree species and those that have a tap root. Several of the species that have been proposed as options are native species.
- C5-3 Commenter stated that the Project should be designed in a way that would not prohibit future parkway restoration or capping work outside of the existing scope of work, especially in relation to the Region Central/Scajaquada Expressway project.
- R5-3 As documented in Section 1.4.2 of this DDR/EA, implementation of the Build Alternative would not preclude the consideration of potential future projects in the NYS Route 33 corridor or in the NYS Route 198 corridor.
- C5-4 Commenters asked who would be responsible for maintaining the greenspace and how much maintenance would cost. Commenters also expressed concern over rodents living in the greenspace.
- R5-4 Maintenance of the greenspace would be determined as part of final design. A preliminary estimate for the cost of the maintenance is provided in Chapter 3 of this DDR/EA. The control of pests, such as rodents, would be addressed as part of the maintenance agreements that would be developed as part of final design.
- C5-5 Commenters stated that the proposed greenspace would attract higher rates of crime and drug use, posing a danger to residents along the Humboldt Parkway.
- R5-5 The enforcement of the law is within the jurisdiction of existing law enforcement agencies (e.g., Buffalo Police Department, New York State Police).
- C5-6 Commenters asked what would happen to the tunnel cap in the event of an earthquake or tremor.
- R5-6 As described in Section 3.3.1.1 of this DDR/EA, each element of the Build Alternative has been designed in accordance with state and federal design standards, which take seismic events into account.

## **E2.6 COST**

- C6-1 Commenters questioned how the Project would be funded. Some commenters asked whether the money for the Project could be used for local street improvements, utility system improvements, and/or social/public health concerns. Commenters also asked what the \$55 million Reconnecting Communities grant is being spent on.

- R6-1 The Project would be funded by Federal and State transportation funds. Transportation funds are specifically designated for transportation projects. The funds cannot be used towards non-transportation-related purposes such as improvements to City infrastructure (e.g., water and sewer systems). The potential social, economic, and environmental effects of the Project have been evaluated and are documented in Chapter 4 of this DDR/EA.

The Reconnecting Communities and Neighborhoods Grant Program is a federal grant that provides \$55 million for construction of projects that focus on reconnecting communities. The grant money would be used to offset some of the costs of construction during implementation of the Build Alternative (see Section 3.6 of this DDR/EA).

The implementation of the Build Alternative would not preclude independent actions by others to provide additional direct investment in the community. The implementation of the Build Alternative would not preclude others from implementing independent projects to address economic/community issues on local streets or other infrastructure serving Buffalo's East Side.

## **E2.7 CONSTRUCTION**

- C7-1 Commenters asked what the expected construction start date and duration would be and whether the duration would be affected by harsh winters. Commenters asked about the availability of parking during construction and whether the contractor would block cars in residential driveways during winter construction activities.

- R7-1 As documented in Section 1.5 of this DDR/EA, construction of the Build Alternative is estimated to begin in late 2024 and is expected to take approximately three to four years to complete. This timeframe includes consideration of local weather conditions during the winter seasons when major construction activities would be temporarily paused. This estimate also assumes that traffic within the transportation corridor and access to residences is maintained throughout construction.

Relative to temporary parking effects during construction, Section 3.5.2 of this DDR/EA describes closure of the parking lane on Humboldt Parkway northbound during Stage 1 of the Project. As stated in Section 3.5.1.7 of this DDR/EA, local street rehabilitation work would result in minor and temporary effects, including parking limitations, single-lane operations and sidewalk detours.

The City of Buffalo is a Participating Agency on the Project. The NYSDOT will continue coordinating with the City as the Project progresses, and would solicit input from the City during the development of the construction traffic plan, including strategies to minimize the impact of construction on the local community. This could include the design of local detours, maintaining access to homes and businesses, and street improvements.

- C7-2 Commenters asked if homes would be taken due to construction and how the homeowners would be reimbursed. Commenters also asked if residents would be displaced from their homes during construction and if their temporary accommodations would be paid by the State.

R7-2 Residents would not be displaced during construction. As documented in Section 3.4.3 of this DDR/EA, no residences would be acquired as part of the Build Alternative.

C7-3 Commenters asked about construction-related health concerns. Commenters asked how residents would be protected from silica dust (other than water spray) during construction. Commenters also wondered if gasses/fumes would come from the excavated areas of NYS Route 33. Commenters asked if the State would provide mental health support services for residents affected by construction. Commenters noted that the original construction of the Kensington Expressway caused trauma to local residents due to dynamite blasting.

R7-3 Section 4.20.3 of this DDR/EA documents the temporary air quality effects that could occur during construction of the Build Alternative, as well as the measures that would be implemented to avoid and minimize these effects.

Providing health services/mental health resources is beyond the scope of the Project. The NYSDOT would maintain access to existing healthcare facilities during construction. In addition, as documented in Section 4.20 of this DDR/EA, a community liaison would be designated for the Project to provide open communication during construction. The project outreach office would also continue to be available and staffed throughout the construction period to provide timely updates to the public on construction activities and mechanisms for hearing and resolving construction-related concerns.

C7-4 Commenters asked about potential damage to properties and underground utilities (which are old) due to construction activities and blasting. Commenters inquired about the process to file a damage claim in the event that there is damage resulting from construction.

R7-4 As described in Section 3.4.3.6 of this DDR/EA, non-blasting methods of rock removal would be used where rock removal is near delicate structures or utilities or where the required rock removal depth is minimal, and blasting would not be feasible. Where used, blasting would be conducted in a safe and efficient manner with the application of controlled blasting techniques. See Sections 3.4.3.6 and 3.5 of this DDR/EA for additional information on rock removal methods.

Section 4.20 of this DDR/EA documents the temporary effects that could occur during construction of the Build Alternative, as well as measures that would be implemented to avoid and minimize these effects. The NYSDOT will continue working with the City of Buffalo to coordinate the identification of sanitary sewer and other municipally owned utilities that require protection or relocation.

As documented in Section 4.20, an inspection would be conducted of each building adjacent to locations where rock excavation is anticipated in order to document pre-construction conditions. Should a property owner believe that damage has occurred as a result of the Project, they would have the right to file a claim. The claims process and pre- and post-construction inspection process would be developed in accordance with NYSDOT regulations and protocols during final design.

- C7-5 Commenters asked whether the State would pay for power-washing or otherwise cleaning the exterior of homes during and/or after construction.
- R7-5 Power-washing or otherwise cleaning homes during construction is beyond the scope of the Project.
- Section 4.20.3 of this DDR/EA documents the temporary air quality/fugitive dust effects that could occur during construction of the Build Alternative, as well as the measures that would be implemented to avoid and minimize these effects, including a Dust Control Plan.
- C7-6 Commenters stated that rodent habitats would be disturbed during construction.
- R7-6 Any potential disturbance of rodent habitat would not be expected to result in adverse effects to the community.
- C7-7 Commenters asked whether minority businesses would be used for the construction contracts.
- R7-7 Construction contracts would be developed in accordance with NYSDOT policies and procedures along with appropriate federal and state rules and regulations, including Minority and Women Owned Business Enterprises (MWBE). The Design-Build contracting process is anticipated to begin in early 2024 after the Environmental Determination is issued. Refer to Section 1.5 of this DDR/EA for the anticipated Project schedule.
- C7-8 Commenters asked if the underground utility lines would be upgraded and replaced along the street and from the street to each house.
- R7-8 The Project would be funded by Federal and State transportation funds. These funds are specifically designated for transportation projects. The funds cannot be used towards non-transportation-related purposes, such as improvements to City infrastructure (e.g., water and sewer systems).
- C7-9 Commenters asked if there will be a job hiring or job training program for residents associated with the Project's construction.
- R7-9 Section 4.4.3 of this DDR/EA describes the local workforce and hiring measures that would be implemented for the Project.

## **E2.8 PUBLIC ENGAGEMENT**

- C8-1 Commenters stated that there should be more opportunities for public involvement. Commenters suggested direct public engagement, an open forum amongst the community, and a public vote on the Project proposal. Commenters also asked if more people could be included in the stakeholder group and/or be approached for their input.
- R8-1 The FHWA and NYSDOT have provided, and will continue to provide, meaningful opportunities for public and agency engagement in the Project throughout the environmental review process, including, but not limited to, a public hearing in September 2023 on the DDR/EA. Future Project updates will also be posted to the

Project website (<https://kensingtonexpressway.dot.ny.gov>). The public can submit a request through the website at any time to be notified by email of future Project updates, including information on upcoming meetings. See Chapter 5 of this DDR/EA for additional information regarding opportunities for public engagement.

As documented in Chapter 5 of this DDR/EA, in the Fall of 2016, the NYSDOT identified stakeholders for the Project. An official stakeholder group was established, consisting of representatives from the ROCC, residents, businesses, the City of Buffalo, Erie County, the Buffalo Olmsted Parks Conservancy, the Buffalo Museum of Science, elected officials, and others.

The Project is part of the local metropolitan planning organization's (the Greater Buffalo-Niagara Regional Transportation Council [GBNRTC]) Long-Range Regional Transportation Plan and Transit Improvement Program for Fiscal Years 2023-2027. The Project is also included in the New York State budget and has been awarded funding.

The NYSDOT and FHWA have considered substantive comments and feedback received as part of its extensive public outreach program for the Project. The public outreach, as well as the evaluation of the No Build and Build Alternatives and examination of environmental effects, is being carried out in accordance with the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA). The Build Alternative for this Project has been developed based on a balanced consideration of the need for safe and efficient transportation; the social, economic, and environmental effects of the Build Alternative; agency and public input; and national, State, and local environmental protection goals (see Chapter 3, Alternatives of this DDR/EA). A public referendum or vote would not be in accordance with the NEPA process.

## **E2.9 BICYCLE AND PEDESTRIAN INFRASTRUCTURE**

- C9-1 Commenters made recommendations about bicycle and pedestrian infrastructure for the Project. Recommendations included protected bike lanes or dedicated bike infrastructure, expansion of proposed bike lanes and sidewalks to 8 feet wide, switching the bike lane and parking lane on Humboldt Parkway, and elevation of the bike lane along Humboldt Parkway. Commenters also asked if there would be any bike paths on the newly capped portion of the Kensington Expressway.
- R9-1 Section 3.4.2 of this DDR/EA documents the improvements to bicycle and pedestrian facilities that are included in the Build Alternative. Under the Build Alternative, Humboldt Parkway would be completely reconstructed on a new alignment while implementing "Complete Street"<sup>4</sup> roadway design features (e.g., bicycle lanes, traffic calming, curb ramps, crosswalks, pedestrian/bicycle crossing signals). In general, pedestrian and bicycle features for the Build Alternative have been designed in accordance with the Americans with Disabilities Act (ADA) and other applicable state and federal standards.

---

<sup>4</sup> The U.S. Department of Transportation describes 'Complete Streets' as follows: "Complete Streets are streets designed and operated to enable safe use and support mobility for all users. Those include people of all ages and abilities, regardless of whether they are travelling as drivers, pedestrians, bicyclists, or public transportation riders." <https://www.transportation.gov/mission/health/complete-streets>

The newly created greenspace above the Kensington Expressway (between the northbound and southbound Humboldt Parkway) would be an at-grade median with landscaping. Dedicated bicycle facilities on the proposed treed median are not currently part of the Build Alternative as they do not align with Olmsted's historical landscape designs for the Humboldt Parkway; however, these could be considered as part of final design for the Project. The Build Alternative would not preclude potential bicycle improvements by others as future separate actions.

## **E2.10 TRAFFIC AND SAFETY**

C10-1 Commenters asked how the safety of the roadway would be ensured regarding vehicle speeding and safety. Commenters stated concerns about people racing cars on NYS Route 33.

R10-1 Section 3.3 of this DDR/EA documents the design criteria that were used in the design of the Build Alternative.

Regarding speed, 'design speed' is one of many critical design elements. Tables 3.3.1-A through 3.3.1-H list the design elements, including design speed, associated with Project roadway segments, including NYS Route 33 within and outside the tunnel. Section 3.4.1.5 of this DDR/EA provides additional information regarding speeds, the proposed speed limit, and how the Build Alternative would be expected to affect estimated speeds and travel times.

The speed limit posted on NYS Route 33 is 55 mph. Law enforcement, including violations of the posted speed limit, would remain within the jurisdiction of existing law enforcement agencies (e.g., Buffalo Police Department, New York State Police).

C10-2 Commenters stated that the vehicular capacity on the Kensington Expressway does not need to be maintained since the traffic could use the radial streets of the City of Buffalo instead.

R10-2 Section 1.3 of this DDR/EA documents the project needs, purpose, and objectives. As described in Section 2.2.3 of this DDR/EA, the section of the Kensington Expressway between the NYS Thruway (I-90) and the Elm-Oak arterial functions as a critical link in the regional transportation system with over 75,000 vehicles per day using the facility. The Kensington Expressway provides a direct link to downtown Buffalo from major routes, such as the Scajaquada Expressway (NYS Route 198) and the NYS Thruway. The Kensington Expressway is an established commuter route between downtown Buffalo and the City's northern and eastern neighborhoods as well as the Buffalo Niagara International Airport and many suburban communities.

As documented in Section 5.2.10 of the Project Scoping Report, Concept 10, which involves removal of NYS Route 33 from the NYS Route 198 interchange to Goodell Street and creation of a parkway setting along the historic Humboldt Parkway, would not meet the project objective and associated screening criterion related to maintaining the vehicular capacity of the existing transportation corridor. Based on this, and concerns related to redistributing expressway traffic to local streets, Concept 10 was dismissed from further consideration.

Maintaining the vehicular capacity of the Kensington Expressway is needed based on traffic operations, travel time reliability, access to regional medical facilities/emergency medical response time, and to preserve space for potential future transit service.

C10-3 Commenter asked how the Project would affect traffic and accessibility to the Fruit Belt.

R10-3 Chapter 1 of this DDR/EA uses the term “transportation corridor” to describe the section of NYS Route 33 and Humboldt Parkway being studied for improvements under this Project. Section 2.4 of this DDR/EA states that the transportation corridor is defined as NYS Route 33 (Kensington Expressway) and Humboldt Parkway between Sidney Street to the north and Best Street to the south. As described in Section 4.2 of this DDR/EA and as depicted in Figure 4.2.2, Best Street is the northern boundary of the Fruit Belt neighborhood. Accordingly, although the Fruit Belt neighborhood is within some of the study areas defined in this DDR/EA for the purpose of evaluating potential Project effects, no portion of the neighborhood is within the transportation corridor studied for improvements under this Project. Therefore, the traffic analysis study area was based on the roadways potentially affected by the project alternatives within the designated transportation corridor, which does not include the Fruit Belt neighborhood.

C10-4 Commenters asked about the safety of the proposed tunnel due to weather conditions and inquired whether drivers would get trapped in the tunnel during a bad storm.

R10-4 As part of the Build Alternative, an Intelligent Transportation Systems (ITS) network would be maintained at all times for safety purposes, including barrier arms for lane or tunnel closures, dynamic messaging signs, video surveillance, acoustic incident detection system, and communications within and outside of the tunnel. In general, ITS messaging signs would provide notification to drivers on roadways (e.g., NYS Route 198) approaching the tunnel of a tunnel closure related to a crash or other incident and notification would be sufficiently far in advance to ensure that exit opportunities would remain. Refer to Section 3.4.1.4 of this DDR/EA for more details regarding the proposed ITS network.

C10-5 Commenters stated concerns about increased traffic on the local streets surrounding the Kensington Expressway. Commenters asked about the potential increase in traffic on local streets due to the removal of the East Utica Street interchange and how that would be addressed. Commenters were concerned that additional traffic on Winslow Avenue would reduce the street’s safety for children that attend the school on the street. Commenters also asked about the type of damage to homes that may result from increased traffic along Humboldt Parkway, some citing concerns about how increased dirt and debris on homes would be addressed.

R10-5 Minor traffic increases are anticipated on Humboldt Parkway (see Section 3.4.1.6 of this DDR/EA). It is not anticipated local roads would have a substantial increase in traffic due to the removal of the East Utica interchange. The traffic along new connections at Winslow Avenue and Riley Street would consist of traffic originating on the roadway that no longer needs to travel to the next nearest crossing.

C10-6 Commenters suggested reconsideration of the proposed deck at the intersection of Northampton Street and Humboldt Parkway because there is not enough traffic on Northampton currently to warrant it.

R10-6 A vehicular crossing at Northampton Street currently exists and would be retained under the Build Alternative. Proposed tunnel cap sections adjacent to Northampton Street would provide additional greenspace and improve east-west connectivity, which would benefit the community.

C10-7 Commenters stated that the streetlights should use light emitting diode (LED) lightbulbs and should be designed as traditional, straight lampposts.

R10-7 As described in Section 3.4.1 of this DDR/EA, LED light fixtures would be used in streetlights along the Humboldt Parkway and local streets, as well as in roadway lighting on NYS Route 33 north and south of the proposed tunnel within the Project reconstruction limits. The final pole/arm style(s) of lampposts along the Humboldt Parkway and local streets would be coordinated with the City of Buffalo and would be consistent with the adjacent neighborhoods as appropriate. See Section 3.4.1 of this DDR/EA for additional information.

## **E2.11 LOCALIZED STREET IMPROVEMENTS**

C11-1 Commenters asked if the Project could implement Complete Street features on local streets. Commenters asked if the localized street improvements could be extended from Jefferson Avenue to Fillmore Avenue or from Genesee Street to Masten Avenue. Commenters stated that additional traffic calming measures should be considered on Best Street such as speed humps, more traffic lights, raised crosswalks, curb extensions, and beautification.

R11-1 Local streets would be rehabilitated in accordance with 1R rehabilitation standards as defined in Chapter 7 of the Highway Design Manual. Improvements are described in Section 3.4.3.12 of this DDR/EA.

As described in Section 3.2.2, the Build Alternative would completely reconstruct Humboldt Parkway on a new alignment while implementing Complete Streets roadway design features (e.g., bicycle lanes, traffic calming, curb ramps, crosswalks, pedestrian/bicycle crossing signals).

Extending the areas that receive localized street and pedestrian improvements is outside the scope of this Project. Improvements made as part of this Project would not preclude separate, independent actions to improve other local streets.

## **E2.12 ROUNDABOUTS**

C12-1 Commenters stated that the roundabout at Best Street would not be safe for pedestrians. Commenters recommended that the sidewalk along the proposed roundabouts should be straight rather than curved, as pedestrians would form desired paths. Commenters asked if the roundabout at Best Street could account for bus stops. Commenters recommended that an additional roundabout at the intersection of Kensington Avenue, Main Street, and Humboldt Parkway be considered.



- R12-1 The roundabouts at the Best Street interchange area were incorporated in response to public/community input received on the Project to improve traffic flow and safety. The design originally considered for the Best Street sidewalk was changed to a 10-foot-wide shared-use path to improve safety for both pedestrians and cyclists.

Potential locations for bus stops near the Best Street roundabouts would be determined during final design. Bus stops would not be included within the roundabouts. The location of bus stops will be coordinated with NFTA to ensure convenient and safe conditions for transit users.

The intersections of Kensington Avenue, Main Street, and Humboldt Parkway are not within the limits of the transportation corridor considered for improvements under this Project.

## **E2.13 FILL-IN / REMOVAL OF EXPRESSWAY**

- C13-1 Commenters asked if the full removal/fill-in of the Kensington Expressway could be studied and stated that other cities have removed major highways, resulting in improvements with no traffic problems. Commenters also stated that the maintenance of the six-lane Kensington Expressway preferentially benefits white suburban commuters at the expense of the residents living in the vicinity of the Kensington Expressway.

- R13-1 The removal/fill-in of the Kensington Expressway was considered. As documented in Section 5.2.10 of the Project Scoping Report, Concept 10, which involves removal of NYS Route 33 from the NYS Route 198 interchange to Goodell Street and creation of a parkway setting along the route of the historic Humboldt Parkway, would not meet the project objective and associated screening criterion related to maintaining the vehicular capacity of the existing transportation corridor. Based on this, and concerns related to redistributing expressway traffic to local streets, Concept 10 was dismissed from further consideration.

## **E2.14 OTHER COMMENTS**

- C14-1 Commenters stated that the Project would not address the inequities that were caused by the original construction of the Kensington Expressway. Commenters also asked if the Project would provide community cohesion.

- R14-1 As described in Section 3.2.2 of this DDR/EA, the Build Alternative would reconstruct Humboldt Parkway on a new alignment while implementing "Complete Streets" roadway design features (e.g., bicycle lanes, traffic calming, curb ramps, crosswalks, pedestrian/bicycle crossing signals). In addition, the Build Alternative would reconnect the community by providing new east-west crossing options for pedestrians, bicycles, and vehicles, creating a new greenspace area on the proposed tunnel deck supportive of non-motorized transportation and recreation, and creating connections to existing greenspace in Martin Luther King (MLK) Jr. Park. Section 4.4 of this DDR/EA documents the potential for the Build Alternative to result in disproportionately high and adverse effects to environmental justice populations.

- C14-2 Commenters requested that a gateway arch be added to the entryway of Martin Luther MLK Jr. Park.

R14-2      Additions to MLK Jr. Park such as a gateway arch are outside of the scope of the Project. NYSDOT has and will continue to coordinate with the Buffalo Olmsted Parks Conservancy and the Buffalo Museum of Science on the development of this Project.

**NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT**  
**P.I.N. 5512.52**  
**SCOPING MEETING**  
**JUNE 30, 11AM-2PM & 5PM-8PM**  
**BUFFALO MUSEUM OF SCIENCE**  
**COMMENT FORM**

Name: Kevin Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

I support this project. The only  
issue I want to ensure is addressed is about  
clear and good tunnel lighting and signage  
inside the tunnel. Planting trees above tunnel  
would be a good thing also.

*\*Any information provided on this form may become part of the project file, which is a public record.*

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)  
**Scoping comments are due by July 29, 2022.**

-----Original Message-----

From: Philip Davis

Sent: Tuesday, August 9, 2022 11:23 AM

To: Fischlein, Eric

Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Davis, Philip

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation:

Comment: Frankly, it is immensely disappointing that the DOT is so against fully removing the expressway failing even to provide an illustration for the concept. Buffalo community members have long made it clear that we don't want highways dividing our park system any more, yet the state seems overly reluctant to consider these proposals. Recently the DOT finally included a no-road proposal for the Scajaquada Expressway, and there is no reason why a similar total removal should not be considered for the Kensington. This would allow for the reconnection of the predominantly black East Side to the city's miles-long network of parks and parkways, and could also serve as a corridor for a light rail connection from downtown to the airport. Capping the highway, even for only a few blocks, is also likely to be more expensive than the citizens' preferred option, filling of the trench and restoration of the parkway, so the DOT should at least further consider the proposal.

\* this email was generated by [kensingtonexpressway.dot.ny.gov](https://kensingtonexpressway.dot.ny.gov)

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-----Original Message-----

From: Paul Osuch

Sent: Tuesday, October 18, 2022 12:25 PM

To: Fischlein, Eric

Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Osuch, Paul

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation:

Comment: Ridiculous to spend a billion dollars on such a project . Fix what's broken first . Bridges that are under the 12ft height , hampering movement of goods. Sewers , water and gas lines . Sewage treatment plants along our water ways improving water quality. How. About a sizable water park on the waterfront at canal side .

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Sent from my iPhone

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**From:** Peter Heffernan  
**Sent:** Friday, November 11, 2022 12:27 PM  
**To:** dot.sm.kensingtoncommunityoutreach  
**Subject:** Route 33 Project

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

Good afternoon:

I am a "1st ring" suburbanite, and former resident of the city of Buffalo. I volunteer for Habitat for Humanity, and have worked primarily on East Side residences, so I have a vested interest in helping to make good things happen in that section of our community.

I think that capping a 3/4 mile of the Kensington Expressway would be a colossal waste of money and resources. First and foremost, it will be a multi-year effort that will utterly disrupt the surrounding area with additional noise, dust, and dirt. And while the project drags on, the existing roadway will be severely limited in the amount of traffic that can pass through, or else shut off altogether. So where will the diverted traffic go? Seemingly to Main St., Genesee St., and Broadway. This begs the question: If these thoroughfares can handle the traffic for whatever number of years the project takes, why can't they handle it permanently?

It seems we are turning a blind eye to the success Rochester and other cities have had when they removed expressways that cut directly through urban areas. They survived, and Buffalo can too!

**From:** [DENISE WILSON-SHANNON](#)  
**To:** [Fischlein, Eric](#)  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form  
**Date:** Saturday, November 12, 2022 2:21:09 PM

---

Name: WilsonShannon , Denise

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: Homeowner

Comment: I DO NOT WANT AN OUTREACH OFFICE TO DISCUSS WHAT YOUR PEOPLE WANT TO DO TO ME AND MY PEOPLE IN A NEIGHBORHOOD I LIVE IN, I WANT A SEAT AT THE TABLE AS A STAKEHOLDER. PLEASE AND THANK YOU.

\* this email was generated by kensingtonexpressway.dot.ny.gov

Sent from my iPhone

CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**From:** ubu joe

**Sent:** Tuesday, November 15, 2022 10:09 AM

**To:** dot.sm.kensingtonexpressway

**Subject:** NYS Kensington Expressway Project

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

Covering 3/4 of a mile of the Route 33 Kensington Expressway represents another half-baked, flawed, expensive and somewhat ridiculous idea that will in the end provide little benefit while creating new issues for the East Side. It is another example of the lack of vision and failure in long-term urban planning that has plagued our area for too long. A partially covered Route 33 would remain the unsafe and unsightly speedway that it is today.

Replace the current expressway with a Parkway that re-connects the Delaware and MLK parks, above ground, in open air, as Olmstead originally designed and created. And re-route that traffic utilizing surrounding street calming technologies and designs. Doing the project right from the beginning will pay for itself in many ways as a gift that keeps on giving for



future generations to come. And coordinating this project with the re-design of the Scajaquada Expressway.

Its time our local leaders showed how to get this done; not why it can't.

Joseph Donofrio, Ph.D.

[please keep me updated on this project](#)

**CAUTION:** This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**From:** Daniel Cadzow  
**Sent:** Tuesday, December 6, 2022 10:14 AM  
**To:** dot.sm.kensingtoncommunityoutreach  
**Subject:** Restoring Humboldt Pkwy

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

Hello,  
Please accept the attached Buffalo Rising article we drafted as a comment on the proposed project.

To that, we would address one criticism of this plan: Citizens for Regional Transit (we're members) has proposed an alternative route to the Airport using the existing RR RoW. While that would be an improvement to the current situation, we believe adding light rail to the recently restored and expanded Humboldt Pkwy would be a much more attractive option to potential riders. Traveling through residential and light commercial districts would be much more pleasant and utilitarian than through decaying industrial infrastructure and brownfields. It would also raise property values and stimulate the establishment or expansion of many small businesses along the route. Imagine commuters having the options of 1) sitting in rush hour traffic dealing with frustrated and aggressive drivers to 2) reading the paper on a train, hopping off to pick up some groceries or dinner or drinks, and hopping back on for one ticket price. This could remove thousands of vehicles from the city streets every day, greatly reducing congestion, pollution, and crashes.

Thanks for your consideration.

<https://www.buffalorising.com/2022/07/humboldt-parkway-should-not-only-be-restored-but-extended-along-the-length-of-nys-33-to-the-airport/>

**From:** Daniel Cadzow  
**To:** [dot.sm.kensingtoncommunityoutreach](mailto:dot.sm.kensingtoncommunityoutreach)  
**Subject:** Let's bring the entire city into a brighter future together.  
**Date:** Monday, December 12, 2022 10:18:32 AM  
**Attachments:** [image0.png](#)

---

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

Please consider the following argument for restoring all of Humboldt Pkwy and extending it from the airport to downtown. As the following presentation from Citizens for Regional Transit illustrates, the large amounts of traffic that will be diverted from NYS33 can readily be absorbed by the numerous and currently under-utilized radial and gridded streets:

<https://www.youtube.com/watch?v=I93-bLU9Zic>

The attached screenshot of a Google Maps search further illustrates how urban expressways induce many miles of travel, all to save a minute or two of travel. That's the opposite of improving Vehicle Miles Traveled or VMT. You can read more about that in the Partnership for Public Good Policy Brief entitled URBAN EXPRESSWAY REMOVAL IN BUFFALO: THE HISTORICAL CONTEXT:

[https://ppgbuffalo.org/files/documents/environment/transit/urban\\_expressway\\_removal\\_in\\_buffalo\\_\\_the\\_historical\\_context\\_2018.pdf](https://ppgbuffalo.org/files/documents/environment/transit/urban_expressway_removal_in_buffalo__the_historical_context_2018.pdf)

That induced driving not only adds to the traffic pollution, congestion, and crashes along NYS 33 corridor, it robs traffic's value-adding commerce from the numerous radial and gridded streets:

<https://ecommons.cornell.edu/handle/1813/73277>

Adding a light rail route connecting the airport to downtown will further reduce traffic pollution, congestion, and crashes, while promoting diversity, equity, and inclusion for those living in socially and economically segregated neighborhoods as well as those who cannot afford a car.

Maintaining NYS 33 by capping a small section will greatly impede Buffalo's revitalization by continuing the harms caused by concentrating traffic in some corridors in the city as well as robbing other neighborhoods of much-needed traffic. Let's bring the entire city into a brighter future together.

The Cadzow Family

**From:** Edward Randell  
**Sent:** Tuesday, January 31, 2023 12:27 PM  
**To:** dot.sm.kensingtoncommunityoutreach  
**Subject:** Kensington thesis research and presentation

Good afternoon Kensington outreach center,

My name is Ted Randell, I am a recent graduate of Georgetown University's Masters in Urban and Regional Planning and a native Buffalonian.

I visited your office on one of the first days you were open and spoke with you about my interest in the Kensington project and my plan to research the project's equity approach for my masters thesis. I wanted to share with you the resulting paper and presentation! My thesis attempts to identify how equity can be addressed in highway decking projects and focuses on the elements of the Kensington project that I find to be the most crucial for advancing an equitable outcome.

While I don't expect you to read all 40 some pages, I think the act of sharing resources and perspectives can prove valuable. I really appreciate the work that you are doing in the community and hope you're doing well.

- The paper is attached as a Word DOC.
- Here is the presentation recording for a boiled down version of the paper (I go first, starting at the 3:00 mark)

[Hold: Final Capstone Presentations - Zoom](#)

Warmest regards,

--

Ted Randell

Master of Professional Studies

Urban and Regional Planning | Georgetown University



Georgetown  
University

*Humboldt Beginnings: A Highway Cap's Case for Equity in East Buffalo*

Ted Randell

*A capstone thesis paper submitted to the Faculty Director of the Urban & Regional Planning Program at Georgetown University's School of Continuing Studies in fulfillment of the requirements for Masters of Professional Studies in Urban & Regional Planning.*

Project Advisor: Lian Plass  
Clinical Advisor: Arianna Koudounas  
Academic Advisor: Uwe S. Brandes  
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## ABSTRACT

This paper examines a local freeway capping project in the city of Buffalo, NY. It evaluates proposed development in the context of social and environmental concerns and applies a community-based equity framework to the goals of the project. Coming to terms with the detrimental legacy of highway building in urban areas and seeking to inject capital into cities, plans to retrofit freeways and redevelop underserved neighborhoods have accelerated with the recent passage of the Infrastructure Investment and Jobs Act. Other efforts to remove or retrofit freeways provide breakthroughs in and critiques of highway capping, while an analysis of equity indicators in the study area offers a lens through which to explore the project's socioeconomic and environmental outcomes within the community. This research employs an equity analysis planning area and relevant objectives within the Kensington Expressway project planning process to advance the discussion of the merits and shortfalls of highway capping and improve the impact of this restorative transportation infrastructure approach on sustainable and inclusive development. The research advances the importance of a well-documented engagement process and a community specific set of goals and strategies. The project's success hinges on proper identification of park management strategies, community programming and support from local organizations to ensure its benefits are maintained by the people for whom the investment is intended.

## KEYWORDS

Equity, Community Revitalization, Planning, Parks and Parkways, Equitable Development, Sustainable Development, Resiliency, Infrastructure Investment and Jobs Act, Transportation Planning, Buffalo, N.Y, New York State Department of Transportation

## RESEARCH QUESTIONS

1. What was the impact of the Kensington Expressway's construction on the City of Buffalo?
2. How might the plans for a freeway cap address equity-related issues in neighborhoods?
3. Can contemporary highway capping projects be justified as a rational approach to mitigating the long-term social impacts of historic urban highway projects?

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## Introduction

*The advancement of a social equity lens in city planning has brought closer scrutiny upon the historic injustices of planning methods and heightened the adoption of outcome-driven techniques meant to measure a project's impact on disadvantaged communities. Together with environmental concerns and the recognition that where we are born is a powerful determinant of health and safety; public and private sector forces are taking on a decades old planning mistake: urban freeways.*



Figure 1 The Kensington Expressway slices through Humboldt Parkway,  
Source: University at Buffalo

In Buffalo, Humboldt Parkway, a once verdant strip of Frederick Law Olmsted's Parkway System-turned expressway has carried commuters to and from the city's downtown core for decades. Once green and welcoming, the parkway became buried beneath a chasm of concrete, and drivers were given a direct bypass through the

area. The era of highway building that tore through major American cities left its scars on the city of Buffalo and the region, as policymakers turned their back on the character and presence of existing downtown neighborhoods to embrace the automobile-owning suburbs. In 1958 New York State Route 33, which connects Buffalo and Rochester, began establishing an expressway

into the City of Buffalo on its Westernmost edge. The expressway known to locals as “The Kensington” or “The 33” would establish a direct route to the new international airport and Interstate 90, which connects the State’s major cities along a similar route to the once-great Erie Canal. To the extent that the construction of The Kensington connected the city to its suburbs, it also disconnected its own people in a dramatic way, cementing the effects of a city segregated by design.

This topic is a product of growing up in the city of Buffalo, enjoying the benefits of a vibrant middle-class neighborhood, with historic parks in walking distance and the privileges associated with my race and class. I have driven the same freeway that I criticize in this paper hundreds of times to pick up out of town guests at the airport, but seldom does the welcome tour explore the areas of the city in which this research focuses. My desire for this project to succeed and to see those neighborhoods embraced is a fundamental bias of this project.

This paper is not a full historic account of freeway building in United States, but it will acknowledge the historic context of freeways to support relevant research. This research will contribute to the growing body of written work regarding freeway caps, but focuses on case study projects, and does not claim to encapsulate the practice in its entirety. Freeway Capping or freeway caps, also known as lids or decks, refers to an infrastructure project which replaces or retrofits an existing highway structure to create developable land for public or private use.

To restore a natural, connected urban environment and limit the environmental and social toll of heavy traffic running through neighborhoods, cities and states are engaging communities and accessing newly conceived transportation funding to respond to the long felt needs of residents. Freeway caps are a long-awaited piece of equity planning that have regenerative

potential, but their existence alone is not enough to generate equitable development. This paper argues the need for a concerted equity planning process and adoption framework.



Figure 2 Kensington Cap Park Project Concept 5, Source: NY DOT

## Literature Review

*The following Section establishes the relevant literature that characterized a shift in the professional practice of highway planning as a response to social and environmental opposition movements. It then introduces the concept of equity planning as it relates to infrastructure projects and the extent to which equity has been measured and standardized as a central narrative in highway capping projects*

### ***The Plight of the Freeway***

A major piece of writing that challenged and redefined successful freeways projects is the 1966 report “The Freeway in the City”. A federally appointed committee of engineers and architects developed a comprehensive work which provided harsher engineering guidelines meant to improve the negative environmental and aesthetic elements of the federal highway

program within populated areas<sup>1</sup>. The authors of the report, the “Urban Advisors”, were tasked by federal officials to respond to the national backlash known as the “highway revolts”, when cities across the U.S had, to varying levels of success, organized opposition to freeways in their neighborhoods. These movements coincided with a wave of social turmoil that arose out the late 1960s and early 70s. An era in which the United States lost much of its naivete and blind trust for the invisible cogs of “progress”- the environmental, preservationist, and civil rights movements underpinned the legitimacy of the freeway revolts<sup>2</sup>. The Urban Advisors report “shift[ed] the perspective on highway planning from one that privileged high-speed, high-volume attributes to one that also embraced environmental and community values”. Although not directly dealing with the topic of freeway capping, the report signaled a shift in highway building theory that had granted developers and engineers a “carte blanche” to dismantle entire neighborhoods in the name of progress. The National Environmental Policy Act (NEPA) of 1969 was one of the biggest victories borne in part by the public uproar from massive infrastructure projects with environmental and social costs. Despite this progress, “The Freeway in the City” and subsequent freeway projects developed within its constraints reveal a dark reality that despite their consequences and greater public accountability, freeways would be here to stay.

Studies have covered how freeway caps emerged in the 1970s as a political concession for communities that were unable to completely halt the construction of highways in their communities<sup>3</sup>. Lewis describes highway capping as a mitigation strategy for federal officials to

<sup>1</sup> Muller, E. K. (2014). Acceptably Pleasing: The Urban Advisors and the Struggle to Improve Freeway Design. *Journal of Urban History*, 40(5), 894–916. <https://doi.org/10.1177/0096144214533297>

<sup>2</sup> Avila, Eric. “L.A.’s Invisible Freeway Revolt: The Cultural Politics of Fighting Freeways.” *Journal of Urban History* 40, no. 5 (September 2014): 831–42. <https://doi.org/10.1177/0096144214536857>.

<sup>3</sup> Mohl, Raymond A. “The Expressway Teardown Movement in American Cities: Rethinking Postwar Highway Policy in the Post-Interstate Era.” *Journal of Planning History* 11, no. 1 (February 2012): 89–103. <https://doi.org/10.1177/1538513211426028>.

offer communities who were in opposition to freeways<sup>4</sup>. The literature now points to how these caps provide an alternate strategy to ameliorate injustices of freeway development by improving community cohesion, accessibility, and reconnection to downtowns<sup>5</sup>.

### ***Planning and Equity***

The planning profession has increasingly concerned itself with the impact of the built environment on social outcomes which means coming to terms with its unkind history towards disadvantaged groups. The United States is still reeling from the lasting impacts of redlining, a federally endorsed real estate practice employed by banks, planners, and developers to spur segregated development which both physically and financially institutionalized segregation in cities. The topics and measurements of equity raised in this paper arise from decades of professional research and documentation about the role of planning on unjust outcomes perpetuated by the built environment. This section identifies an equity framework through which to explore the Humboldt Parkway Project based on established professional literature and practice.

One challenge for planners to address is how to operationalize and measure equity. Equity planning can be at odds with economic development, evidenced by a disproportionate impact of freeways and other large public works projects on communities of color. However, as demographics shift away from a white majority, researchers and advocates are building the case for equity as a model for economic growth<sup>6</sup>. The research institution PolicyLink, which aims to

<sup>4</sup> Lewis, Tom. 2013. *Divided Highways: Building the Interstate Highways, Transforming American Life* Cornell University Press.

<sup>5</sup> Houston, Douglas and Michelle E. Zuñiga. 2019. "Put a Park on it: How Freeway Caps are Reconnecting and Greening Divided Cities." *Cities* 85: 98-109. doi:10.1016/j.cities.2018.08.007. <http://proxy.library.georgetown.edu/login?url=https://search.ebscohost.com/login.aspx?direct=true&AuthType=ip.uid&db=aph&AN=134185422&site=ehost-live&scope=site>.

<sup>6</sup> National Academies of Sciences, Engineering, and Medicine; Institute of Medicine; Board on Population Health and Public Health Practice; Roundtable on Population Health Improvement. Metrics That Matter for Population

advance racial and economic quality, has made infrastructure justice a centerpiece of their work. PolicyLink prepares equity profiles within their Equity Atlas tool using three central characteristics: **economic vitality, readiness, and connectedness**. Within these categories, quantifiable data indicators are readily available, which PolicyLink leverage to inform stakeholders.

The National Equity Atlas applies advanced mapping and data techniques in a way that echoes the core principles of a planning approach developed in the early 1970's. Norman Krumholz, the planner responsible for the *Cleveland Policy Planning Report* of 1975, championed the idea of city planning as more than an effort to encourage real estate development in downtowns and characterized equity as the presence of “choices”.<sup>7</sup> Krumholz’ objectives align well with the modern equity framework developed by PolicyLink forty years later. Table 1 compares Krumholz’ objectives with those of PolicyLink.

Health Action: Workshop Summary. Washington (DC): National Academies Press (US); 2016 Dec 28. 4, Measurement and Health Equity. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK424503/>

<sup>7</sup> Metzger, J. T. (1996). The Theory and Practice of Equity Planning: An Annotated Bibliography. *Journal of Planning Literature*, 11(1), 112–126. <https://doi.org/10.1177/088541229601100106>



**Table 1: Then and Now, Equity Planning Frameworks**

Objectives: <i>Cleveland Policy Planning Report, 1975</i>	PolicyLink’s Equity Atlas Framework, 2015
<ul style="list-style-type: none"> <li>• “To assure all city residents who are willing and able to work opportunity for employment at wages adequate to rise and remain above the poverty level”</li> <li>• “To assure all city residents with household responsibilities annual incomes sufficient to avoid poverty”</li> <li>• To provide all city residents the opportunity to live in housing that meets minimum legal standards of decency without spending an excessive portion of their income.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Economic vitality</b>—are all of a region's residents able to contribute to the region's economy? <ul style="list-style-type: none"> <li>• Is the region producing good jobs?</li> <li>• Can all residents access good jobs?</li> <li>• Is growth widely shared?</li> <li>• Do all residents have enough income to sustain their families?</li> <li>• Are race/ethnicity and nativity barriers to economic success?</li> <li>• What are the strongest industries and occupations?</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• To invest in private redevelopment efforts where it can be shown that such investment will provide a return to the city in the form of jobs for residents, revenues for the city, and/or services for low-income residents.</li> <li>• To ensure the improvement to, and maintenance of, minimum legal standards of health safety throughout the city to stop the process of neighborhood deterioration</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Readiness</b>—is the region ready with the workforce and human capital needed for the future? <ul style="list-style-type: none"> <li>• Does the workforce have the skills for the jobs of the future?</li> <li>• Are all youth ready to enter the workforce?</li> <li>• Are residents healthy? Do they live in health-promoting environments?</li> <li>• Are health disparities</li> </ul> </li> </ul>

	<p>decreasing?</p> <ul style="list-style-type: none"> <li>• Are racial gaps in education decreasing?</li> </ul>
<ul style="list-style-type: none"> <li>• <b>To enhance the mobility of those residents who cannot drive or cannot afford automobiles and are, therefore, dependent on public transportation.</b></li> <li>• <b>To improve the mobility of the non-transit dependent population but under the condition that no such transportation improvement leave the city or its residents in worse condition than prior to the improvement.</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Connectedness</b>—are all of the region's residents connected to the region's assets and resources? <ul style="list-style-type: none"> <li>• Do residents have transportation choices?</li> <li>• Can residents access jobs and opportunities located throughout the region?</li> <li>• Can all residents access affordable, quality, convenient housing?</li> <li>• Do neighborhoods reflect the city's diversity? Is segregation decreasing?</li> </ul> </li> </ul>

These frameworks have influence planning in cities across the United States. As a more modern and versatile tool, PolicyLink's resources study the impacts of shifting demographics coupled with a changing workforce, creating a growing senior population more dependent on workers of color, who will be "increasingly important to the community as a whole"<sup>8</sup>. The COVID-19 pandemic punctuated the United States' dependence on a working-class population where "essential workers" kept much of the nation fed, medicated, and educated.

### ***A Tip of the Cap***

The specific contribution of cap parks towards environmental justice is not as well documented as the role of parks in general. Health benefits and proximity of green space are

<sup>8</sup> Ibid

positively correlated, with most studies focusing on parks and “green cover”<sup>9</sup>. However, researchers differ on how to measure access to parks, with proximity and size not necessarily aligning with quality and use<sup>10</sup>.

Property data and the use of hedonic regression to determine the influence of parks on housing demand and cost are commonly used to correlate proximity to parks and green spaces with increase in land value<sup>11</sup>. A study by the Urban Land Institute on Parks and open Space cites a simple study by Fredric Law Olmsted, who as the lead architect of Central Park, tracked property values around the park and found properties in the wards surrounding the park had increased at a rate of almost 200% faster than other wards in the city<sup>12</sup>.

To date, the body of research examining the post-development impacts of freeway capping is limited. Kim et al. simulated health and cost benefits of a decked park over sunken parts of Cross-Bronx Expressway, concluding that the relative low cost of capping a below-grade expressway may generate economic savings and lead to longer, healthier lives for residents enjoying cleaner air and fewer negative health factors<sup>13</sup>. Other studies demonstrate design and engineering concepts of highway caps, such as how the use of high-performance materials contribute to lower life cycle costs and mitigate environmental impacts over the long-term life of

<sup>9</sup> Bedimo-Rung, Ariane L., Andrew J. Mowen, and Deborah A. Cohen. 2005. "The Significance of Parks to Physical Activity and Public Health: A Conceptual Model." *American Journal of Preventive Medicine* 28 (2, Supplement 2): 159-168. doi:<https://doi-org.proxy.library.georgetown.edu/10.1016/j.amepre.2004.10.024>. <https://www-sciencedirect-com.proxy.library.georgetown.edu/science/article/pii/S0749379704003046>.

<sup>10</sup> Ibid

<sup>11</sup> Tajima, Kayo. 2003. "New Estimates of the Demand for Urban Green Space: Implications for Valuing the Environmental Benefits of Boston's Big Dig Project." *Journal of Urban Affairs* 25 (5): 641-655. doi:10.1111/j.1467-9906.2003.00006.x. <https://doi.org/10.1111/j.1467-9906.2003.00006.x>.

<sup>12</sup> Leinberger, C. B., & Berens, G. (1997). Executive summary: Creating better urban parks and open space. In A. Garvin & G. Berens (Eds.), *Urban Parks and Open Space* (pp. 25–42). Washington, DC: Urban Land Institute.

<sup>13</sup> Kim, Sooyoung, Zafar Zafari, Martine Bellanger, and Peter Alexander Muennig. 2018. "Cost-Effectiveness of Capping Freeways for use as Parks: The New York Cross-Bronx Expressway Case Study." *Am J Public Health* 108 (3): 379-384. doi:10.2105/AJPH.2017.304243. <https://doi.org/10.2105/AJPH.2017.304243>.

highway caps<sup>1415</sup>. Due to the relatively young age of most highway capping projects, studies often focus on projecting future outcomes, rather than measuring existing impacts. However, the promise of anecdotal evidence such as the neighborhood renaissance on the Octavia Street Boulevard in San Francisco where the Embarcadero Freeway once stood has provided a glimpse into the potential regeneration of neighborhoods, driven by the adaptive reuse of urban land<sup>16</sup>.

Despite their successful elements, highway caps can create unforeseen financial burdens related to engineering or environmental impacts, like the complications involved with Boston's Big Dig<sup>17</sup>. While existing projects improve the process of identifying potential impacts before construction, they can result in a lack of commitment from stakeholders unwilling to make a riskier financial decision. Such financial-heavy perspectives are common, due to the relative simplicity in measuring successful investment and cost/benefit analyses. Social impacts are much more challenging to quantify and operationalize and may produce findings that challenge a project's otherwise successful benchmarks.

### **Case Study Review**

*The Kensington Expressway Project is one in a growing list of highway capping efforts seeking to reconnect urban grids of old and bring economic development to disadvantaged neighborhoods. The following section explores projects of similar size and ilk to Buffalo's expressway challenge.*

<sup>14</sup> Zoubir Lounis & Lyne Daigle (2013) Multi-objective and probabilistic decision-making approaches to sustainable design and management of highway bridge decks, *Structure and Infrastructure Engineering*, 9:4, 364-383, DOI: [10.1080/15732479.2012.657652](https://doi.org/10.1080/15732479.2012.657652)

<sup>15</sup> Zoubir, Lounis, and Therese P. McAllister. "Risk-based decision making for sustainable and resilient infrastructure systems." *Journal of Structural Engineering* 142, no. 9 (2016): F4016005.

<sup>16</sup> Cervero, R. (2006). Freeway Deconstruction and Urban Regeneration in the United States. *UC Berkeley: University of California Transportation Center*. Retrieved from <https://escholarship.org/uc/item/5fd6n8hr>

<sup>17</sup> Hodges, A. and American Planning Association. 1998. "Big Dig, Big Results." *Planning* 64 (3) (Mar). <https://trid.trb.org/view/504694>.

## Rochester, N.Y.: The Inner Loop

Sixty-six miles to the east of Buffalo, a city and project not unlike the Kensington Expressway has already seen a completed freeway retrofit. Rochester and Buffalo are cities which both exist in the shadow of their former industrial height. The Inner Loop (I-490), true to its name, once constrained the entire Rochester downtown area was built to serve a larger, denser population and job center. In contrast to the great visions of the



*Figure 3 Rochester's Inner Loop East Project. Source: City of Rochester*

highway engineers, the Inner Loop facilitated the city's decline and has until recently kept downtown neighborhoods separated from one another.

In 2014, the Inner Loop East Reconstruction Project successfully acquired grant money from the Federal DOT. The Transportation Investment Generating Economic Recovery (TIGER) program was the primary investor, setting aside \$16 million to begin redeveloping the Inner Loop East area. The city's project website describes the plan "to tear down barriers that have stifled growth, hindered neighborhood cohesion and depressed urban vitality". While it falls short of removing the entire Inner Loop, the project focuses on recapturing economic value of east downtown property while improving connectivity, livability, safety, and sustainability. Notably, the project narrative has no mention of the word "equity" but suggests improved mobility for residents and increasing the opportunity to walk, bike, or take transit as a boost to poor families who spend a greater share of their income on transportation. In acknowledging a "disproportionate impact" of improvements that will be seen in low-income communities, the

city evades gentrification concerns, framing improved conditions as only having a positive impact.

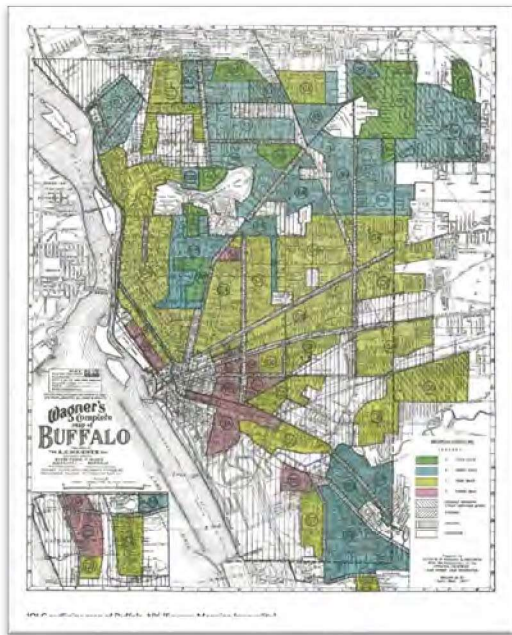
One element that impacted the successful funding of the Inner Loop project was the presence of an attractive cost benefit analysis that favored removal of the highway over costly repairs<sup>18</sup>. Cost can be a major driver of political will, design plans, and engagement processes. Another element that influences transportation projects is the cost of commuting time and relative “Level of Service” that will be offered under the conditions of a new development. A traffic analysis of the Inner Loop and found that annual average daily traffic was no higher than local and state routes within the Loop<sup>19</sup>. It is safe to assume that traffic engineers and planners were more comfortable with the notion of removing a portion of the freeway considering its relatively low levels of traffic. In Buffalo, similar considerations will impact the ultimate design choice of the Kensington Project. Roughly 75,000 motorists use the Kensington Expressway every day.

The Rochester Inner Loop Project does set itself apart in several important ways from the Kensington Project. A return-to-grade technique was used in lieu of a cap or deck, which infills the expressway and creates local roads, typically calming traffic overall. An Evaluation of the differences in outcomes for return-to grade versus capping projects is not addressed here but is worth noting.

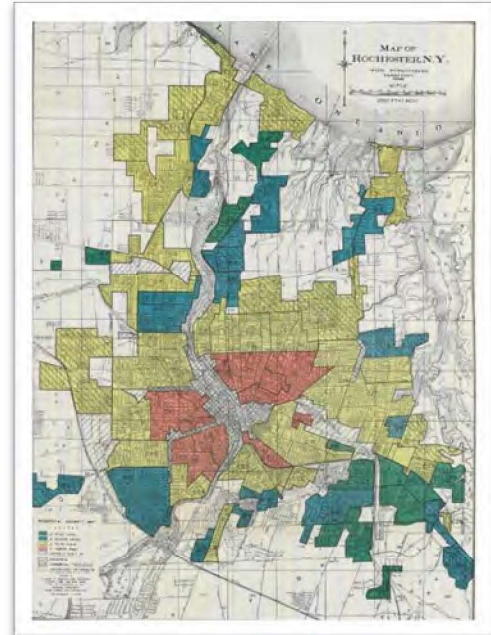
<sup>18</sup> Steiner, Jenna. "Infrastructure and Poverty: Removing Urban Freeways to Rectify a Planning Disaster," *Journal of Affordable Housing and Community Development Law* 27, no. 3 (2019): 527-548

<sup>19</sup> Petti, Jeanette. 2017. "A Geospatial Analysis of the Physical and Economic Consequences of Rochester's Inner Loop." *Cornell Policy Review*. <http://cornellpolicyreview.com/GIS-Special-Edition/article.php?id=3>.





*Figure 5 HOLC map of Buffalo, NY, Source: WKBW*



*Figure 4 HOLC map of Rochester, NY, Source: Democrat and Chronicle*

The physical separation created by the Inner Loop is even more stark than in the Kensington project. The clear delineation between residential neighborhoods and the downtown core is anecdotally evident or upon review of satellite photos. In the mid-to-late 1930's both Buffalo and Rochester were mapped by the Home Owner's Loan Association Corporation (HOLC), and areas of the city were assessed grades relative to their "residential security". Lower grade areas were less likely to be considered for loans and were almost always correlated with communities of color. Downtown areas of both Buffalo and Rochester were heavily redlined or rated as having poor residential security. The self-fulfilling prophecy of the HOLC ensured those areas would remain blighted. Freeways are a concrete-cast relic of redlining policy, keeping "undesirable" populations in their place, secluded from economic growth. In Buffalo, however, the Humboldt Parkway Area was rated second grade in the HOLC maps, due to its attractive parkway landscape. This distinction is important in the story of the Kensington Expressway.

Something happened between the 1930's and 1960's that encouraged a disinvestment in a local neighborhood, resulting in the decision to demolish its greatest asset.

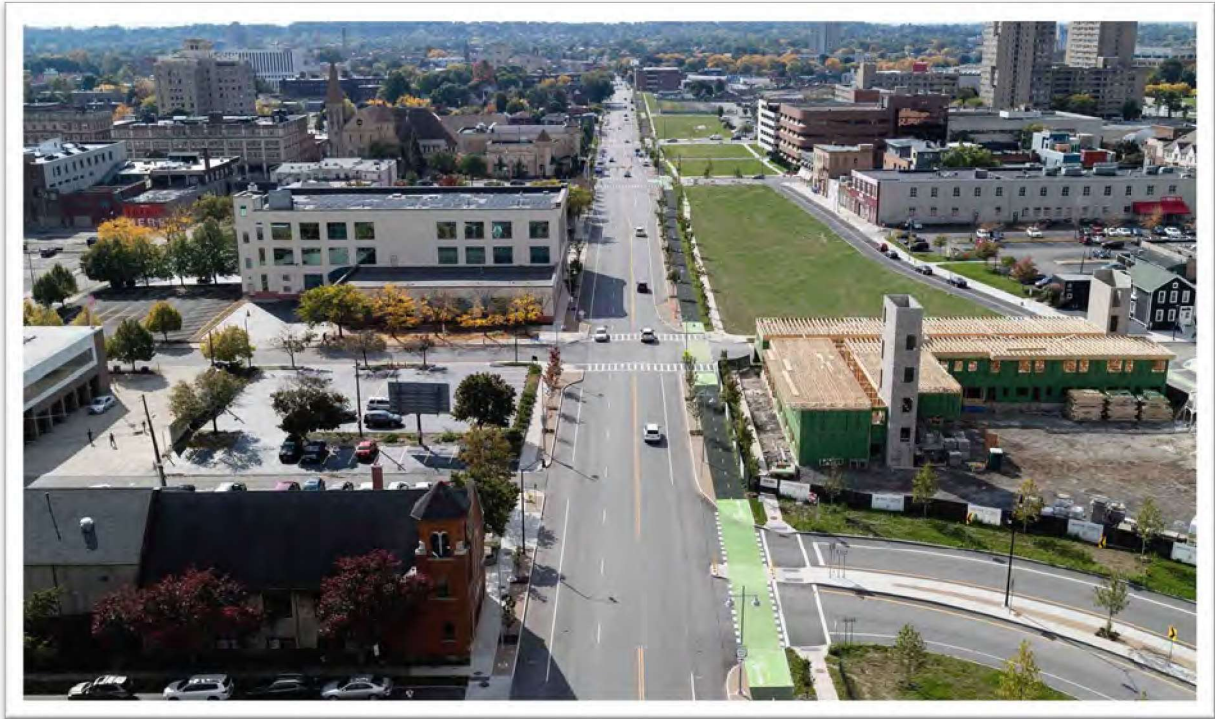
The lengthy process to restore Rochester's street grid along Inner Loop East is still playing out, but the city can point to many successes. The project boasts of potential development of up to nine acres for a mix of uses. The potential for commercial and residential development of that scale can create an entirely new neighborhood. Three aging bridges were also eliminated, while bike and pedestrian infrastructure encourage multimodal use of the space. The Inner Loop project addresses several elements that speak to the equity framework introduced in the previous section. Most notably, connectivity and economic vitality are impacted by



*Figure 6 Artist's Rendering of the Inner Loop East Project. Source: City of Rochester*

developing land that connects to the city's existing grid while improving transportation and building a sense of place where none existed. Whether the return on investment will be felt by the most disadvantaged communities of whom the project proposes to aid is yet to be revealed. The development that will continue to grow from the Inner Loop East investment should be judged in part by its ability to recognize and build on the uniqueness of the Rochester community. The essential role of planners and community-based organizations in establishing the groundwork for success of existing communities are central to the argument of this paper.





*Figure 7 Aerial view of The Inner Loop Redevelopment, Source: Reconnect Rochester*

### **Dallas, TX.: Klyde Warren Park**

Dallas' own freeway park capping effort opened in 2012, ten years after its conception. The park reconnected the Downtown Cultural District with its northern residential neighborhoods. The North Dallas community directly to the east of the park was settled by former slaves and remained a thriving Black neighborhood until the Great Depression. In the 1940s when redevelopment was proposed in the form of the Central Expressway, clearance for the expressway split the neighborhood in two and extended westward towards another minority community. A formerly Jewish neighborhood dubbed "Little Mexico" after the settlement of Mexican Immigrants fleeing revolution in 1910, was also severed by the development of the Dallas North Tollway, albeit later in the 20<sup>th</sup> century. The impact of Dallas' patchwork of freeways was devastating to communities of color. Now, those who were forced to sell homes

and relocate are not destined to benefit from the current success of the corridor, which has bolstered business interests and a new vision of a cultural destination.

The park itself has catalyzed development dramatically. By the time it opened in 2012, Klyde Warren Park had resulted in \$1 billion in residential and commercial developments within one-half mile of the park and had helped lift ridership of the local trolley by 61%<sup>20</sup>. The park continues to attract residents, businesses, and investors, while plans to expand the park include new cultural and civic connections, such as the nearby Perot Museum of Nature and Science and the Arts district. The park's success even surprised local developers, who are benefitting from the rising rents. The 5.4 acre park has exceeded expectations, becoming the "epicenter" of development, where in surrounding neighborhoods, rents climbed as high as 64% in the 3 year period of 2012-2015<sup>21</sup>.



*Figure 8 Dallas' Klyde Warren Park, Source: Scott Womac*

<sup>20</sup> Houston, Douglas and Michelle E. Zuñiga. 2019. "Put a Park on it: How Freeway Caps are Reconnecting and Greening Divided Cities." *Cities* 85: 98-109. doi:10.1016/j.cities.2018.08.007. <http://proxy.library.georgetown.edu/login?url=https://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,uid&db=aph&AN=134185422&site=ehost-live&scope=site>.

<sup>21</sup> Perez, Christine. 2015. "How Klyde Warren Park has Changed Dallas Real Estate." *D Magazine*, Aug. <https://www.dmagazine.com/publications/d-ceo/2015/september/how-klyde-warren-park-has-changed-downtown-uptown-dallas-real-estate/>.

The park's funding was coordinated between the City of Dallas, Texas Department of Transportation, US Department of Transportation, and Woodall Rodgers Park Foundation. The foundation is now responsible for the park's maintenance and operation, supported by mostly philanthropic funds.

The non-profit park ownership structure is gaining popularity across the country. Although not a highway cap park, Washington DC's Franklin Park shares in this unique urban park management process. The DowntownDC Foundation took over National Park Service operations after the park was redeveloped, which was better equipped to focus on the local engagement process, programming and organizing. The structure provides benefits to both the quality of the park and the surrounding community. The foundation's support for the homeless population that was displaced when the new park was built is an equitable outcome that would not have been likely in a typical park management structure<sup>22</sup>.

The Diversity, Equity, and Inclusion Task Force for Klyde Warren Park reviews and promotes park plans and policies with the community in mind; supporting free events, education, and continued investment in the park's amenities and programs is cementing the park as a stable investment for the surrounding area. Despite these efforts, the park's success ironically represents a bitter materialization of the early redevelopment efforts of freeways. In patching over the eye sore of the freeway, some argue the park is a product of "green washing"<sup>23</sup>. The CEO of the business improvement district, Downtown Dallas, Inc., expressed how the project "rights a lot of wrongs" by removing the barrier caused by the freeways and claims the park "gives us a much bigger sandbox to play in. It will help provide the type of urban environment

<sup>22</sup> Giambrone, Andrew. 2019. "New Downtown Foundation to Support Work on Parks, Homelessness, and Events." Curbed DC, Oct. <https://dc.curbed.com/2019/10/29/20937993/dc-downtown-bid-foundation-parks-homelessness-events>.

<sup>23</sup> Houston, Douglas and Michelle E. Zuñiga. 2019

that companies and people are hungry for today.”<sup>24</sup> Righting the wrongs of freeway development through this rigid economic lens ignores and diminishes the role of historically impacted groups and gentrification concerns by solely focusing on the area’s economy and marketability.<sup>25</sup>

### **Professional Practice**

*The shift in professional thinking on the social impact of freeways did not take place overnight, but the seismic impact of new investment and federal initiatives into restorative infrastructure has created numerous opportunities in an abbreviated period. Due in part to the success of completed highway caps; planners, activists, and politicians, are touting the benefits of highway removal and jockeying for state and federal funding to initiate projects across the country.*

The passage of the Infrastructure Investment and Jobs Act (IIJA) in 2021 marked an historic opportunity in transportation investment because of its commitment to historic injustices perpetuated by past infrastructure projects. The Reconnecting Communities Program is a five-year, billion-dollar pilot program established to help fund restorative projects like the Kensington Expressway intended to “reconnect... communities that were previously cut off from economic opportunities by transportation infrastructure”, per the USDOT. Despite the relatively small pot of cash, (a heavily diluted sum of the original \$10 billion proposal) the program has armed states and cities with both political and financial will and capitol.

With roughly \$200 million each year, the federal program is equipped to generate small grants of up to \$ 2 million to help state and local leaders plan for infrastructure investments and

<sup>24</sup> Perez, Christine. 2012. "What the Park Means for Dallas Real Estate." D Magazine (Oct). <https://www.dmagazine.com/publications/d-magazine/2012/special-report-the-park/what-klyde-warren-park-means-for-dallas-real-estate/>.

<sup>25</sup> Houston, Douglas and Michelle E. Zuñiga. 2019

facilitate engagement within the impacted communities.<sup>26</sup> While limited in capacity, the Reconnecting Communities Pilot prioritizes equity on the agenda of a federal agency like never before. Similarly, a federal initiative within the Inflation Reduction Act Known as the Neighborhood Access and Equity Grant Program could initiate joint land-use and transportation projects to curb carbon emissions.

To help guide equity-centered projects in transportation infrastructure, the planning profession has called upon its leading organizations to develop compendia of best practice documentation and guidance.

- The Congress for the New Urbanism (CNU) has been identifying and telling stories of successful strategies for highway capping in their “Freeways Without Futures” series<sup>27</sup>. By highlighting the health, equity, opportunity, and connectivity of projects, they expose the sometimes-invisible impacts of freeway removal. CNU’s advocacy for highway caps is well-matched with their design-heavy perspective, which focuses on social and environmental elements of cities that put people at the center of planning to encourage walkable, enjoyable places.
- The Urban Land Institute’s data guide, for “Advancing Racial Equity through Federally Funded Public Transit, Bicycle, and Pedestrian Projects” assists local applicants in the grant proposal process<sup>28</sup>. The information mirrors other equity frameworks, such as PolicyLink, by providing indicators and data sources for specific equity outcomes.

<sup>26</sup> Wilson, Kea. 2022. "Here's what You Need to Know about the "Reconnecting Communities" Pilot Program." Greater Greater Washington, Aug. <https://gwwash.org/view/86212/heres-what-you-need-to-know-about-the-reconnecting-communities-pilot-program>.

<sup>27</sup> "Freeways without Futures 2021." Congress For The New Urbanism., <https://www.cnu.org/highways-boulevards/freeways-without-futures/2021>.

<sup>28</sup> Axelrod, Judah, Samantha Fu, and Karolina Ramos. 2022. Advancing Racial Equity through Federally Funded Public Transit, Bicycle, and Pedestrian Projects; A Data Guide for Local Applicants. Urban.gov

- Planners at the American Planning Association develop topic-specific guidelines for equity that range from equitable zoning practices to placemaking opportunities in ethnic communities. As the equity toolbox grows in scope, it is increasingly important that practitioners be trained in their respective crafts with these concepts in mind.

The Kensington Expressway Project's billion-dollar investment will be largely funneled towards design and construction costs, but the addition of federal funding opens doors for innovative engagement opportunities. Ultimately, incentivizing the adoption of an equity framework for transportation projects through grants helps standardize and materialize equity as common practice in the planning profession. Equity planning creates a more comprehensive understanding of the social impacts of investments while lessening the “siloing” effect of planning practitioners narrowly dedicated to their own expertise.

### **Research Methodology**

This project evaluates the existing conditions of a singular project area through the lens of equity indicators. Those indicators are a selection of datasets inspired by PolicyLink's Equity Atlas which draws from previous equity planning experiences to help cities make informed decisions about underrepresented communities. An exploration of current conditions in the study area will help frame an analysis of the opportunities and challenges faced in the attempt to restore this piece of Humboldt Parkway. Spatial representation and analysis, secondary data, and first-hand experiences will illustrate the project plans, while journal articles, professional stakeholder interviews and qualitative data will inform the current trajectory of the project and suggest the future implications of development on indicators of equity.

Using a three-pronged equity framework modeled after in PolicyLink's Equity Atlas, the research sections will examine data in three main categories: economic vitality, readiness, and connectivity. Data collected and visualized for these indicators from multiple public sources including PolicyLink, ESRI, Erie County real property data, and the U.S Census will provide information on the study boundaries. These data will illustrate the existing equity levels to inform equity considerations and recommendations for the project's implementation.

## Research Chapter 1: Study Area and Proposed Site Conditions

*The following Section defines the study area of the project and provides the logical basis for defining the physical constraints of subsequent*

### *Research*

#### *Study Area Selection and Description:*

The project area is defined by political boundaries of census block groups within a reasonable walking distance of the proposed project site. A 0.25-mile buffer from the site was used to represent the walkable area, while 14

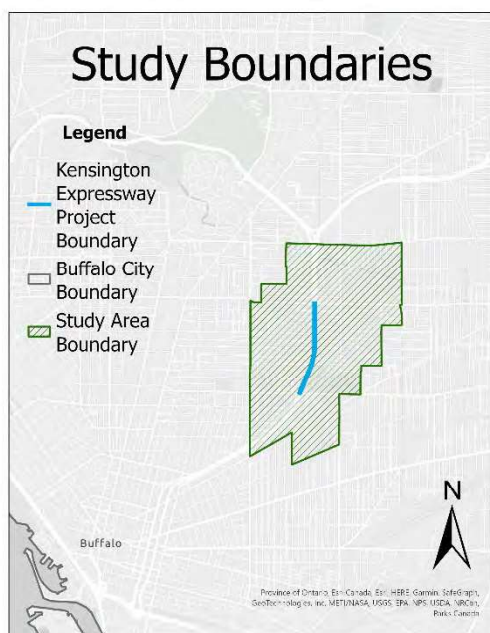


Figure 9 Study Area, Source: Author, ESRI

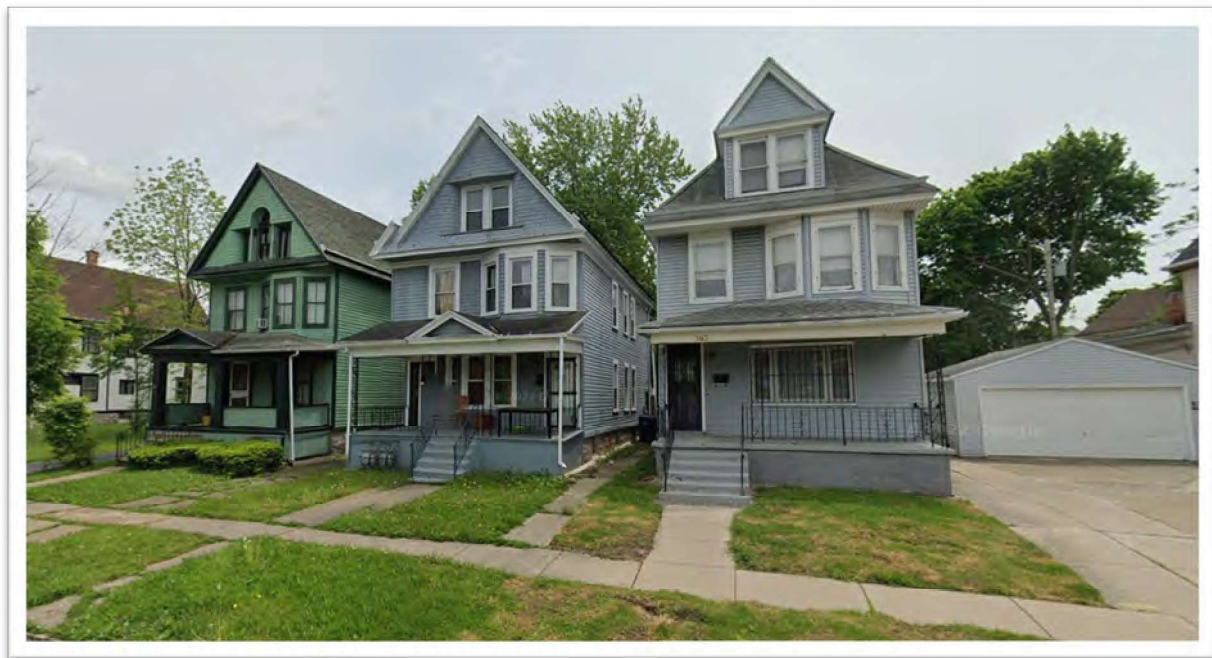
unique census block groups that intersect with the buffer were selected as reliable boundaries for data collection and represent the neighborhood scale. Most of the study area falls within a reasonable walking distance of the proposed project site. Despite the lack of harmony on how to measure access to parks, researchers recognize that a reasonable walking distance is necessary



for daily park users<sup>29</sup>. The study area buffer uses Euclidian distance and does not include other aspects of the walkability “network” which could consider the street network, pedestrian safety, or other barriers which relate to the discussion but are deserving of dedicated research.

### *Urban Form and Land Uses*

The study area encapsulates a heavily residential area of the city, with local serving businesses mostly located on Fillmore Avenue, Jefferson Ave, and E. Ferry St. The residential architecture in the area is mostly of the Industrial Vernacular style- “tall, wooden, balloon frame two-flat (double) houses”<sup>30</sup> as shown in Figure 6. Between 1890 and 1929, Buffalo constructed these easy-to-build homes for a growing middle class. Many houses have since been lost to fire or neglect, and along Humboldt Parkway, what was once a pleasant front-porch experience is



*Figure 10 A row of Typical Two-flat houses in Buffalo, Source: Google*

<sup>29</sup> Tan, P.Y.; Samsudin, R. Effects of spatial scale on assessment of spatial equity of urban park provision. *Landsc. Urban Plan.* 2017, 158, 139–154.

<sup>30</sup> Stein, Gregory P. 1997. "The Two-Flat Home in Buffalo, NY: Landscapes of the Industrial Vernacular ." *Middle States Geographer* (30): 120-123. [https://msaag.aag.org/wp-content/uploads/2013/05/16\\_Stein.pdf](https://msaag.aag.org/wp-content/uploads/2013/05/16_Stein.pdf).



lost to the roar of expressway traffic.

The study area contains 6.8% of the city's vacant properties, mapped in Appendix A. Vacant properties make are typically overgrown lots of grass or concrete and lots that in sum make the area feel emptier than it is. Generations worth of disinvestment have taken their toll on the once valuable land adjacent to the parkway which now feels uninviting. The former site of Deaconess Hospital exemplifies the hesitancy to invest in development near the expressway. The site at 600 Northampton Street was demolished in 2013 when it was purchased by the nonprofit Community Action Coalition of Erie County, which later became the Community Action Coalition of Western New York (CAO). In 2018, CAO announced plans to open a daycare and medical clinic on the site and the city granted a Special-Use Permit in September<sup>31</sup>.

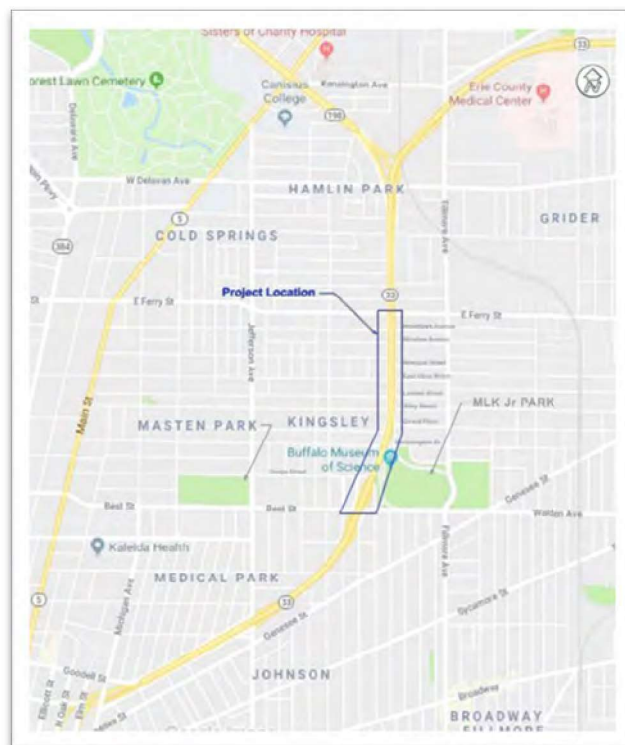


Figure 11 Project Location Map, Source: NYSDOT

<sup>31</sup> City of Buffalo Planning Board. 2018. J. Hazel, Agent, Special use Permit-600 Northampton for a Daycare/Medical Clinic (Sep 25,).

Unfortunately, there has been no development on this site, which CAO still owns. The future of the site is uncertain but is key for the future of Humboldt Parkway and capping efforts as it abuts the proposed site plans in the cap park proposal and sits across the expressway from the Buffalo Museum of Science and MLK Park, two major cultural and social anchors of the area.

### *Proposed Project location and Highlights*

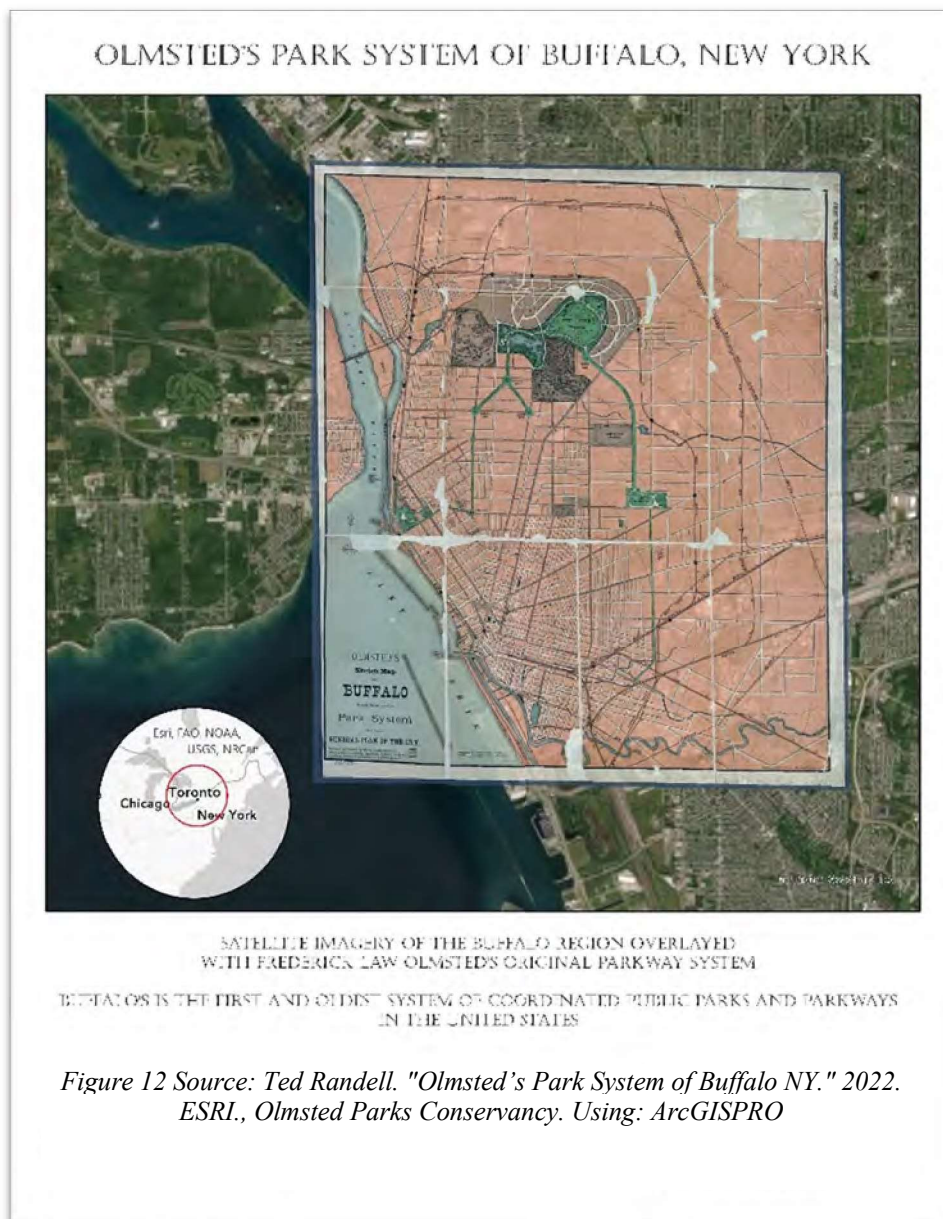
The project's proposed site covers ten linear blocks, spanning from E. Ferry Street to Best Street. The ten design alternatives range greatly from aesthetic and engineering perspectives, but commonly focus on reconnecting east-west local streets and maintaining vehicle flow on the Existing sunken portion of the Expressway. These project alternatives will likely be included in the ongoing Environmental Assessment, where it will be determined if the project will significantly impact the quality of the human environment. State DOT representatives revealed the alternatives to a public outreach event in June of 2022, where attendees were presented with each proposal.

In early November 2022, the State announced the opening of a public outreach center at 878 Humboldt Parkway, along the project corridor. The office is staffed from 10 a.m. until 6 p.m. Tuesday through Friday and 10 a.m. until 2 p.m. on Saturday. The office's small staff is operated by members of a State-contracted architecture firm, Labella Associates. Janate 'Solar' Ingram is the center's outreach specialist, welcoming visitors into the office, which shares a roof with FellowshipWorld Church. As the State whittles down the ten proposed options and prepares final scoping documentation, engagement is crucial. Project staff have also announced plans to conduct outreach at church services through the fall. The State intends to have shovels in the ground by 2024.

## Research Chapter 2: The Humboldt Story

*The following section explores the current conditions of East Buffalo neighborhoods in the context of historic social impacts created by the destruction of Humboldt Parkway.*

The destruction of Humboldt Parkway changed the complexity of Buffalo's open space and the city's historic system of parkways as envisioned by Fredrick Law Olmsted. I was raised a short stroll from an existing piece of the original Olmsted Parkway plan, Bidwell Parkway. To this day, the pleasant feel of the space is a product of being surrounded by grass, a canopy of



mature trees, and beautiful homes. It creates the feel of an outdoor room, a phrase commonly used by urban planners to describe the feeling of comfort and security afforded by a well-designed public place. While rarely programmed and void of playgrounds, gazebos, or playing fields, the parkways are still frequented by the public for daily uses like walking, frisbee throwing, and a weekly farmers market. Much like Olmsted's "Emerald Necklace" in Boston, the parks and parkways of Buffalo serve a variety of purposes as Olmsted intended, which aligned with an era of city planning that sought to surround oneself by beauty and reincorporate the tranquility of nature into city life.

While some Buffalo natives remember the historic Humboldt Parkway in its intended form, the current freeway iteration has left generational impacts which the project proposes to remedy. The project area spans from Best Street to East Delevan, a  $\frac{3}{4}$  mile stretch that falls short of reconnecting Olmsted's original vision of connecting Martin Luther King Jr. and Delaware Parks. These disconnected pieces of Olmsted's original vision are help back the argument of many that a partial freeway deck doesn't go far enough. Local opinion ranges from calls to fully remove the freeway and bring back the Olmsted Vision to calling the project a "waste of money", better spent expanding transit or investing in more programs for kids to help steer them away from crime<sup>32</sup>. The tension between development priorities in East Buffalo neighborhoods may be traced to a failure to effectively organize and advocate on behalf of residents, evidenced in the Kensington's initial construction, and now posing a challenge for the neighborhood's future.

### *The Kensington and the Community*

<sup>32</sup> Sommer, Mark. 2022. "'They Cannot Replace what's Gone': Route 33 Residents Split Over Restoration Plan." The Buffalo News, Dec 14,. [https://buffalonews.com/news/local/they-cannot-replace-whats-gone-route-33-residents-split-over-restoration-plan/article\\_26635c98-0dee-11ed-9f39-d7b0e85ea578.html](https://buffalonews.com/news/local/they-cannot-replace-whats-gone-route-33-residents-split-over-restoration-plan/article_26635c98-0dee-11ed-9f39-d7b0e85ea578.html).

In June 2022, the State DOT held its first official scoping meeting where community members were shown the various development alternatives and encouraged to take part in a public comment period<sup>33</sup>. A small number of engagement events surrounding the Kensington project pale in comparison to the 25 public meetings held by the DOT since 2007 related to the city's other key freeway removal effort along the Scajaquada Parkway. Despite their similarities and their common role in "undermining" Olmsted's parkway vision, these projects have been critiqued for failing to collaborate at a high level<sup>34</sup>.

Community engagement has revealed a complex range of opinions to the project's current scope. Relative to the Olmsted's original Humboldt Parkway, the project pales in size. While the project is similar in size to other highway caps like the Rochester and Dallas examples, the arguments for restoring Humboldt Parkway in its entirety carry the burden of equity and restorative justice. However, advocates like The Restore Our Community Coalition (ROCC) support the current project plans and are concerned that the "scope creep" of an extension could derail the project. Project officials have cited engineering challenges, time and financial costs, and additional environmental review as elements that render a further extension "unfeasible"<sup>35</sup>. Historically, highway caps and other massive infrastructure projects have the potential to be drawn out and costly experiences. Boston's Big Dig is perhaps the most prolific example of a restorative highway project that set out tunnel under the city and sink the existing freeway. Its ambitious plans faced numerous setbacks, sending it far over budget. Despite the

<sup>33</sup> Anstey, Evan. "Scoping Sessions for Kensington Expressway Project Happening Thursday." WIVB., last modified Jun 27, <https://www.wivb.com/news/local-news/buffalo/scoping-sessions-for-kensington-expressway-project-happening-thursday/>.

<sup>34</sup> Editorial Board. 2022. "The Editorial Board: Think Big on Kensington's Possibilities." The Buffalo News, Nov 5. [https://buffalonews.com/opinion/editorial/the-editorial-board-think-big-on-kensingtons-possibilities/article\\_d6ab0852-5ba1-11ed-b7fb-af8c4c51e531.html](https://buffalonews.com/opinion/editorial/the-editorial-board-think-big-on-kensingtons-possibilities/article_d6ab0852-5ba1-11ed-b7fb-af8c4c51e531.html).

<sup>35</sup> Sommer, Mark. 2022. "Kensington Expressway Project could Expand Farther North – but just a Little ." The Buffalo News, Dec 7. [https://buffalonews.com/news/local/kensington-expressway-project-could-expand-farther-north-but-just-a-little/article\\_c1939666-7580-11ed-9974-ffb3c75764bc.html](https://buffalonews.com/news/local/kensington-expressway-project-could-expand-farther-north-but-just-a-little/article_c1939666-7580-11ed-9974-ffb3c75764bc.html).

project's ultimate success, it likely impacted the willingness of governments to undertake similarly massive projects.

ROCC and other local advocates of the project have sought to reach skeptics by highlighting the disparate impacts of community division caused by the Government's decision to build the Kensington through East Buffalo. A local artist, Max Collins has been telling the story of the Kensington and the surrounding community through his artwork. His mixed media



*Figure 13 A recreation of Max Collins' mural depicting the past/present conflict of the Kensington Expressway*

work includes a mural of the former Humboldt Parkway. The colorized photo of the former Humboldt Parkway sits beneath a wheat paste layer of a black and white image of a congested Kensington Expressway. With help from the hands of passersby and the harsh elements of Buffalo, the wheat paste flakes and dissolves, revealing the colorized image of the past. Collins' nod to temporal change and past mistakes is a reminder of the beauty taken from the neighborhood.

The project's success will rely on a commitment to community inspired goals and, as this paper argues, using policy-oriented indicators to measure the project's outcomes. As gleaned from the other capping projects discussed, there is no singular approach to a successful highway cap. The Kensington Project requires a focused approach and place-based strategy given its unique set of characteristics. Voluntary events, like lectures and art exhibitions have helped contributed to the discourse over the Kensington's merits from academic and community perspectives; and continuing to pursue creative methods of community engagement will be essential with multiple barriers to a fully engaged community.

### **Research Section 3: The Humboldt Story, Continued**

*This section will explore the extent to which freeway development further segregated the city and the current state of those effected neighborhoods.*

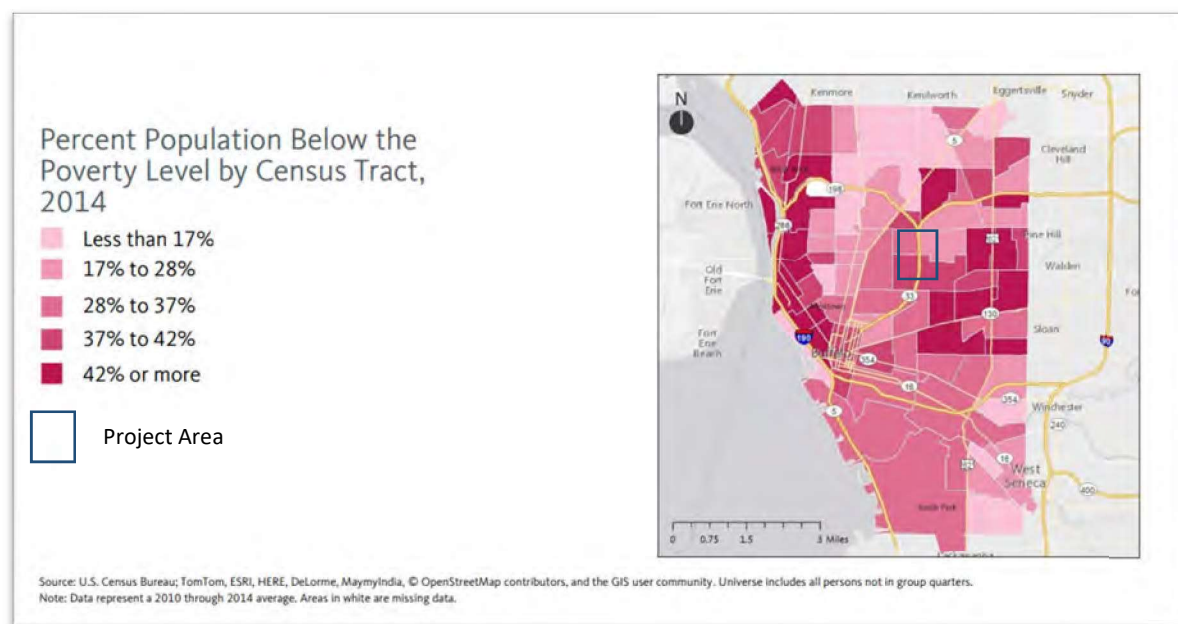
A demographic analysis of the city and the project study area are critical to the equity framework presented in the literature section of this paper. Historically, the changing demographics of Buffalo are important to understanding how disinvestment occurs in communities of color. Although expressway construction and planning were widespread throughout the city, the elevated threat of displacement for African Americans was a heavier burden in comparison to white neighborhoods<sup>36</sup>. The Great Migration of Southern blacks to Northern industrial towns fueled racist sentiment and fearmongering in the real estate industry, where residential racial integration in was viewed as inharmonious. The era of "white flight" to the suburbs was already underway when construction began on the Kensington Expressway in

<sup>36</sup> Kraus, Neil. 2004. "Local Policymaking and Concentrated Poverty: The Case of Buffalo, New York." *Cities* 21 (6): 481-490. doi:10.1016/j.cities.2004.08.004. <https://www.sciencedirect.com/science/article/pii/S0264275104000964>.



1958. Between 1960 and 1970, Buffalo's black population increased from 13.3 percent to 20.4 percent<sup>37</sup>. The concentrated segregation patterns combined with a declining economy trapped many black Buffalonians in poverty on the East Side of the City.

Current demographic trends reflect the historic spatial correlation between poverty and race in Buffalo. In Figure 14, the highest poverty levels exist in the city's East and West sides. Poverty is evidenced firsthand in quality and availability of services like grocery stores,



*Figure 14 Percent Population Below the Perty Level, Source: PolicyLink*

pedestrian infrastructure, schools, etc. The temporal flux of demographics is crucial in determining how equitable investments can be made to address poverty and other social issues within the study area. Figure 15 shows both an overall population decline and growth in the Asian or Pacific Islander population. The Northeast of the city remains home to majority black neighborhoods.

<sup>37</sup> U.S. Bureau of the Census, U.S. Census of Population and Housing: 1960 Census Tracts, Final Report PHC(1)-21 (Washington, DC: U.S. Government Printing Office, 1962), 15; U.S. Bureau of the Census, U.S. Census of Population and Housing: 1970 Census Tracts, Final Report PHC(1)-35, Buffalo, NY, SMSA (Washington, DC: U.S. Government Printing Office, 1972),



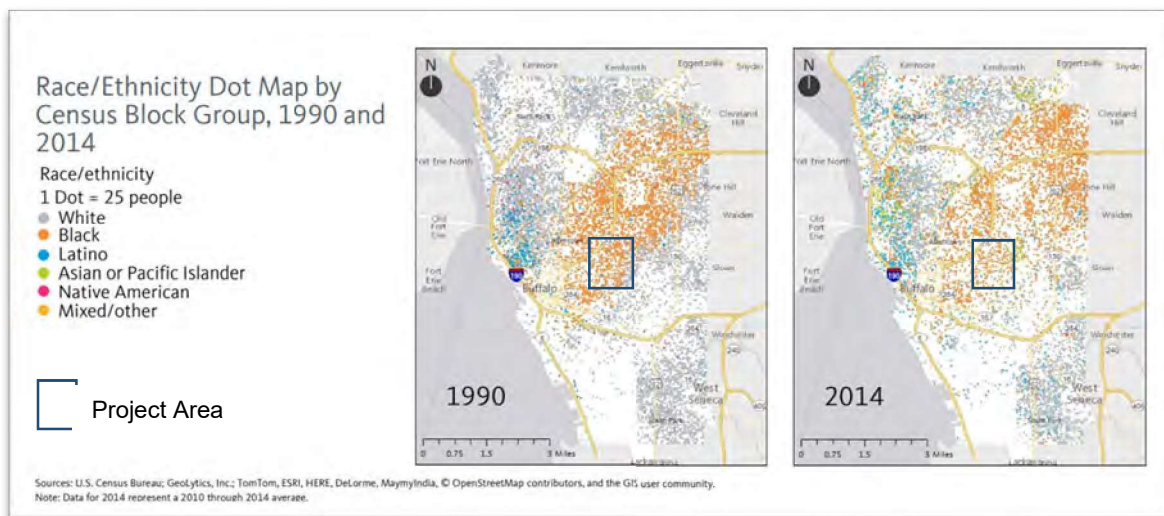


Figure 15 Race/Ethnicity Dot Map, Source: PolicyLink

PolicyLink’s Equity Atlas reveals an overall population decline in the Buffalo metro area and Erie County but notes a growth in the people-of-color (POC) population of 17 percent in and 16 percent respectively. In the city, the POC population remained steady<sup>38</sup>. Recognizing changing demographic characteristics can help frame the redevelopment strategy for the Kensington expressway project and clue local stakeholders into which communities are most critical for future success. In many ways, East Buffalo has not seen an investment of this magnitude since the expressway itself. This time, the community hopes that the project will serve their interests faithfully.

#### Research Chapter 4: Equity Analysis Framework

*This section will identify equity indicators based on the three categories of the Equity Atlas referenced in the literature review: **Economic Vitality, Readiness, and Connectedness.***

*Focusing on these factors alone will not ensure a successful project, but the project’s current*

<sup>38</sup> PolicyLink and, PERE. "Advancing Health Equity and Inclusive Growth in Buffalo." [policylink.org](https://policylink.org), <https://nationalequityatlas.org/sites/default/files/BuffaloProfileFinal.pdf>.

*trajectory and potential development will be analyzed through this lens to encourage discussions about its impacts on equity.*

### **Economic Vitality:**

With the catalytic investment of the cap park, reinvestment is likely to shape the area's economic trends. A successful project would account for the factors often associated with gentrification: higher median area income, growth of social capital, displacement, change in neighborhood character, etc. The existing economic health of the neighborhood may help determine which elements of the project's design and implementation are key to ensuring improved economic and social outcomes while retaining and supporting existing residents.

Within the study area boundaries, 2022 median income across 14 census block groups averages \$32,273.86, a low number even compared to a city-wide average of \$44,261.77. The 6.57 and 4.74 respective unemployment rates paint a similar picture of the existing economic health of residents and spatial correlation of wealth. A study by the University at Buffalo estimated a five-year capping project would sustain 950 jobs during construction and 95 jobs sustained over 25 years after construction from infill development, which translates to roughly \$124.6 million in total labor income by 2024<sup>39</sup>. While these numbers are encouraging, the project would likely need to commit to a certain percentage of local workers and workforce training for the resulting incomes to go be retained by the study area, adding to project costs and timelines. However, there are other economic impacts cited by the study that are more likely to positively impact locals, such as housing values, discussed later.

<sup>39</sup> School of Architecture and Planning University at Buffalo, State University of New York. 2014. Humboldt Parkway Deck Economic Impact Study : NYSDOT.

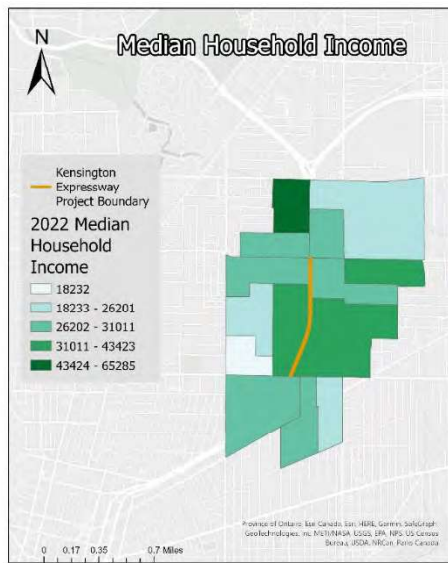


Figure 17 Source: Ted Randell. "Median Household Income" 2022. ESRI., U.S Census. Using: ArcGISPRO

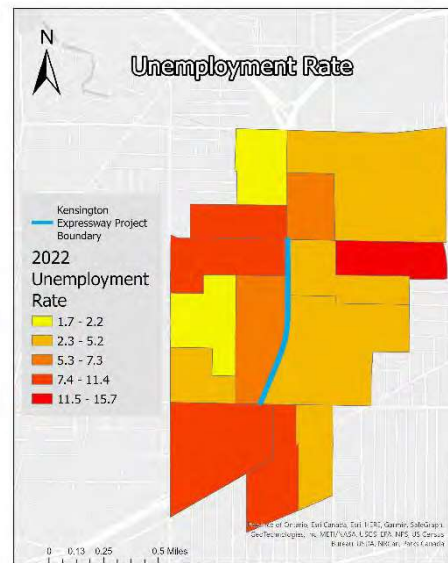


Figure 16 Source: Ted Randell. "Unemployment Rate" 2022. ESRI., U.S Census. Using: ArcGISPRO

Table 2. Impact Summary by Scenario (2015 dollars)

Minimal Impact, 30 year total	
Labor Income	\$510,438,733
Household Wealth	-
Added Value	\$583,764,965
Tax Revenue	-
Regional Output	\$1,165,104,120
Statistical Inference, 30 year total	
Labor Income	\$510,438,733
Household Wealth	\$31,883,088
Added Value	\$583,764,965
Tax Revenue	\$1,162,401
Regional Output	\$1,165,104,120
Complete Revitalization, 30 year total	
Labor Income	\$638,787,119
Household Wealth	\$76,709,558
Added Value	\$773,844,553
Tax Revenue	\$2,796,696
Regional Output	\$1,577,209,718

Table 2 shows three possible scenarios of regional economic impacts based on three capping scenarios. These “good, better, best” projections provide a useful tool when considering the State’s various design proposals which vary in intensity. It is challenging to accurately estimate the full extent of the cap’s economic impact at the study area level, but the possibility of it functioning as an anchor for development could certainly improve the outlook of the community. State and local policies and programs should use project as a rallying point to foster economic growth. When the State announced the beginning of the environmental assessment phase of

the project, Mayor Byron Brown voiced his support of a project that would “leverage federal, state, and local resources to improve housing and small business development in Buffalo's Black community<sup>40</sup>. Awareness of the area’s economic struggles and identification of equity-driven outcomes point to good intentions from policymakers but offering challenging benchmarks for success.

<sup>40</sup> Staff. 2022. "NYS: Work on Kensington Expressway could Happen in 2024." Wgrz (Jun 29). <https://www.wgrz.com/article/traffic/nys-work-on-kensington-expressway-could-happen-in-2024/71-2c7e9d87-03e4-45f1-80d6-2ad971f07367>.

## Readiness:

Health equity, inclusive growth, and a prepared job force are key elements of readiness, which is one element of the equity framework that reflects a neighborhood's capacity for resiliency throughout the life of an investment.

In direct relation to economic vitality, educational attainment levels are an indicator of readiness that impact current and future employment levels and workforce stability. Buffalo's struggles to fully prepare its minority youth to enter the job force and has particularly failed its population of black youth who remain disproportionately "disconnected" i.e., neither in school nor work. These individuals are more likely to see "lower earnings, worse health, ...higher

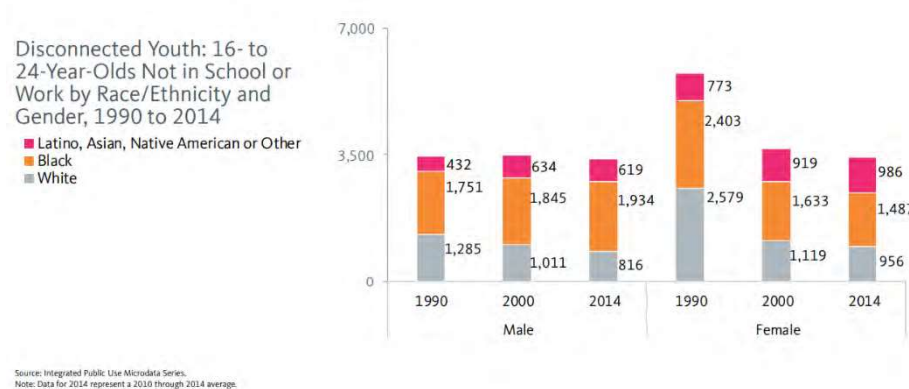


Figure 18 Disconnected Youth, source: PolicyLink

unemployment... higher public expenditures and lower tax revenues for communities”<sup>41</sup>. In considering the impacts of neighborhood investment, the concerns of the next generation are equally as important as those of the current. The full extent of the Kensington Expressway's role in perpetuating disconnected youth and an unstable work force within the study area is unclear, but the capping proposal physically manifests a missing element of access and cohesiveness. The

<sup>41</sup> National Equity Atlas disconnected youth; PolicyLink, IPUMS USA;  
[https://nationalequityatlas.org/indicators/Disconnected\\_youth#/?geo=07000000003611000](https://nationalequityatlas.org/indicators/Disconnected_youth#/?geo=07000000003611000)

Kensington project will ideally help redistribute and expand opportunities and generate pride and identity through a public asset.

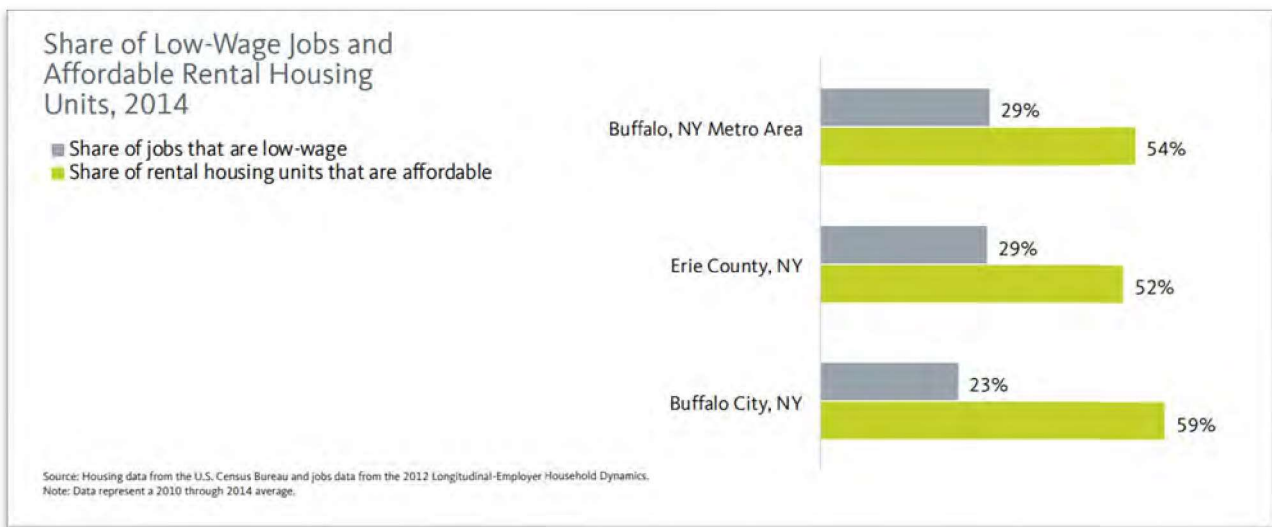
The end goal of green space that reconnects neighborhoods on either side of the expressway is an outcome that could produce the health-related dividends to residents. Health outcomes are closely correlated with an individual's home address, and Buffalo is no exception. Food inequity is one factor that limits the ability of residents to maintain healthy lifestyles and reflects deep inequities in transportation, land-use, and real estate development.

In May of 2022, ten Buffalonian's were killed when a white supremacist attacked a Tops Supermarket on Jefferson Ave. The devastating emotional impact was compounded by the temporary closure of the neighborhood's only large-scale grocery store. The community was resilient and rallied to help feed people in need, but the events highlighted a fragile ecosystem of unequal access to nutritious food options and generational impacts of segregation. As the future of The Kensington is contemplated, approaches to improving the neighborhood's resiliency will likely not come from the highest levels of government, but local programs and organizations that can invest in social capital, building a culture of health and preparing residents for employment opportunities.

### **Connectedness:**

As a transportation infrastructure investment, connectivity is perhaps the category where the most direct impact of the capping project will be found. However, connectivity is not reserved only to physical links and movement. The assets and opportunities that a region provides are not typically equally distributed across space and demographic groups.

Between 2000 and 2014, the share of Buffalo renters who are rent-burdened rose from 39 to 49 percent overall<sup>42</sup>. With a relatively high share of low-wage jobs to affordable housing, access is a likely culprit that prevents people in some neighborhoods from connecting to available jobs. These individuals will be much more vulnerable to rising living costs related to new development. Inclusionary zoning requirements, homeownership programs, and community land trusts are a few ways cities approach housing volatility to protect low wage workers and help secure gentrification's benefits on the existing community.



*Figure 19 Low Wage Jobs and Affordable Housing, Source: PolicyLink*

The reality that minority neighborhoods have been most negatively impacted by transportation infrastructure is compounded by the fact that it was not built to serve them in the first place. The Kensington's beeline through East Buffalo increased efficiency between Downtown and inner ring suburbs, but black residents who have been largely concentrated in less walkable environments had the longest commute times in 2019<sup>43</sup>. These travel times reflect

<sup>42</sup> National Equity Atlas housing burden; PolicyLink, IPUMS USA;  
[https://nationalequityatlas.org/indicators/Housing\\_burden#/?geo=07000000003611000](https://nationalequityatlas.org/indicators/Housing_burden#/?geo=07000000003611000)

<sup>43</sup> National Equity Atlas Commute Time; PolicyLink, IPUMS USA;  
[https://nationalequityatlas.org/indicators/Commute\\_time#/?geo=07000000003611000](https://nationalequityatlas.org/indicators/Commute_time#/?geo=07000000003611000)

the slower speed and variable consistency of public transit. On average, Buffalo commutes are five minutes slower than they were over 30 years ago<sup>44</sup>. Likely causes of this trend are decentralization of jobs that are inaccessible by transit. The issue creates a further burden on low-income individuals. Building job centers near transit and taking advantage of infill opportunities would lessen the burdens of cost and time that disproportionately impact low wage earners.



Figure 20 Commute Time, Source: PolicyLink

Buffalo's Kensington capping experiment exemplifies creative infill development that would create supportive ecosystem for a more walkable job center with improved transit access. Despite the State's intentions to maintain the same flow of traffic through the expressway, the development of new and for mixed-use purpose, urban environment has implications that could

<sup>44</sup> Ibid



greatly improve how the residents connect with the opportunities that make Buffalo a great place to live.

## **Research Findings and Recommendations**

*Technical Planning: How the newly reimagined Humboldt Parkway Cap Park's design, management, and engagement process can contribute to equitable outcomes.*

### **1. Deliberate and determine the project design approach but be prepared to accept a range of outcomes based on community engagement.**

Oftentimes, planners or city officials have visions that clash with realistic community desires. The Kensington Expressway project is currently in a fragile planning stage. The need for adequate application of data, input, and best practices to carefully create the project's mold before it is cast in concrete for generations is crucial. Of the various proposals, this paper supports the cap and parkway alternate with the caveat that equity remain central to any measure of success.

The amenities and opportunities offered by a new public park and improved connections and assets can improve the neighborhood and build a better Buffalo. The availability and willingness of governments to consider capping an urban freeway is seismic and should be a rallying cry for any city that has bemoaned the flawed logic and conscious prejudice of expressway building. A highway cap is not a perfect scenario. It hints at but ultimately balks at addressing many of Buffalo's long pursued goals: fully reestablishing Olmsted's parkway, reducing auto-dependence, improving transit, fighting homelessness, erasing poverty. Highway caps may only beautify and suppress issues unless the development that they encourage stays

committed to equitable outcomes. To fall short on equity, highway capping projects might repeat history at the cost of leaving behind another generation.

## **2. Develop a management structure and operation plan for the cap park.**

Construction and completion of the Humboldt Parkway cap park will mark the beginning of the long life of an important public space that will require dedicated efforts to maintain for future generations. Despite the state's leading role in the project's funding and planning, they are far better equipped to continue management of the expressway and the resulting tunnel and cede the air rights and developed cap space to another entity. Buffalo's Olmsted Parks Conservancy is an ideal suitor. The nonprofit fully operates and maintains the Buffalo Park System through a public-private partnership with the city that began in 2004. New York State's vision of restoring a piece of Olmsted's original vision would be placed in caring hands with the conservancy, who's experience as the first not-for-profit in the nation to manage a park system cares for 75% of the City's existing parkland, according to the conservancy's website.

The Parks Conservancy has an established presence in the project area at Martin Luther King Junior Park and has used its role to attract other philanthropic donors for the park. A recent partnership with the Ralph C. Wilson Jr. Fund funded an accessible playground on the site and a \$4.5 million splash pad recently opened in the park. East side neighborhood organizations can also benefit from the name recognition. With their history as a recognizable and trusted name in the city and a manager of the parks taking over the management of Humboldt Parkway would not be a heavy lift for the organization.

## **3. Set and create ongoing assessment of project scope, expectations, and goals.**

The Olmsted Conservancy has voiced its support of various proposals for a comprehensive Scajaquada Corridor transformation and has called for comprehensive planning

efforts to help revitalize the communities impacted by expressway development<sup>45</sup>. Combining the efforts and resources of the Scajaquada Expressway and the Kensington Expressway redesigns is logical but may fall victim to the issue of “scope creep”, where plans can be held up by an overwhelming number of issues and stakeholders.

This paper makes the case that the needs of the Kensington Expressway project are unique because of the conditions in the surrounding neighborhoods and that employing an equity framework and documenting equity processes and outcomes is critical to achieving and measuring strides in equity. The proposed project’s focus on a ¾ mile portion of expressway will not restore Olmsted’s full vision and while desirable, is not on the table in the State’s proposal. It is critical for the success of the project for city officials and community members to come to terms with the limits of the project as outlined and move forward to create the best plan possible. A narrower scope helps make success more likely.

Through a focused scope and a community centric plan, the goal of building a stronger community while improving economic conditions is possible. For the neighborhoods surrounding the Kensington, a public space and a point of pride could reestablish a piece of the neighborhood that existed before while embracing the change that has occurred. The themes of separation, alienation, and underrepresentation are common in the narrative of urban freeways and underpin Buffalo’s struggle equity struggles. However, there is much to learn from the stories and experiences of the community, which hold the key to equitable development.

#### **4. Engage and document.**

A freeway cap is much more than a logistical transportation project in this scenario. When public space is established and development becomes imminent, it becomes a community

<sup>45</sup> Buffalo Olmsted Parks Conservancy. "BOPC Position Statement on Route 198 Scajaquada Expressway.", last modified Jul, <https://www.bfloparks.org/positions/scajaquada-expressway/>.

development issue. Transportation planners are very familiar with engagement, as their decisions are usually seen and interacted with at all scales and in all types of places. However, it is imperative in approaching equity questions to reduce the siloing of issues that occurs when different areas of planning work independently.

The State should consult with a third-party equity planner expert to provide documentation on a concrete engagement strategy. The community engagement office is a powerful addition, but their bias and capacity limit their impact to essentially a glorified suggestions box. The project must find a way to partner with organizations that have resources and institutional and community prowess to help address issues like workforce training, housing stability, and community health. These partnerships have the potential to extend beyond the life of a single project and provide ongoing community presence and support.

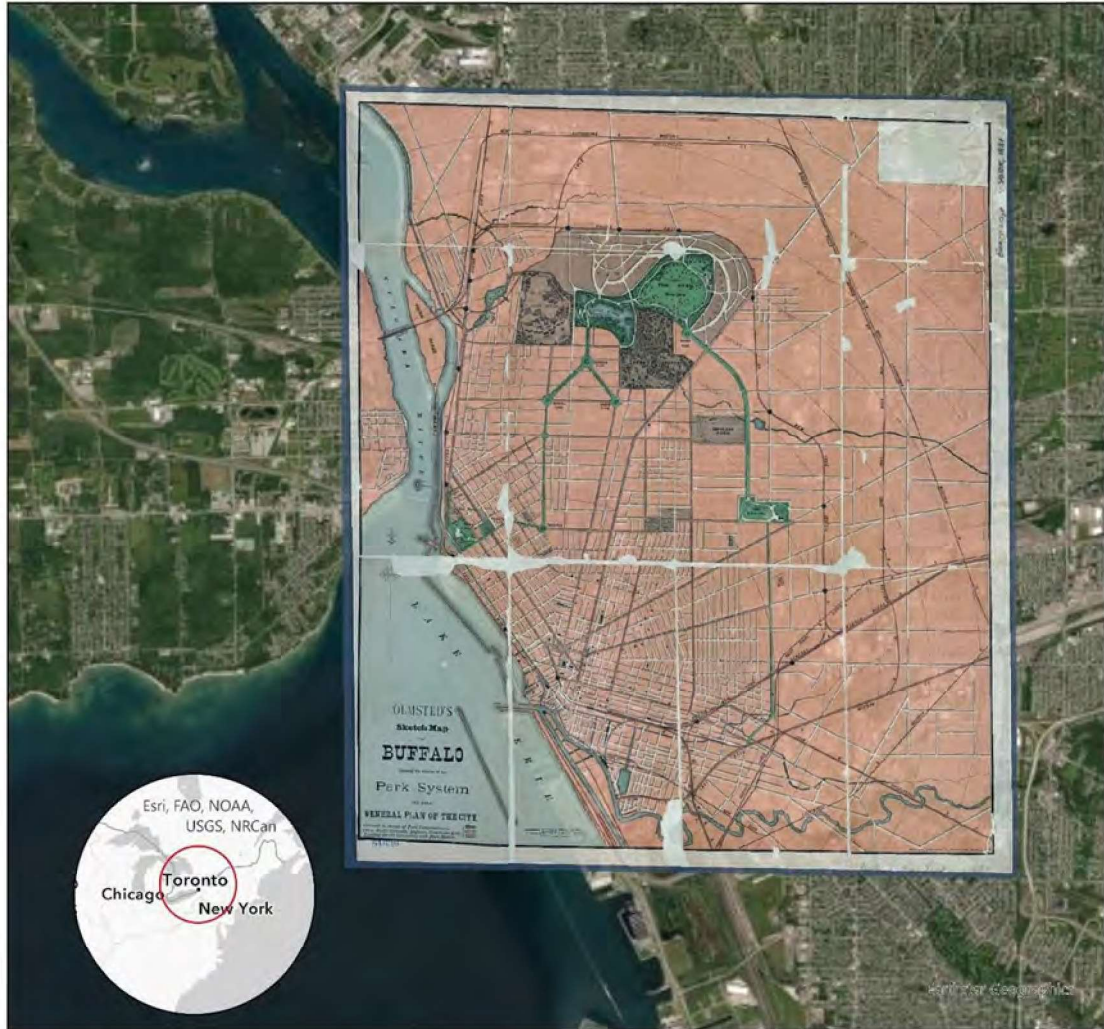
## **Conclusion**

Buffalo is a diverse, resilient, and growing city that prides itself in its ability to handle adversity and stubbornly challenge its unfair reputation. The city has a generational economic opportunity to impact a historically disenfranchised community through infill development over a heavily debated expressway. Despite signs of a 21<sup>st</sup> century renaissance driven by investments in the creative, tech manufacturing, and medical sectors, the city remains skeptical of big political dollars from a time when empty promises and corruption were the status quo. The impacts of urban renewal, disinvestment in the urban core, and auto-centric planning left irreparable damages to the fundamental elements of a great city that characterized its rise in the 19<sup>th</sup> and early 20<sup>th</sup> centuries.

But the city cannot move ahead without the buy-in of its residents and a commitment to its lower and middle classes. Highway capping projects are potentially transformational in scope and are rooted in the good faith attempts to reconnect neighborhoods that were unjustly separated and restricted from economic growth. The United States is slowly coming to terms with the history of city planning that created government sanctioned segregation, but these infrastructure projects are only restorative in name without the establishment of a framework, goals, and a monitoring of outcomes for a defined community.

Highway caps are not a silver bullet for any city with a freeway problem. But physical investment and improvements in neighborhood quality are representative of a belief in the value of a place and of justice as a planning principle. As these projects grow in number and scope, their impacts will be revealed and offer a new chapter in urban planning and its role in the lives of those it seeks to serve.

## OLMSTED'S PARK SYSTEM OF BUFFALO, NEW YORK



SATELLITE IMAGERY OF THE BUFFALO REGION OVERLAYED  
WITH FREDERICK LAW OLMSTED'S ORIGINAL PARKWAY SYSTEM

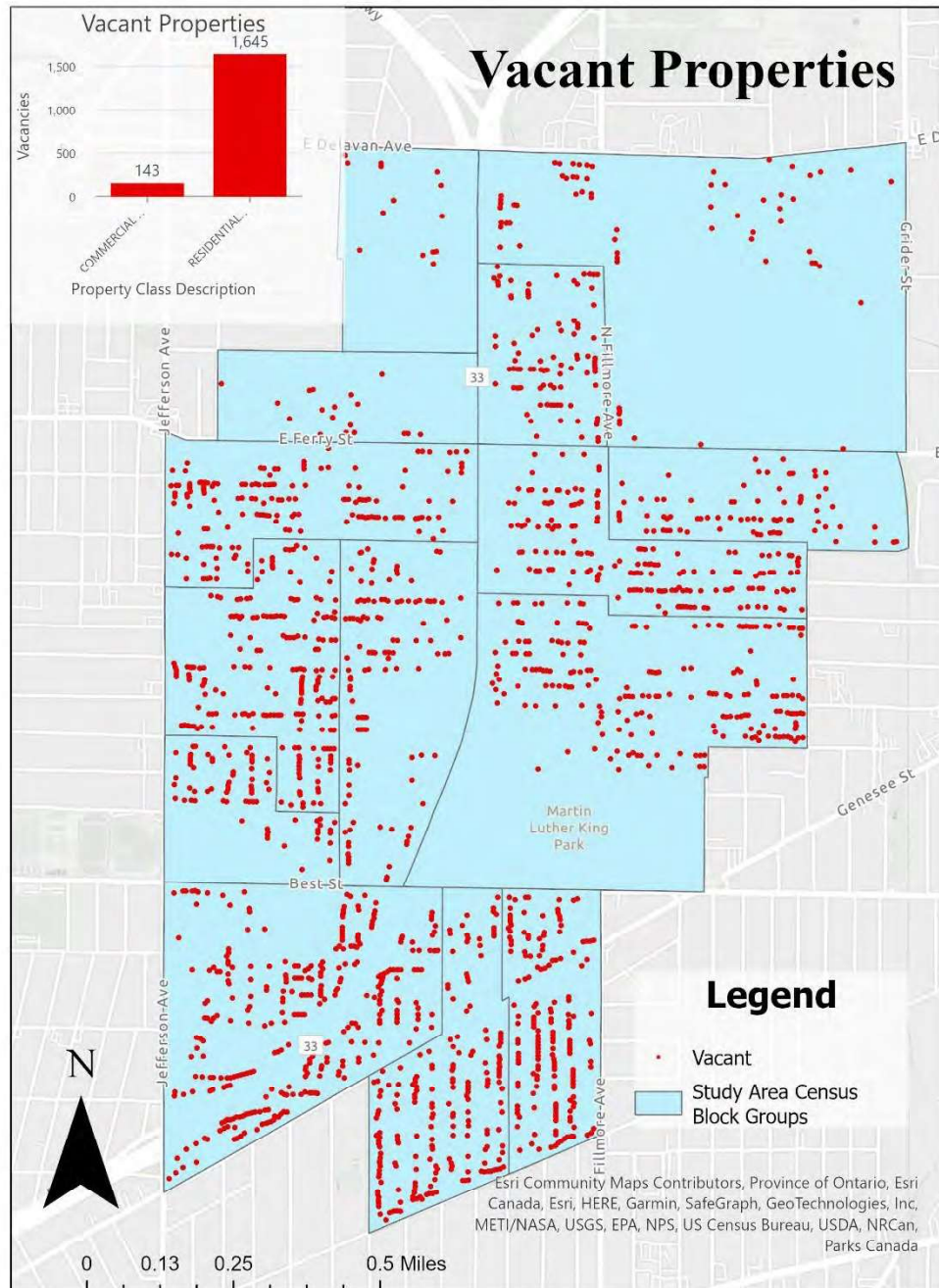
BUFFALO'S IS THE FIRST AND OLDEST SYSTEM OF COORDINATED PUBLIC PARKS AND PARKWAYS  
IN THE UNITED STATES

MAP PROJECTION: WGS WEB MERCATOR 1984 (AUXILIARY SPHERIC)  
CREDITS: ESRI, FAO, NOAA, USGS, NRCAN



0 0.5 1 2 Miles

## Appendix A



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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
COMMENT FORM

Name: Marisa Banks Affiliation (if applicable): 2/11/2023

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

E-mail: \_\_\_\_\_

**COMMENTS\***

Im still on edge -  
\*Hv old pics before expressway even got here\*

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You may submit your comments by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)



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U.S. Department of Transportation  
Federal Highway  
Administration

**From:** jimmy darby  
**Sent:** Wednesday, February 15, 2023 9:05:44 PM  
**To:** Fischlein, Eric  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Darby, Jimmy  
Address:  
Phone:  
Email:  
Include on future project updates: YES  
Affiliation: Jus4us  
Comment: I would like to support this project

\* this email was generated by [kensingtonexpressway.dot.ny.gov](https://kensingtonexpressway.dot.ny.gov)

let justice flow like a stream, and righteousness like a river that never goes dry.  
Amos 5: 24 GNT

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**From:** Niece

**Sent:** Thursday, March 2, 2023 8:41 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: bryant, jenniece

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation: NA

Comment: Hello how many Electric billboards is there on the 33 eway?

\* this email was generated by [kensingtonexpressway.dot.ny.gov](https://kensingtonexpressway.dot.ny.gov)

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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
COMMENT FORM

Name: Terri Davis Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

~~Subjects~~

See about protecting homeowners from  
an increase on property taxes by "Grandfathering"  
those who were there before this project began  
and be passed on to a family member or  
benefactor.

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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

## P.I.N. 5512.52

### COMMENT FORM

Name: Rochelle Clemons Affiliation (if applicable): Home Owner

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### COMMENTS\*

- R  
2 GH
- G/WC
- R/R
- 1) Will the state be responsible for damage done to our home structures?
  - 2) Who is to be contacted for structural damage?
  - 3) What will the process be to put a damage claim in?
  - 4) Is the state going to be responsible for sending in a Claim Adjuster?
  - 5) For damages I will we need to contact our insurance company?
  - 6) When will the construction begin?
  - 7) Are there any plans to remove 870 Humboldt Parkway, as a part of the plan?
  - 8) Is the state going to pay for damages (outside & inside)?
  - 9) Should <sup>the</sup> residents file grievances if their home goes to construction?
  - 10) If a home is taken, how will it be valued to pay the Home Owner?
  - 11) Who's going to maintain the Parkway land?
  - 12) What is going to be done regarding the increased traffic due to E Union entrance exit being closed?
  - 13) What about the ~~increased~~ increased time & debris that comes into the home due to more traffic <sup>coming</sup> down Humboldt?
  - 14) What happens if after they review the property at the end of the construction if there is damage between 1 to 20 years after construction?
  - 15) What damage is the increased traffic going to cause to our homes?
  - 16) What is the traffic count now & what will it be upon the removal of both E Union Street closure?

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Administration



# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

## P.I.N. 5512.52

### COMMENT FORM

Name: Beverly Robinson-Smith Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### COMMENTS\*

- When will this project begin?
- How will project impact the communities & businesses?
- How long will this project take?
- When will the next meeting occur w/ job opportunities?
- I would like to be apart of the conversation.

Housing BKR

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**NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT**  
**P.I.N. 5512.52**  
**COMMENT FORM**

Name: Lisa Vaeger Affiliation (if applicable): COB / sewer

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

**COMMENTS\***

Please hire an arborist,  
someone who knows about  
birds & insects.  
Create a space like Botanical  
gardens except outside.

Destination .....

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Federal Highway  
Administration**



NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
COMMENT FORM

Charles  
Name: A. Davis Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

- During construction will any of the residence have to relocate?
- Property Damage? BLASTING → BASEMENT LEAKS ETC.
- Understanding levels of Gov

*\*Any information provided on this form will be considered in the Environmental Document and may become part of the project file, which is a public record.*

1/23/09  
You may submit your comments by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dof.ny.gov](mailto:kensingtonexpressway@dof.ny.gov)



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**NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT**  
**P.I.N. 5512.52**  
**COMMENT FORM**

Name: John Buchanan Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

Will the project effect the property taxes of the  
homes in this area.

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or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)



**From:** Arthur Hall  
**Sent:** Wednesday, March 22, 2023 11:58 AM  
**To:** Fischlein, Eric  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hall, Art

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: Hallmark Planning & Development, LLC.

Comment: We are a local, minority-owned urban planning and commercial real estate firm focusing on community planning, public engagement, placemaking, and environmental justice. We are working on the 750 East Ferry industrial development project near the Kensington Expressway. I am well acquainted with Janet Ingram. We spoke at the public engagement office. She and her team are doing an excellent job. I would love to continue to receive information on this project. Also, please feel free to visit our website: [thehallmarkfirm.com](https://thehallmarkfirm.com). We would love to contribute in any way we can.

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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
COMMENT FORM

Name: J ALLEN CARTER Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*

I Think The Humbolt Parkway Should Be Extended  
To Goodell St At St Johns Church And The Tunnel  
Should End At The Last Lowest Point Coming Towards  
Michigan Street

To Bring Back Humbolt Parkway Experience  
it Should Be Set Back up the way it was  
So that it will be a total experience for the same  
area of the old Parkway so its totally brought back  
the way it was to be most effective for the new  
experience

\*Any information provided on this form will be considered in the Environmental Document and may become part of the project file, which is a public record.

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Department of  
Transportation



**From:** Greg Stubbs

**Sent:** Saturday, April 1, 2023 4:31 PM

**To:** dot.sm.kensingtonexpressway

**Subject:** Proposed NYS Route 33, Kensington Expressway Project

**Importance:** High

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

The Kensington Expressway was built in the 1960s to expedite automobile travel between downtown Buffalo and the predominately white suburbs and continues to serve this purpose today.

The Congress for the New Urbanism lists the Kensington Expressway along with The Scajaquada Expressway as “Expressways without Futures”. Why does the NYSDOT not understand this?

The entire process conducted by the NYSDOT has been disingenuous from the beginning. They presented ten “alternatives”. But set a project goal of “maintain the vehicular capacity of the existing transportation corridor”. The Kensington is a six-lane expressway. By setting a goal of *maintaining the vehicular capacity of the existing transportation corridor*, the NYSDOT effectively eliminated nine of the ten alternatives from the very start. The “selected” alternative by default and of no surprise is capping less than a mile of the Kensington and maintaining the six-lane expressway. As documented in Section 4 of the Project Scoping Report (PSR), the potential social, economic, and environmental effects of the Project will be evaluated and documented in the Draft Design Report/Environmental Assessment for the Project, but only for the selected concept. The project goal of “maintain the vehicular capacity of the existing transportation corridor” should be eliminated. The social, economic, and environmental effects of the project should be assessed for all ten alternatives as criteria for selecting the preferred concept, not after the fact as an afterthought. The purpose of the Kensington Expressway Project is, after all, to correct the social, economic, and environmental effects created by the original construction of the Kensington endured for 60 years by the East Buffalo communities.

The planned capping concept #6:

1. Fails to reduce the vehicular emissions along the Kensington corridor subjecting these neighborhoods to continued elevated levels of pollution. The air pollution created from automobiles along this expressway will continue without an apt solution;

2. Fails to reunite the majority of neighborhoods along the Kensington that were torn apart and separated by the expressway. The plan ignores nearly two thirds of the neighborhoods along the Kensington Expressway;
3. Fails to restore Humboldt Parkway. The Olmsted Parks and Parkways is the first park and parkway system designed and built in the United States and designated a National Historic Landmark. The proposed plan encompasses only less than a mile of the parkway and is an “interpretive” recreation of Humboldt Parkway with a minimum soil depth of three feet (3’), making the restoration of the tree canopy that is synonymous with the Buffalo Olmsted Parkways impossible;
4. Fails to restore vehicular traffic that was syphoned away from the major commercial avenues and the radials of East Buffalo and funneled onto the Kensington Expressway. Nearly \$120MM is being spent to return cars to Main Street to restore the economic vitality of Main Street, but this plan for the Kensington Expressway perpetuates syphoning traffic away from East Buffalo’s commercial corridors to their detriment;
5. Fails to restore neighborhoods and property values along the entire Kensington Expressway that were decimated by the construction of the expressway. Property values declined to a fraction of their original values and the values of comparable properties along the other Buffalo Olmsted Parkways;
6. Fails to address inequities. The maintenance of the six lane Kensington Expressway preferentially benefits the largely more affluent white suburban commuters at the expense of the largely brown and black city residents along the Kensington Expressway corridor. This project perpetuates and furthers inequities;
7. Fails to promote sustainable public transportation concepts. The Kensington Expressway Plan perpetuates reliance on the automobile. Spending an estimated \$805MM to \$855MM on this expressway perpetuates reliance on the automobile where monies could be better spent on sustainable public transportation such as extension of Metrorail and is counterproductive to New York State’s sustainability goals. Up to nearly 30% of the residents of East Buffalo do not own a car and rely on public transportation.

The cost-benefit just does not add up. The cost to build Concept #6, the selected plan that constructs a 4,500-foot cap between Dodge and Sydney with ventilation, is estimated at \$805MM to \$855MM with \$12MM per year in maintenance.

Concept #9 in the Project Scoping Report - December 2022 that fills in the Kensington Expressway and creates a multiway boulevard between Dodge and Sydney was estimated at \$62,689,592, to construct. That is a long way from \$855MM or more for the cap that covers the same stretch of the expressway. The Concept #9 multiway boulevard would include a four-lane center roadway in place of the historic 84 feet wide median that graced Humboldt Parkway. The Concept #9 multiway boulevard would be more costly to construct than the grass and treed median required to restore Humboldt Parkway to its historical original grandeur.

The cost to fill-in, restore and extend Humboldt Parkway (Concept #10) costs less than the Concept #9 multiway boulevard and is a fraction of the Concept #6 cap cost. It addresses the injury to the communities along the entire corridor that the Kensington has inflicted. The cost to construct the cap is, conservatively, at least 14 times more than the cost of filling in and restoring the parkway over the same distance. The remainder of funding of \$792MM (\$855MM - \$63MM) would provide for extending the parkway downtown. The balance of the funding could be invested in the major north-south commercial corridors along Bailey, Fillmore, Jefferson and Michigan and the radials renovating them as complete streets. The increased traffic flow would reinforce and support the East Side Collaborative Fund and the \$65 million East Side Corridor Economic Development Fund that is in place to help revitalize the East Side with needed investment along the significant commercial arteries of Bailey, Fillmore, Jefferson and Michigan. These major avenues and the radials have more than enough capacity to compensate for the loss of the Kensington Expressway. The population of Buffalo before the Kensington Expressway was built had double the population it has today. An alternative would be to fund the extension of Metrorail to the airport. The cost-benefit calculus of each of these alternatives is magnitudes greater.

Doing so would have a much greater economic impact and benefit a much greater number of people and East Buffalo as a whole. The downside is that downtown commutes may be extended for suburban commuters by 15 minutes or so each way. But the trade-off is well worth the inconvenience. For far too long the East Buffalo communities have been forgotten and ignored.

This is a project of enormous import, a generational project that once completed, nothing more will likely ever be done. We keep making the same mistakes over and over and never learn from them and they come at great expense to the City of Buffalo and its residents.

**From:** Katie Weibel  
**Sent:** Friday, April 7, 2023 6:36 PM  
**To:** Fischlein, Eric  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Weibel, Katie  
Address:  
Phone:  
Email:  
Include on future project updates: YES  
Affiliation: habitat of buffalo  
Comment: Habitat for Buffalo would like to be an instrumental part in helping join the 2 communities

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**From:** Ryan Stempien  
**Sent:** Saturday, April 8, 2023 1:36 PM  
**To:** Fischlein, Eric  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Stempien, Ryan

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: Buffalo DSA Committee for a Just City

Comment: I'm strongly in support of full removal of the 33. Full removal would cost less than a cap that would cover only a tiny section, prevent dangerous emissions that cause high rates of asthma in the communities bordering the highway, and free up land for new housing and a rail right of way connecting downtown Buffalo to the airport. We can do so much better than a cap.

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**From:** mev403

**Sent:** Thursday, April 20, 2023 6:03:30 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Vogl , Mark

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation:

Comment: What a colossal waste of money. Fix roads and help elderly people instead of this foolish project

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Sent from my T-Mobile 5G Device

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**From:** Todd Syroczyński

**Sent:** Saturday, April 22, 2023 7:11:58 AM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Syroczyński, Todd

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation: concerned citizen

Comment: Seems like another project just to do as a feel good item. What will this really accomplish? Community cohesion? If it hasn't by now it never will. Unfortunately not all past deeds should be corrected. Route 33 is a main traffic movement for the eastern suburbs & airport to the city. The parkway was indeed grand & would have been best to be left alone much like the library that was torn down to a block we have now, do to modernism. Again pushed by politicians to stroke their egos, another feel good moment. Route 33 should be left as is. If communities really wanted to get together they should work on other means. If construction starts to take place how long will that take? What traffic & neighborhood impacts will that cause? How many years of disruption? Any project the government pushes never comes in on time or under budget. How about working on the Buffalo streets first to rid of pot holes & make driveable again. Cars that we get taxed on get damages by improper road up keep.

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-----Original Message-----

From: Philip Davis

Sent: Friday, May 19, 2023 10:41 AM

To: Fischlein, Eric

Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Davis, Philip

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: The traffic criteria for this project are very disappointing. The DOT refuses to consider a future less dependent on automobile travel, and this limits the alternatives under consideration by design. There are no alternatives incorporating public transit, despite the fact that it would likely be cheaper to completely remove the NY-33 expressway out to the airport and replace it with frequent light rail service. Instead, the DOT, by prioritizing automobile throughput above all else, has forced the community to accept an expensive bandaid which does little to improve the lives of the 50% of East Side residents who don't own cars. All in all, it is disappointing that instead of using this one-in-a-generation opportunity to erase the deleterious legacy of Robert Moses, the DOT instead seeks to further entrench the Kensington Expressway into Buffalo's urban fabric at the benefit of suburban commuters over poorer inner city populations.

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**From:** Cereal

**Sent:** Monday, May 22, 2023 11:16 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Smith, Craig

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: I'm a Buffalonian who has moved out of state, but I love my city and I'm considering moving back, but has anyone thought about creating a metro rail line to run along the existing path of the expressway that can connect to the main line while rebuilding Humboldt area?

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**From:** Larry Kieffer

**Sent:** Monday, June 12, 2023 11:13 AM

**To:** dot.sm.kensingtonexpressway

**Cc:**

**Subject:** P.I.N.5512.12 Route 33 Kensington Expressway Project - Comments

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

Name: L. J. Kieffer Affiliation: NYSDOT (retired)

Address:

Phone Number:

E-mail:

COMMENTS

**Kensington Project**

I attended the Scoping Meeting for this project on June 30th at the Museum of Science. Several alternatives were presented with the primary focus being the option of covering a portion of the Kensington Expressway (Route 33) with a 4500 foot tunnel, a total length of .8 miles in an effort to restore the area along the former Humbolt Parkway. Currently \$1 billion in both state and federal funding is available for the project.

On June 23, 2022, an article appeared In the Buffalo News by Rod Watson where he discusses the work of H. L. Taylor, founding director of the UB Center for Urban Studies. In that article Taylor describes the notion of “splashy, silverbullet” projects that can make people feel good immediately, but have little catalytic effect. Politicians and others promote such projects that Taylor says “create, an illusion that something is happening, when nothing is happening.” Citing three examples of such projects, the \$1 billion schools reconstruction, \$7 million for Martin Luther King Jr. Park splash pad and casino and the Buffalo Niagara Medical Campus expansion, Taylor states “there is not a single example where these symbolic projects have stimulated anything”.

So, if these splashy symbolic projects have NOT stimulated anything, why are we proposing to embark on another such project on the Kensington Expressway? The cost of \$1 billion (a thousand million dollars) is just the start of the total investment needed to meet the complete revitalization scenario according to the **Humbolt Deck Economic Impact Study** prepared by the UB Regional Institute in March 2014. Where is this additional funding going to come from?

Among the details posted at the Scoping Meeting is a tunnel ventilation system that alone is estimated to cost \$100 million with annual maintenance costs of between \$5 to 12 million depending on the type of system specified. A 4500 foot tunnel with amenities WILL NOT revitalize the surrounding area.

I believe our elected officials Crystal Peoples, Sen Tim Kennedy and Congressman Brian Higgins must be held accountable for this poorly conceived project and an outrageous waste of taxpayer dollars. Gov. Hochul attempts to compare this Kensington Project to the removal of the Inter Loop in Rochester. These are NOT the same type of project at all, a case of apples & oranges.

If these representatives are capable of obtaining \$1 billion in funding for a transportation project with virtually zero transportation benefits, perhaps they could instead find funds to improve the infrastructure in the City of Buffalo. One could start with a new municipal water system that doesn't leak and remove once and for all the issue of lead content in the water. Add to that a modern sanitary sewer system that totally separates storm water from waste water preventing waste water from entering creeks and streams and eventually Lake Erie during heavy rain. Also, it would helpful to have new streets, curbs, sidewalks, trees, bike paths and neighborhood parks. Give the City of Buffalo and its residents tangible improvements that will encourage investment, raise the value of their homes and provide benefits that last beyond the next election cycle.

A common definition of insanity is described as continuing to do the same thing over and over and expecting different results. Do we really want yet another splashy symbolic project?

L. J. Kieffer

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-----Original Message-----

From: Katie Ludwig

Sent: Tuesday, June 13, 2023 12:57 PM

To: Fischlein, Eric

Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Ludwig, Kathryn

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: I am a lifelong Buffalo resident and I oppose putting a cover over the 33. Instead, it needs to be completely filled in and removed. Expressways create induced traffic demand and promote the idea that Buffalo is a commuter city where people from the suburbs have a right to drive into our city in 15 minutes, do their business, and then leave again.

City grids are more effective at moving traffic, and if people driving into the city pass through neighborhoods on a regular street, they may stop at a local coffee shop on the way to work. They may see a shop and stop for a few things. If they are driving in an underground tunnel they will never do anything to support the communities they are driving through except spew exhaust fumes and brake particulates into the air as they zip past.

Please undo the damage done by this racist expressway and get rid of it all together. Thank you!

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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
COMMENT FORM

Name: Valerie Aldridge Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

I was wondering about the  
type of employment assistance  
that will be available for community  
to become part of work  
force —

Will there be grants/assistance  
for new business start ups  
in all areas while project  
is going on —

Will there be mental health support  
available for community?

*\*Any information provided on this form will be considered in the Environmental Document and may become part of the project file, which is a public record.*

You may submit your comments by U.S. mail (see pre-addressed mailer on reverse side),  
or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)



Department of  
Transportation



**From:** THOMAS ERMER

**Sent:** Saturday, June 17, 2023 8:14:08 AM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: ERMER, THOMAS

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation: NEW YORK TAXPAYER

Comment: Dear Sirs, This whole project is a waste of taxpayer money. A billion dollars to cover a road that doesn't need it. The whole premise that it will bring the East Side together is totally false. They won't care because all they know about that area is what is there now. I am old enough to know how it was before the Kensington expressway was built. It was a WHITE neighborhood where people took care of their houses and they had people with money that had housekeepers. I know, my grandmother did those jobs. All the people that know how it was are mostly dead so obviously they don't care. Leave it alone and stop wasting MY MONEY for a project that won't really change anything. There are many other things that would be better funded and fixed for the city.

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**From:** Cereal

**Sent:** Monday, June 19, 2023 8:31:00 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Smith, Craig

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: I'm a person who moved from Buffalo in the early 90's and have since traveled around the country and noticed how different cities prosper through public transportation. I live in the Atlanta area, and I tell you that freeway/highway traffic here is terrible! But they have a great public transportation system. Since the 33 is a vital piece, does anyone realize what a great opportunity to benefit from having the subway extend a line along the existing 33, incorporating stations along it? Won't it be a lot easier to just tunnel deeper where the expressway is, add a line and cover it? Buffalo is still in the early 20th century when it comes to things like this. This would help the city to grow in so many ways. I pray that someone can hear my voice and see the vision of opportunity

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**From:** THOMAS ERMER  
**Sent:** Tuesday, June 20, 2023 8:12 AM  
**To:** Fischlein, Eric  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: ERMER, THOMAS

Address:

Phone:

Email: [termer49@gmail.com](mailto:termer49@gmail.com)

Include on future project updates: NO

Affiliation: NEW YORK TAXPAYER

Comment: Dear Sirs, You people think the residents of Erie county want this project to move forward. Well we DON'T. There are many better ways to use One Billion dollars in this area without covering a road. The houses will still look the same, Dilapidated and boarded up. Unpainted homes, windows missing. What will all that money do for them. Ridiculous waste of tax money that only a few loud mouths think should be done including the DOT.

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**From:** Stephen Gosch

**Sent:** Tuesday, June 20, 2023 10:28:11 AM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gosch, Stephen

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: Former resident.

Comment: I grew up in North Buffalo during the 1950s. My grandparents lived in a (then handsome double at beautiful 682 Humboldt Parkway. The Kensington Expressway was a terrible blow to their well being, their happiness in their older years. I am happy to see some progress underway in restoring - somewhat - Frederick Law Olmstead's original vision of a habitable urban space. May the good work that is beginning continue.

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**From:** Kevin Fetes

**Sent:** Tuesday, June 20, 2023 4:44 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Fetes, Kevin

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: \$1 billion to cover part of Rt 33 is ridiculous and a waste of taxpayers money. What is the expected return on investment? Will only benefit people living in that area. They will be able to walk across the expressway, to do what? Say hello to people on the other side. Some taxpayers were upset about paying for a stadium at generates tax income. We need to know what we get for our \$1,000,000,000. Thank you

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**From:** Rita Denne

**Sent:** Tuesday, June 20, 2023 5:34 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Denne, Rita

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation:

Comment: DUMBEST IDEA EVER,  
COMPLETE WASTE OF TAX PAYER \$\$'S

This may be the dumbest idea NYS has ever had & there have been many  
You gave up on taking down the Skyway, this idea needs to be tossed & relegated to the history bin  
along with the dinosaurs

There could be a ton of other uses for \$1B.

Hey for a fraction of that, you could fix every road in WNY & than some!

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**From:** Kensington Project

**Sent:** Tuesday, June 20, 2023 7:05 PM

**To:** Fischlein, Eric

**Cc:**

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Smith, William

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: This was my first public hearing. The representatives and experts were knowledgeable and helpful. I came in with an open mind in terms of understanding the project from a positive and critical perspective. I myself was biased toward the positive aspects of the project as I've seen similar urban updates have a positive impact in other Cities. I'm particularly a fan of the roundabouts as they significantly reduce injury and death.

My biggest concern is that the people in this neighborhood may not fully reap the long term benefits as property taxes increase and gentrification push legacy families out. One idea I had was a 10-15 year tax freeze for legacy residents, giving them some time to adjust as wealthier residents move in. Just a thought.

The other thing is I would love to see this project extended further toward Main and Humboldt. A three part roundabout at Kensington, Humboldt and Main would do wonders in the neighborhood.

Thank you for the opportunity to see the project.

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Name: Cyrus, Carla

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: NYS Master Social Worker; Past Pres. Black Social Workers and Hamlin Park Tax Payers Assoc.

Comment: Wonderful project for the WNY Community. I would like to assist with workforce recruitment and development. Community outreach events with educational components.

Concerned about environmental issues, community buy-in and safety concerns. Feel free to add me to the mailing list.

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Name: Green, Tina

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation:

Comment: The double traffic circle at Best St is a good idea, but curving the sidewalk along the road is terrible.

Why put pedestrian traffic so close to the vehicles in the circle, when there is no need to? It's too easy to imagine a car jumping the curb and seriously injuring someone.

And, kids aren't going to take the curved sidewalk when they can just make a straight path "shortcut" across.

I also think that older folks, maybe some with mobility issues, would appreciate the shorter distance.

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**From:** Zoe Tuppen  
**Sent:** Tuesday, June 20, 2023 12:24 PM  
**To:** dot.sm.kensingtonexpressway  
**Subject:** Comment form

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What a great opportunity for Buffalo to right past wrongs.

As we have learned how we are all connected, whether that be with a thruway or through society, I do strongly believe we could make a larger impact by planting NATIVE TREES through the ginormous project. Although two out of the five selected tree species for this project are native, the locust is often seen as a weed and we could have such a stronger effect on the ecosystem with these suggestions for native trees:

Red Oak  
Red Maple  
Sugar Maple  
Serviceberry  
Red Bud

Let us have the wisdom to use this opportunity to benefit our community far longer than our own lifetime.

Thank you  
Zoe Tuppen

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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Zoe Tuppen Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

What a great opportunity for Buffalo to right  
past wrongs.

As we have learned how we are all  
connected, whether that be with a thruway or  
through society, I do strongly believe  
we could make a larger impact by  
planting **NATIVE TREES** through the ginormous  
project. Although two out of the 5 selected  
tree species for this project are native, the  
locust is often seen as a weed and we  
could have a stronger effect on the  
ecosystem with these suggestions for native trees:

• RED OAK • RED MAPLE • SUGAR MAPLE  
• SERVICE BERRY • RED BUD

*\*Any information provided on this form may become part of the project file, which is a public record.*

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)  
**Comments are due by July 7, 2023.**



Department of  
Transportation



U.S. Department of Transportation  
Federal Highway  
Administration

**From:** Mark Paradowski  
**Sent:** Tuesday, June 20, 2023 7:38 PM  
**To:** dot.sm.kensingtonexpressway  
**Subject:** Humboldt Parkway desecration - Kensington Expressway expansion

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After reviewing the latest Kensington Expressway Project, it has never been more clear that the NYS DOT is determined to punish our neighborhood for being in your way. The residents have clamored for 60 years that this expressway destroys the beauty of our neighborhood, lowers our quality of life, diminishes our business districts, further divides an already divided region, and is a constant source of pollution to our eyes, ears, and lungs. Yet the name of this project is "Expressway Project" not "Parkway Project." We have a unique opportunity to fix the biggest mistake in Buffalo history, but instead we are doubling down and expanding its detrimental impact, at significant cost. Worse yet, you've now leveraged the hopeless desperation of the R.O.C.C. to give you a positive neighborhood component you are otherwise unable to coerce from us. Our radial street grid has already handled this level of traffic, but as traffic engineers, you already know that traffic level is not a fixed metric. You have the unique opportunity to lower traffic volumes while improving the look and function of the city by removing this traffic sewer and restoring Humboldt Parkway. Instead, you pat yourself on the back about new methods of blasting used to widen this intrusive pit, and tout small ornamental trees and useless grass where Buffalo's grandest parkway once stood. Our grandparents' generation watched this expressway destroy the East Side. We've now spent the better part of a decade fighting terrible proposals and watching the public comment component be silenced. And now we have a fight to pass onto our children and grandchildren, as this "investment" guarantees the problems continue unabated, without so much as a lane or scope reduction. The lessons learned from urban highway removal worldwide, including as close as Niagara Falls and Rochester, fall on deaf ears when our neighborhood's plight is considered. Kudos to your project for being the first time the interests of City residents and suburban commuters unite, as we all think this project is an egregious waste of funds that provides no benefit to anyone.

Mark Paradowski  
Hamlin Park & lifelong east side resident  
Buffalo Young Preservationist

**From:** Susan Udin  
**Sent:** Tuesday, June 20, 2023 12:24 PM  
**To:** dot.sm.kensingtonexpressway  
**Subject:** Route 33 project

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

I attended today's presentation at the Buffalo Museum of Science, and overall, I was quite pleased with what I saw. The phasing of the work seems like a very good plan. I am also very happy to see to plans for improvements of the streets and sidewalks for the blocks adjacent to the new deck.

I do have one serious objection to what I saw, and that relates to the **air pollution from the cars** on the 33. I understand that fans will be used as necessary to supplement the movement of air through the tunnels that comes about with the movement of traffic. However, I see no provision to clean the air before it leaves the tunnel. The community has suffered the ill effects of car-generated air pollution for way too long, and there now needs to be a plan to mitigate this problem. I especially worry that the homes adjacent to the exit points from the tunnels will be subjected to even more pollution than they are now.

Thank you very much.

Susan Udin

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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: Mara Koven Gelman Affiliation (if applicable):

Address: Date 6/20/2023

Phone Number: E-mail:

### COMMENTS\*

②  
① Offer landscape and power washing to homes around Humboldt pkway that will be soiled from the work.

I think the public information meeting format was excellent. It was engaging, interesting + lots of knowledgeable staff around. Note: Let folks know at checkin there was a stenographer + computers for comment.

→ ③ ensure that MWBE actually occurs. That those most impacted will benefit from job/training.

Thank you!

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Transportation





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P.I.N. 5512.52  
PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Golden Brown Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date: 6/20

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

Priority lanes and a ramping nature of the SO it is really important for this to hit  
the billion dollar + expansion

would provide a dedicated bike lane similar to Niagara Street

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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: Dave ~~Estes~~ <sup>Estes</sup> Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/20/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

### COMMENTS\*

LIKE LONGER TURN  
like less wide turn!  
Roundabouts are a GREAT idea!  
Like schedule to leave 33 open!

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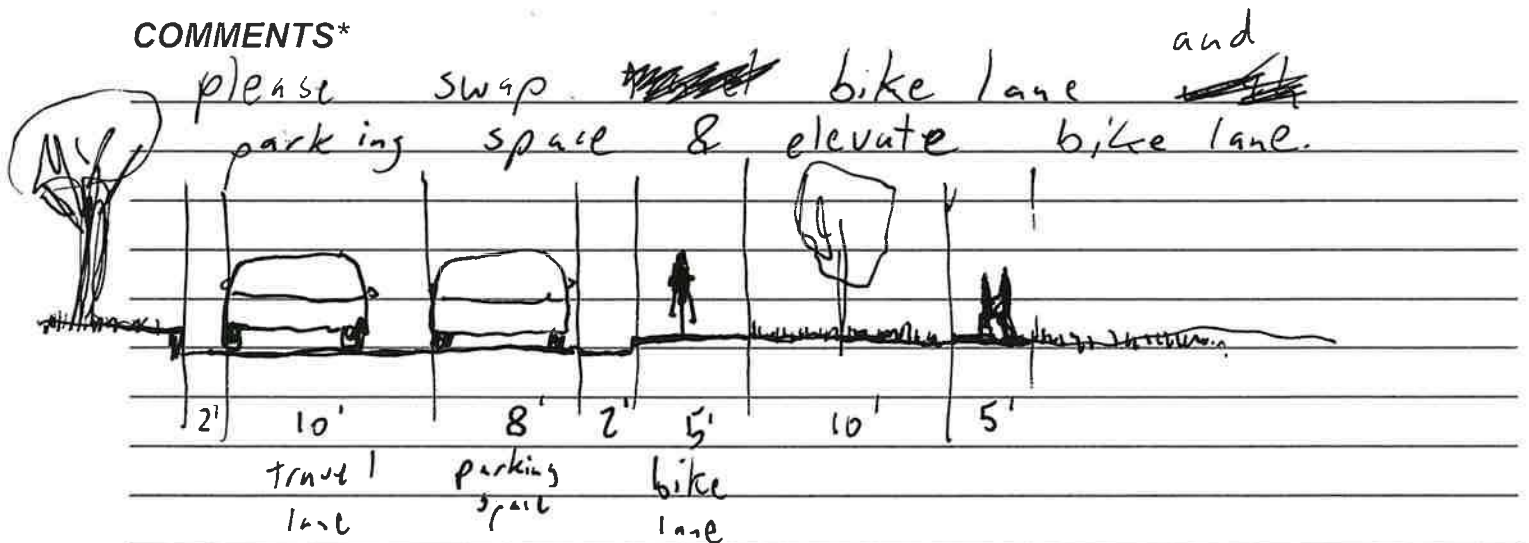
NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
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PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Greg Serrata Affiliation (if applicable): Citizen

Address: \_\_\_\_\_ Date 6/20

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*



Please increase soil depth from 3' to 4'  
at minimum.

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PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Cynthia Van Ness Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/29/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

This tunnel is an example of doing the wrong thing better instead of doing the right thing. The right thing isn't a tunnel that still spews car exhaust, it is a fully restored Humboldt Parkway.

"The traffic we observe at any point in time is not a fixed and inexorable amount that must be 'served,' but is simply the behavioral response to the set of transportation choices available to them."  
- Streetsblog.org, June 13, 2023

Please stop narrowing our transportation choices. Restore the parkway and make it a complete street. You are on the wrong side of history and climate change and so is this awful tunnel.

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JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Andre Saboff Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/20

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

It doesn't seem to solve the issues created by the divide in the first place. The "mitigation" of it still distresses the surrounding neighborhood.

I admit I use this often. The amount of traffic, besides two sessions of sub-15-minutes, is a ghost town. We do not need this, it is induced demand if even any there.

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PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: MAIA PECK Affiliation (if applicable): NOT RESIDENT

Address: \_\_\_\_\_ Date 6/20

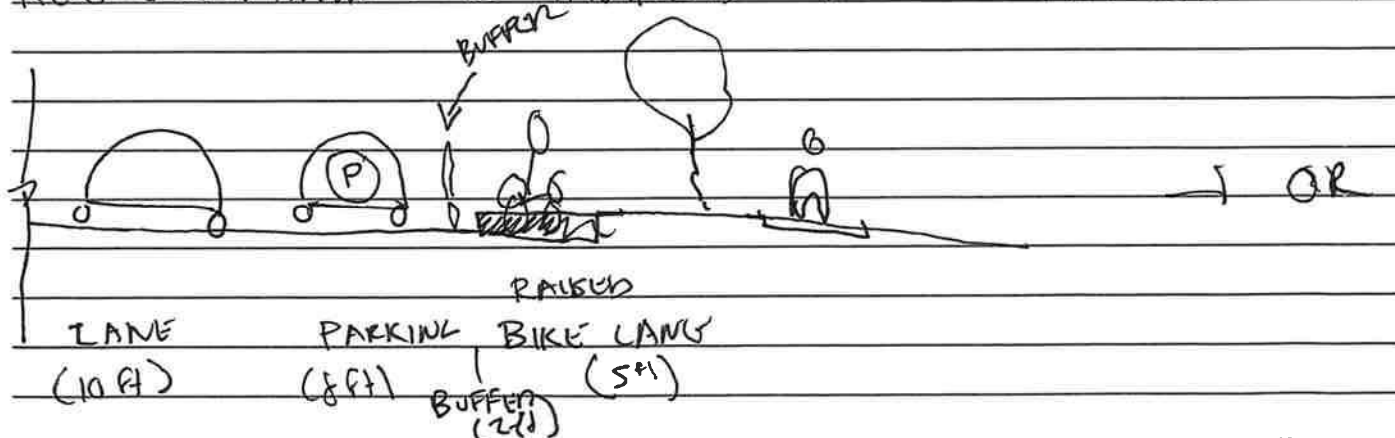
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

REALLY APPRIATE LANDSCAPING + BETTER REDISTRIAN + BIKE  
EXPERIENCE + ROUNDABOUT FOR TRAFFIC CALMING  
AT BEST STREET BRIDGE

RECOMMENDATION: AT LEAST 4' OF SOIL DEPTH FOR  
TREES

RECOMMENDATION FOR HIGHWAY STREET PROFILE



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BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Julian C. Sneed Affiliation (if applicable): RESIDENT  
Address: \_\_\_\_\_ Date 20 Jun 2023  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*

- WILL BLASTING SHATTER UNDERGROUND PIPING?
- HOW WILL BLASTING AFFECT GAS LINES WHICH ARE IN FRONT OF HOMES?
- WILL HARSH WINTERS DELAY CONSTRUCTION?
- WILL I HAVE TO WORRY ABOUT ANY TYPE OF GASES/FUMES COMING FROM EXCAVATED AREAS?
- HOW WILL THE CONTRACTOR PROTECT RESIDENTS FROM CILICA DUST OTHER THAN WATER SPRAY?
- WILL THE CONTRACTOR BLOCK IN MY CAR DURING THE WINTER?

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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

## BUFFALO MUSEUM OF SCIENCE

### COMMENT FORM

Name: Carol Reis Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/20/23

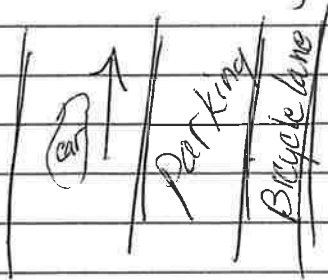
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### COMMENTS\*

The above ground traffic, E + W bound,

move the bicycle lane to the other side of parked cars. People opening their car door when exiting their parked car can cause bicyclist to run into door.

No - not every motorist is going to look in their side view / rear view mirror before opening car door.



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BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: MARK PARKER Affiliation (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_ Date 6-20-23  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*

PLEASE ADD A GATEWAY ARCH TO THE  
ENTRANCE TO MLK PARK FROM RANTHAPPA CIRCLE  
WOULD BE A AMAZING FEATURE TO THE PARKWAY

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BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Ryan Stampien Affiliation (if applicable): BDSA Infrastructure Committee  
Address: \_\_\_\_\_ Date 6/20/2023  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

I am once again asking for full removal of the 33 and full restoration of Humboldt Parkway to its Olmstead glory.

Capping the 33 for a few blocks would be insufficient on it's own ~~and~~ to address the generational damage the highway has caused. Spending over a BILLION dollars to do something so ineffectual is an embarrassment

we should use the 33 ROW for a subway from downtown to the airport and remove this highway completely

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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING JUNE 20, 11AM-2PM & 5PM-8PM BUFFALO MUSEUM OF SCIENCE COMMENT FORM

Name: Diane Curczak Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

\_\_\_\_\_ E-mail: \_\_\_\_\_

### COMMENTS\*

- ① move bike lanes away from traffic lane to sidewalk level in center green space
- ② new streetlights should be LED, not too bright, directing light down to limit light pollution
- ③ Definitely build it!

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PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Thomas Short Affiliation (if applicable): Democratic Socialists of America

Address: \_\_\_\_\_ Date 06/20/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

I came today, to voice my opposition to the cap and advocate for the full removal ~~for~~ of the expressway. My opposition is both practical and ideological. From the practical side of my argument, full removal is a fraction of the cost, and the savings can be used to build a functional public transit system that would transport a significantly greater number of passengers, with less environmental impact. From an ideological standpoint, this project is explicitly designed to maintain the status quo. It is the poster child for the analogy lipstick on a pig. The design prioritizes the needs of suburban residents, as opposed to the residents it should serve. It is a billion dollar boondoggle, an investment in climate denialism, and arguably illegal under the NYS Constitution, article 1, section 19.

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JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Benjamin Cashaw Affiliation (if applicable): F.B.C. (Buffalo Fruit of the City)  
Address: \_\_\_\_\_ Date: 6-20-23  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*

This ~~presentation~~ presentation is to much to take  
I'm on foot, and listen to the moderators at each stop.  
a formal presentation to explain would have been the  
best.

? What effect will this all have on the Fruit of the City traffic and  
accessibility.

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Name: hinde Johnson Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/20/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*

Love this project!

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BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Debra Becken-Gregg Affiliation (if applicable): Kyle Manning + Transportation

Address: \_\_\_\_\_ Date 6/20/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

Will there be a need for residents along the pathway to  
move vehicles during portions of the project? If so will there  
be federal or state set-asides or contract allocations to minority  
businesses?

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JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: Tuter Kith Affiliation (if applicable): Resident  
Address: \_\_\_\_\_ Date: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

Round about - Pedestrian paths are not going where people would like making sure that thought is put in to consider ped. perspective making sidewalks straight to where people need to go and avoiding unnecessary curving

198 interchange - Working to reduce vehicle speeds on Parkway / Kenntage road beyond project scope, reducing travel speed from drivers when merging & accelerating to 198 or off 198

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## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: Kayleigh A Small Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/20/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

### COMMENTS\*

I advocate strongly for full removal of the 33. Health concerns and just plain life deserves more - we should not have 6 lane highways going through residential areas. It is disgusting that we are valuing traffic flow over peoples health and safety.

Other cities (ie Rochester & Syracuse) have done removal of major highways in city areas and seen vast improvements with no problem of traffic.

Please, please consider the future of our city - not just another band aid on this horrible problem.

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BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: ALAN OBERST Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

THIS IS ANOTHER COMMENT ABOUT BEST STREET. THE ROUNDABOUT PROPOSAL AND SIMULATION DOES NOT CURRENTLY INCORPORATE BUSES OR SPECIFY ~~THE~~ WHERE BUSES WILL STOP. ~~IF~~ IF BUSES CANNOT ~~HAVE~~ HAVE STOPS WITHIN THE "ROUNDABOUT ZONE" THEN PASSENGERS WILL HAVE TO CROSS BEST STREET AT NON-SIGNALIZED ~~THE~~ LOCATIONS WITH A CONSTANT STREAM OF TRAFFIC FACILITATED BY THE ROUNDABOUTS. THIS COULD BE EXTREMELY PROBLEMATIC AND UNSAFE. IT MIGHT BE NECESSARY TO CREATE MORE SIGNALIZED INTERSECTIONS FOR THE BENEFIT OF BOTH BUS PASSENGERS AND PEDESTRIANS. NFTA SHOULD BE BROUGHT INTO THIS DISCUSSION AS SOON AS POSSIBLE.

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PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: ALAN OBERST Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

## COMMENTS\*

BEST STREET NEEDS ADDITIONAL CONSIDERATION BETWEEN JEFFERSON AND FILLMORE FOR TRAFFIC CALMING, BICYCLE PEDESTRIAN USE, AND TRANSIT USE. ESPECIALLY WITH THE PROPOSED ROUNDABOUT ON BEST, TRAFFIC FLOW WILL BE MORE CONTINUOUS. SO MORE TRAFFIC CALMING WILL BE NEEDED, PERHAPS INCLUDING SPEED HUMPS, MORE TRAFFIC LIGHTS, RAISED CROSSWALKS, CURB EXTENSIONS, AND BEAUTIFICATION SHOWING DRIVERS THIS IS A SPECIAL PLACE AND NOT JUST A PLACE TO SPEED THROUGH ON THE WAY TO AND FROM THE 33. THE NEWLY REVEALED PLAN TO UPGRADE STREETS CAPES IN THE VICINITY OF THE PROJECT IS EXPLICITLY "WHERE NEEDED," FOR BEST STREET, ON THE OTHER HAND, IT NEEDS TO BE EXPLICITLY "FROM JEFFERSON TO FILLMORE" OR PERHAPS EVEN FROM GENESEE TO MASTEN. IT IS ESPECIALLY IMPORTANT THAT CHILDREN BE ABLE TO TRAVEL SAFELY ON BEST BETWEEN THE PARK AND RECREATIONAL AREAS ON THE BEST STREET CORRIDOR FROM GENESEE TO MASTEN.

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P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: ALAN OBERST Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

### COMMENTS\*

OVER →  
REGARDING THE RECENT NEWS OF THE DOT'S INTENTION TO REDUCE THE WIDTH OF THE TUNNEL BY ABOUT 36', THAT SHOULD BE RECONSIDERED AND MERITS FURTHER DISCUSSION. I WAS INVOLVED IN THE ORIGINAL STUDY A DECADE AGO LED BY U.S. THE PROFESSOR WHO LED THAT STUDY HAS SAID THAT ONE OF THE MOST IMPORTANT CONCEPTS COMING OUT OF THE STUDY WAS TO USE THE KENSINGTON EXPRESSWAY CORRIDOR FOR LIGHT RAIL TO THE AIRPORT. THERE ARE MANY REASONS THAT CORRIDOR WOULD BE SUPERIOR TO THE OTHER POTENTIAL ROUTE FOR LIGHT RAIL TO THE AIRPORT, WHICH DOESN'T PASS THROUGH POPULATED AREAS. ~~THE~~ THIS OPTION MERITS ADDITIONAL CONSIDERATION, BUT HASN'T ~~BEEN~~ HAD THE FURTHER STUDY NEEDED. ~~TO~~ TO NARROW THE TUNNEL WOULD PRECLUDE THE OPPORTUNITY TO ADD LIGHT RAIL IN THE KENSINGTON CORRIDOR BEFORE WE EVEN GET THE CHANCE TO STUDY THE MERITS OF IT. LET'S KEEP THE ORIGINAL WIDTH IN THE PROJECT PLAN FOR NOW AND GET AT LEAST A PRELIMINARY ANALYSIS OF THE OPPORTUNITY FOR FUTURE RAIL TRANSIT IN THE KENSINGTON CORRIDOR. IF THE PRELIMINARY ANALYSIS

\*Any information provided on this form may become part of the project file, which is a public record. SHOWS THE CONCEPT MAY HAVE MERIT, THEN KEEP THE ORIGINAL TUNNEL WIDTH. IF NOT, THEN THE NARROWER WIDTH COULD BE USED. OVER →

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Comments are due by July 7, 2023.



Department of  
Transportation



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## YOUR FEEDBACK IS IMPORTANT!

Please use this form to submit comments. For more information about the project and ways to get involved, please visit our website:

[kensingtonexpressway.dot.ny.gov](http://kensingtonexpressway.dot.ny.gov)

PAGE 2:

FOLD HERE

THERE IS A LOT OF FEEDBACK IN THE COMMUNITY ABOUT THE NEED TO INCORPORATE TRANSIT INTO THIS PROJECT, AND THIS WOULD BE A REAL WAY TO MEET THOSE CONCERNS. OBVIOUSLY THERE ISN'T THE TIME OR BUDGET TO INCORPORATE A WORKING LIGHT RAIL OR BRT SYSTEM INTO THIS PROJECT, OR EVEN DESIGN ONE. BUT CONSTRUCTING THE PROJECT IN SUCH A WAY THAT IT HAS ENOUGH WIDTH TO INCORPORATE A FUTURE RAIL TRANSIT OR BRT SYSTEM WOULD BE A WAY TO DEMONSTRATE THAT THE TRANSIT POTENTIAL OF THIS CORRIDOR WAS RECOGNIZED AND

FOLD HERE

THAT ~~POTENTIAL WAS ALLOW~~ ALLOWANCES WERE MADE FOR REALIZING THAT POTENTIAL IN THE FUTURE.

PLACE  
STAMP  
HERE



Department of  
Transportation

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT TEAM

NYSDOT Region 5

100 Seneca Street

Buffalo, New York 14203

TAPE OR STAPLE HERE

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: ALAN OBERST Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/20/2023

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

PLEASE RECONSIDER THE ROADWAY YOU PROPOSE TO INTRODUCE ON THE DECK ANGLED FROM THE INTERSECTION OF NORTHAMPTON AND THE SOUTHBOUND ROADWAY TO THE NORTHBOUND ROADWAY. WE DISCUSSED THIS TODAY WITH LORENZO AND HE BELIEVES IN THE INITIAL CONCEPT STAGE THAT CAN STILL BE CHANGED AND ISN'T CONVINCED THAT REMOVING IT WOULD CAUSE PROBLEMATIC CONGESTION ON NORTHAMPTON WITH THE EXTRA TURNING MOVEMENT — ALTHOUGH IT WOULD MERIT PROPER DUE DILIGENCE OF A TRAFFIC STUDY. THERE IS CURRENTLY LITTLE TRAFFIC ON NORTHAMPTON TO CAUSE CONGESTION. QUALITATIVELY, BECAUSE THE MONUMENTAL FACADE AND ORIGINAL ENTRANCE / APPROACH TO THE SCIENCE MUSEUM IS FROM THE NORTH, THE PROPOSED ROADWAY MARS THE VIEW OF THE MUSEUM FROM THE PARKWAY WHILE REMOVING IT WOULD BRING MORE PEOPLE TO NORTHAMPTON IN FRONT OF THE MUSEUM TO SEE THE FRONT OF THE MUSEUM FROM A VANTAGE POINT THAT IS CURRENTLY LITTLE SEEN.

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**Comments are due by July 7, 2023.**



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U.S. Department of Transportation  
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Administration

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: ALAN OBERST Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**COMMENTS\***

ONLY ALLOWING 3' OF SOIL DEPTH MAY BE SHORT-SIGHTED. IF IT DOESN'T, IN THE END, SUPPORT THE TREE GROWTH WE EXPECT, THERE WILL BE NO WAY TO ADJUST THE PROJECT. ONE OF THE MOST COMMON CRITICISMS OF THIS PROJECT IS THAT IT WILL NOT ALLOW US TO RESTORE THE LANDSCAPE THAT WAS TAKEN AWAY. WE SHOULD DO THE WORK UPFRONT ~~AT~~ TO ALLOW 4' OF SOIL AND NOT SHORTCHANGE OURSELVES.

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**Comments are due by July 7, 2023.**



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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: N. Sidi Yahya Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

### COMMENTS\*

Thank you for this opportunity to submit this question.  
As a contractor I am familiar with the possibilities of  
Rodents natural habitats will be disturbed. Is there a  
plan to assist those residents that will be affected? Will  
there be a contact person specifically tasked for this?  
Will there be funding set aside for this problem?  
Looking forward to the response.  
N. Sidi Yahya.

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**Comments are due by July 7, 2023.**



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Transportation



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1 **LARRY KIEFFER,**

11:09:07 2 states as follows:

11:09:16 3  
11:09:16 4 Okay. I believe that this project, while  
11:09:21 5 well intentioned, is a terrible waste of money  
11:09:26 6 given the needs for infrastructure in the city of  
11:09:30 7 Buffalo. Specifically, the water lines and sewer  
11:09:33 8 lines in the city of Buffalo need to be replaced.  
11:09:38 9 The federal government is spending a lot of money  
11:09:42 10 on infrastructure. And I believe that clean water  
11:09:45 11 and a new sewer system should have a higher  
11:09:50 12 priority than a tunnel.

11:09:53 13 If you looked at the scoping document -- I  
11:09:56 14 believe it was Alternative 4 -- resulted in many of  
11:10:02 15 the benefits that they were looking for, but did  
11:10:05 16 not include a tunnel. By not including the tunnel,  
11:10:08 17 you wouldn't need the ventilation system.

11:10:12 18 Back a year ago, June 30th, the meeting that  
11:10:18 19 was held here had a cost of \$100 million for the  
11:10:23 20 ventilation system, \$5 to \$12 million in annual  
11:10:30 21 maintenance costs. That is a lot of money.

11:10:34 22 Given the fact the governor is encouraging  
11:10:39 23 electric vehicles, the need for a ventilation

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11:10:44 1 system diminishes over time. In ten years, the  
11:10:48 2 need for the ventilation system would probably be  
11:10:53 3 nonexistent. And yet, we will put this huge  
11:10:57 4 investment in technology that will no longer be  
11:11:03 5 warranted. That -- if you step back and look -- I  
11:11:07 6 believe is a terrible waste of money. The city  
11:11:11 7 needs other things besides a tunnel.

11:11:13 8 I agree it would be nice to have parks. And  
11:11:17 9 you could get probably 80 percent of the benefits  
11:11:20 10 without the tunnel. The city of Cincinnati has an  
11:11:25 11 interstate going right through it. And they've  
11:11:29 12 accomplished many of the things that they're  
11:11:31 13 seeking in this project without a tunnel. And it  
11:11:35 14 works.

11:11:35 15 I would like to see them take a step back  
11:11:38 16 and look at other alternatives than the tunnel.

11:11:50 17

11:11:50 18 (Statement concluded at 11:11 a.m.)

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11:49:52 1 **DEBORAH GOLDMAN,**

2 states as follows:

11:49:56 3

11:50:03 4 Power wash the houses when they get dirty

11:50:13 5 because they're going to get filthy. Including the

11:50:13 6 windows. Thanks.

11:50:16 7

11:50:16 8 (Statement concluded at 11:50 a.m.)

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13:01:17 1 **CAROLYN MILLER,**

2 states as follows:

13:01:24 3

13:01:25 4 Okay. My question is: The reason for --  
13:01:44 5 it's supposed to be covering the 33, right? What  
13:01:50 6 is it supposed to be doing?

13:01:53 7 **THE REPORTER:** I don't work for the DOT.

8 I'm just here to take the comments.

13:01:57 9 **MS. MILLER:** Okay. So that's what I  
13:01:59 10 understand. I got this little thing here that's  
13:02:02 11 telling me what they're thinking about doing.

13:02:06 12 Now, my question is: They took it away  
13:02:08 13 years ago, right? You don't even know that, right.  
13:02:13 14 Well, anyway, they took it away years ago. And now  
13:02:17 15 they -- I'm assuming -- like I say, I just need  
13:02:22 16 somebody to explain what is going on. I'm assuming  
13:02:26 17 they're talking about covering over again. Which,  
13:02:30 18 to me, don't make sense. Don't make sense.

13:02:34 19 Because when it was there before, it was a  
13:02:36 20 different time. And now, we're in a time where  
13:02:41 21 people are crazy. And basically, the people -- I  
13:02:47 22 live three houses from where they going to do this  
13:02:53 23 stuff. That's why I'm here. So the people that



13:02:56 1 live in the area will not be able to enjoy whatever  
13:03:01 2 they're going to do. I think it's going to be a  
13:03:05 3 park or something.

13:03:06 4 But you're going to have people coming from  
13:03:08 5 heaven knows where. And, you know, with all the  
13:03:10 6 people -- crazy people nowadays -- you know, all  
13:03:14 7 the fighting and all that stuff, I don't need that  
13:03:18 8 three houses from where I live. And I'm just  
13:03:21 9 wondering why do they feel that they need this  
13:03:25 10 again when it's really not necessary?

13:03:27 11 So what else do I need to say about that?  
13:03:34 12 Like I say, I'm just -- I really want to find out  
13:03:37 13 what they have to say about it. But I've already  
13:03:39 14 said what I have to say because I think it's  
13:03:42 15 ridiculous to cover it over again.

13:03:46 16 And, like I say, when it was there, it was a  
13:03:49 17 different time. Everything was calm. And it was  
13:03:53 18 just nice. And now, people are crazy now. So when  
13:03:57 19 I leave my house to go up the Humboldt Parkway and  
13:04:02 20 go somewhere, I don't want to get shot.

13:04:05 21 I want to -- I want to feel comfortable even  
13:04:08 22 if I wanted to go walk to the park. I want to feel  
13:04:13 23 comfortable doing that. But I don't feel

13:04:16 1 comfortable in that area. I mean with this  
13:04:20 2 thing -- with this overhead thing, whatever they  
13:04:23 3 call it.

13:04:24 4 I've seen them before on -- on TV where they  
13:04:27 5 have covered them over and, you know, made them  
13:04:29 6 pretty and all that kind of stuff. But like I  
13:04:33 7 said, where we live now, East Buffalo, do not need  
13:04:37 8 it. So I guess that's it.

13:04:39 9

10 (Statement concluded at 1:04 p.m.)

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1 **RONALD WALKER,**

2 states as follows:

17:18:01 3  
17:18:09 4 Okay. Currently, I am an owner of a rental  
17:18:17 5 property which is on East Ferry, between Humboldt  
17:18:23 6 and Fillmore. My -- my question is: When was the  
17:18:31 7 decision made to actually cover the 33? That's my  
17:18:53 8 question.

17:18:54 9 My comment is: Having grown up on East  
17:19:02 10 Ferry when the Kensington was actually being  
17:19:05 11 constructed, which is early '60s, we put up with  
17:19:11 12 the dynamite and the blasting and dump truck  
17:19:14 13 drivers and all of that miscellaneous hazards  
17:19:19 14 associated with putting in an expressway. And I  
17:19:27 15 survived that.

17:19:28 16 It divided the community. I used to walk  
17:19:31 17 from East Ferry to North Hampton to visit relatives  
17:19:37 18 through the park when it was there. Kensington  
17:19:42 19 kind of stopped that.

17:19:43 20 But it appears as though we're attempting to  
17:19:47 21 unite a community that today doesn't know it has  
17:19:52 22 been divided. So we're fixing a problem that's a  
17:19:56 23 generation, maybe two generations, removed from

17:20:00 1 when the solution would make sense. That's my  
17:20:04 2 comment.

17:20:05 3 (Statement concluded at 5:20 p.m.)

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1 **THOMAS SHORT,**

17:55:55 2 states as follows:

17:56:01 3 My name is Thomas Short. I am a resident of  
17:56:09 4 Buffalo and a member of the Buffalo Democratic  
17:56:11 5 Socialist Infrastructure Committee. I came here  
17:56:13 6 today to voice my opposition to the current plan  
17:56:16 7 and advocate for the full removal of the Kensington  
17:56:18 8 Expressway.

17:56:19 9 My opposition to the project is both  
17:56:22 10 practical and ideological. For the practical side  
17:56:24 11 of my argument, a full removal of the entire  
17:56:26 12 expressway would be a fraction of the cost.

17:56:29 13 With those savings, we could put a  
17:56:29 14 significant down payment on improving our city's  
17:56:32 15 embarrassing infrastructure -- public  
17:56:35 16 transportation infrastructure. Investing in public  
17:56:37 17 transit would both dramatically increase  
17:56:40 18 passenger -- passenger corridor capacity while  
17:56:42 19 reducing traffic and its associated ills.

17:56:45 20 For the ideological side, this project is a  
17:56:47 21 poster child of lipstick on a pig. This project is  
17:56:50 22 explicitly designed to maintain the status quo. It  
17:56:53 23 prioritizes the needs of suburban residents and

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17:56:56 1 motorists, while playing lip service to the  
17:56:58 2 communities destroyed by the 33's original  
17:57:01 3 construction.

17:57:01 4 This plan flies in the face of volumes of  
17:57:03 5 evidence about the harms of air pollution, noise  
17:57:05 6 pollution, and traffic violence. With overwhelming  
17:57:09 7 evidence on the need to reduce automobile usage to  
17:57:12 8 meet our climate goals, it is a billion dollar  
17:57:14 9 embrace of climate denialism.

17:57:15 10 With the amount of disregard this plans  
17:57:18 11 shows for environmental impacts of automobile  
17:57:19 12 traffic, it is also, in my view, a violation of the  
17:57:23 13 state constitution's guarantee of a right of all  
17:57:26 14 New Yorkers to clean air and a healthful  
17:57:28 15 environment under Article 1, Section 19 of the New  
17:57:33 16 York State Constitution.

17:57:34 17 This plan is an extension of the original  
17:57:35 18 sin of the 33. A billion dollar boondoggle that  
17:57:38 19 will most certainly run over time and over budget  
17:57:41 20 while providing less material benefits to the  
17:57:43 21 residents of Buffalo than other cheaper, cleaner,  
17:57:48 22 and more efficient options.

17:57:53 23 (Statement concluded at 5:57 p.m.)

18:17:31 1 **MARK NOWAK, :**

18:17:49 2 states as follows:

18:17:53 3

18:17:58 4 Basically knowing Buffalo is good at shooting  
18:18:08 5 itself in the foot and that these public displays  
18:18:11 6 never really help or change anything because all  
18:18:15 7 the decisions have been made already and that  
18:18:17 8 the -- I don't think they ever really listen to the  
18:18:21 9 public because we've had so many past mistakes with  
18:18:24 10 putting the stadium out in Orchard Park, putting  
18:18:27 11 the campus up in Amherst, putting -- doing the  
18:18:31 12 Gateway project and then redoing it over by the  
18:18:34 13 Peace Bridge, and most recently Allen Street.

18:18:37 14 You know, everything that was done there and  
18:18:39 15 people said that here's all the things that are  
18:18:40 16 wrong with it, the state went ahead and did it  
18:18:44 17 their way anyways. So hopefully -- I know this is  
18:18:49 18 correcting a past mistaken in the era of Robert  
18:18:53 19 Moses, but I'm sure there's something wrong with it  
18:18:58 20 that I haven't quite found out. But it seems like  
18:19:00 21 an awful lot of money to cover the tunnel of the 33  
18:19:06 22 that it may be better spent in other ways helping  
18:19:11 23 the neighborhood.



18:19:12 1           Because in the long run, it is to enhance  
18:19:13 2 the neighborhood, it will enhance the neighborhood,  
18:19:14 3 but it will also increase the property values,  
18:19:17 4 which will increase their tax values, which will  
18:19:20 5 have people have to move out because they can't  
18:19:23 6 afford to live here.

18:19:25 7           So I don't live in the neighborhood, but I  
18:19:28 8 know people that do. And their taxes go up now,  
18:19:31 9 they have to move. Their taxes are going to go up  
18:19:31 10 in the next 10 to 25 years, maybe exponentially  
18:19:35 11 because of the improvements. So this is another  
18:19:39 12 way of gentrifying the neighborhood and then  
18:19:42 13 displacing a lot of population.

18:19:44 14           And I don't think any of those people are  
18:19:46 15 being reimbursed through this \$1.5 billion, which  
18:19:53 16 will probably also increase because we're building  
18:19:53 17 a stadium at the same time. So there's no trades  
18:19:55 18 in the area that can bid on the construction  
18:19:59 19 project competitively. So there will be lots of  
18:20:03 20 cost overruns. And of course the graft that's  
18:20:07 21 common in Western New York will also increase.

18:20:10 22           Any time there's an opportunity like this,  
18:20:12 23 things like that will happen. I feel that some of

18:20:21 1 this money could be well spent improving the homes  
18:20:24 2 that are here because they don't have good heat;  
18:20:27 3 they don't have good insulation; they don't have  
18:20:28 4 good plumbing; they have lead pipes; they have lead  
18:20:31 5 paint.

18:20:31 6 And even though those homes are in bad  
18:20:34 7 condition, they're going to be forced to be paying  
18:20:37 8 higher assessment rates because of the perceived  
18:20:41 9 value of what the properties may be.

18:20:42 10 So I think that's -- my biggest concern is  
18:20:45 11 the eventual gentrification and displacement of  
18:20:50 12 current -- current residents. There're not --  
18:20:52 13 there's no plan to assist that as that happens.  
14 Period.

18:21:00 15

18:21:00 16 (Statement concluded at 6:21 p.m.)

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1 **TIM TIELMAN**, The Campaign for Greater Buffalo  
2 History, Architecture, & Culture,  
3 states as  
18:21:27 4 follows:

18:21:28 5  
18:21:35 6 Couple things to be brief. First, we think  
18:21:43 7 that the scope of the project is too constrained.  
18:21:49 8 We think the problems with the highway are -- exist  
18:21:54 9 along the entire length of it in the city of  
18:21:57 10 Buffalo, five miles long.

18:21:58 11 The current project confines itself --  
18:22:02 12 writes its own definition parameters of concern.  
18:22:07 13 And those are a ten-block stretch out of a 5 mile  
18:22:13 14 long roadway. And the -- I have not read a good  
18:22:20 15 synopsis of the history of the neighborhoods and  
18:22:24 16 what the highway did to them.

18:22:27 17 There's a notion that the highway divided  
18:22:33 18 neighborhoods. There's nothing that I've seen that  
18:22:36 19 attempts to define what the neighborhoods were  
18:22:40 20 before the highway. My understanding both as a  
18:22:43 21 historian and as a geographer are that there were  
18:22:49 22 two distinct neighborhoods, east and west, defined  
18:22:53 23 by the Jefferson Avenue commercial core and the

18:22:56 1 Fillmore Avenue commercial core. The parkway --  
18:23:01 2 Humboldt Parkway was actually a border that defined  
18:23:05 3 both neighborhoods.

18:23:06 4 And I think if you look at contemporary  
18:23:10 5 accounts of the city, they would define the  
18:23:13 6 neighborhoods as such. So Humboldt Parkway was a  
18:23:17 7 border rather than something that was central to  
18:23:22 8 each neighborhood.

18:23:23 9 People along Jefferson Avenue or blocks from  
18:23:27 10 Jefferson, identified Jefferson Avenue as their  
18:23:31 11 commercial spine. So if you lived in Hamlin Park,  
18:23:36 12 if you lived in Cold Spring, even if you lived in  
18:23:39 13 the fruit belt. And if you lived along Fillmore or  
18:23:44 14 the Northland Avenue industrial corridor, you  
18:23:47 15 define that as a separate neighborhood.

18:23:47 16 So I think it's a bit of disservice to the  
18:23:52 17 public, this notion that New York State DOT or  
18:23:55 18 whoever is riding to the rescue and is going to  
18:23:59 19 knit together this neighborhood socially or, in  
18:24:02 20 fact, economically.

18:24:03 21 Because if you look at this ten-block  
18:24:03 22 stretch, you have to ask your yourself how -- you  
18:24:10 23 know, how is putting in this ten-block stretch of

18:24:18 1 greenery -- which won't approach the old, you know,  
18:24:22 2 Olmstead Parkway really -- going to affect either  
18:24:27 3 neighborhood economically.

18:24:29 4 One of the problems -- a central problem of  
18:24:32 5 the entire study is the fact that -- the  
18:24:35 6 constraints. You cannot affect traffic volume.  
18:24:38 7 You cannot affect speed. Those, essentially, are  
18:24:43 8 the problems that the neighborhood and the city has  
18:24:48 9 been dealing with. The speed of the traffic and  
18:24:51 10 the volume.

18:24:52 11 That, of course, has created economic  
18:24:58 12 distress and suppressed new activity from downtown  
18:25:01 13 all the way out to the suburbs. The project  
18:25:04 14 doesn't address that at all. It simply buries a  
18:25:11 15 ten-block stretch, leaves all the problems  
18:25:13 16 associated pollution, noise, et cetera outside of  
18:25:16 17 those areas continuing as normal.

18:25:19 18 So there is no, for example, noise  
18:25:24 19 mitigation. Change the speed limit to 40 miles an  
18:25:29 20 hour, you would drastically change the noise  
18:25:32 21 impacts.

18:25:33 22 There's an article coincidentally today, New  
18:25:36 23 York Times, on -- on the front of the science

18:25:41 1 section: "Chronic noise proves deadly". And it's  
18:25:46 2 about the chronic noise of things such as highways  
18:25:49 3 affecting neighborhoods.

18:25:51 4 This project really beyond this ten-block  
18:25:54 5 zone, doesn't mitigate it at all. Then the cross  
18:25:57 6 sections, accepting that you want to build a tunnel  
18:26:02 7 anyway. So let's set aside the argument that  
18:26:05 8 probably the neighborhood that's most affected is  
18:26:08 9 not the neighborhood where Humboldt Parkway lay,  
18:26:11 10 but south of the science museum where we're sitting  
18:26:17 11 today between the science museum and downtown  
18:26:20 12 Buffalo where they ripped through the neighborhood  
18:26:24 13 between the fruit belt and lower Genesee Street.

18:26:28 14 That had a devastating impact. They  
18:26:33 15 destroyed hundreds of houses. They disrupted the  
18:26:35 16 retail corridor of Genesee Street and Jefferson  
18:26:38 17 Avenue. This project -- if you want to knit a  
18:26:41 18 neighborhood back together; if you want to recreate  
18:26:45 19 some economic dynamism, you get rid of the highway  
18:26:53 20 there or mitigate it in some manner.

18:26:57 21 But setting that aside, if you look at the  
18:27:00 22 cross section, the -- you know, there are diagrams  
18:27:05 23 of -- oh, we have a five-foot sidewalk. We have

18:27:08 1 a -- you know, a tree terrace. We have a -- then  
18:27:12 2 we have a parking lane. This is above the tunnel.  
18:27:15 3 A parking lane. And then we have a five-foot  
18:27:18 4 bicycle lane. And then we have a driving lane.

18:27:22 5 A five-foot bicycle lane is utterly  
18:27:25 6 inadequate and not up to international standards  
18:27:27 7 for side by side bicycle riding. A bicycle is  
18:27:32 8 three feet wide. It's an act of balance to ride  
18:27:35 9 one.

18:27:36 10 People know -- transportation planners know  
18:27:40 11 in the United States as well as Europe -- that  
18:27:42 12 tends to set the standards -- that a 5-foot bike  
18:27:46 13 lane only can safely accommodate a single rider in  
18:27:48 14 single file. It neglects the notion that bicycles  
18:27:53 15 should be used and are used socially. A parent  
18:27:57 16 with a child. Two people wanting to ride bicycles  
18:28:02 17 side by side for safety or for social reasons.

18:28:07 18 A five-foot bike lane is inadequate. The  
18:28:10 19 bike lanes should be at the same level as the  
18:28:13 20 sidewalks and the tree lawns, not the same level as  
18:28:19 21 the parking lane and the roadway. So that's  
18:28:22 22 looking at it wrong. And experience -- I ride my  
18:28:28 23 bike quite a bit. That's utterly insufficient and



18:28:32 1 unsafe.

18:28:32 2           If one of the goals of the project is it to  
18:28:35 3 link neighborhoods, a lot of the agents of linking  
18:28:39 4 are children and older people who have real  
18:28:43 5 problems with moving traffic and perceived danger.  
18:28:50 6 We've got to eliminate the perceived danger and  
18:28:55 7 make it actually safe to ride bikes if you want to  
18:28:58 8 cut down on car traffic and improve the freedom  
18:29:01 9 that children have to go through the neighborhood.  
18:29:04 10 That's important.

18:29:06 11           Secondly, the sidewalk width is also  
18:29:09 12 inadequate. You know, they're basically going to  
18:29:14 13 repair the inadequate sidewalks. So what. Same  
18:29:18 14 thing. It's difficult on these narrow sidewalks we  
18:29:21 15 have here. Again, some of them are as narrow as  
18:29:24 16 three feet.

18:29:26 17           The FTA standard I think is five feet  
18:29:27 18 minimum. Minimum. It should be six feet. That's  
18:29:30 19 the adequate space for two adults walking in one  
18:29:35 20 direction. And, you know, someone coming in a  
18:29:38 21 different direction, you know, you're going to have  
18:29:41 22 to go single file to pass. An eight-foot sidewalk  
18:29:46 23 width is probably actually what you want to build

18:29:49 1 at least on Humboldt Parkway, but probably also on  
18:29:52 2 the connecting streets.

18:29:54 3 So the notion that the State is going to  
18:29:58 4 help with the connections by milling and repaving  
18:30:01 5 the roadbeds of the streets and repairing sidewalks  
18:30:06 6 as needed is inadequate to their own notion of, oh,  
18:30:11 7 we're going to link these neighborhoods back  
18:30:13 8 together. Because planning --

18:30:16 9 Understanding how people walk, how people  
18:30:19 10 ride bikes has advanced a great deal since the  
18:30:23 11 Kensington Expressway was built. But the DOT plans  
18:30:28 12 show no awareness whatsoever of what an ideal  
18:30:35 13 pedestrian or bicycle environment is. It's a huge  
18:30:37 14 disappointment given that one of the reasons for  
18:30:40 15 this project is to knit this neighborhood back  
18:30:43 16 together. So that's a serious shortcoming.

18:30:47 17 Lack of noise mitigation, lack of  
18:30:51 18 understanding of, you know, what are the noise  
18:30:54 19 levels right now in this neighborhood? 20 blocks  
18:30:57 20 up the expressway? What are they in by ECMC  
18:31:06 21 Hospital? What are they at Jefferson Avenue? We  
18:31:09 22 don't know because we haven't been provided the  
18:31:12 23 information.

18:31:13 1 What will be the projected noise levels  
18:31:16 2 after the project is done in these neighborhoods?  
18:31:19 3 And are there ways other than a continuous tunnel  
18:31:25 4 that is going to require some venting.

18:31:28 5 You know, the Holland Tunnel approaches in  
18:31:31 6 New Jersey have -- they're essentially paved over  
18:31:36 7 except for a short section in the center that's  
18:31:40 8 open air. That allows natural ventilation. And  
18:31:44 9 you can have, basically, a continuous tunnel for as  
18:31:48 10 long as you want.

18:31:49 11 So things like that -- baffles to mitigate  
18:31:55 12 noise rather than a full blown tunnel may allow  
18:32:00 13 money to be saved that can be used where it would  
18:32:03 14 be really useful along the stretch from Utica -- or  
18:32:08 15 Best Street to downtown Buffalo to do other work  
18:32:12 16 there and perhaps mitigate the impact of the  
18:32:17 17 Humboldt arterial.

18:32:20 18 But right now, the project scope is way too  
18:32:23 19 limited. The state decided on its own what it was  
18:32:27 20 going to be. It didn't really examine it in depth.  
18:32:32 21 And we have a great shortfall of comparative  
18:32:37 22 historical material, social/economic material of  
18:32:38 23 the various neighborhoods.

18:32:40 1 And there is no data that we can see on  
18:32:45 2 noise pollution and its affects in the past, right  
18:32:50 3 now, and projected. That has to be part of the  
18:32:54 4 environmental review.

18:32:56 5  
6 (Statement concluded at 6:32 p.m.)

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1 **GERALD CANTOR,**

19:00:49 2 states as follows:

19:01:01 3

19:01:27 4 As I was telling Cameron, you know, I just  
19:01:32 5 rolled in. And on my way here, you know, about ten  
19:01:36 6 minutes ago before I came in here on such a  
19:01:38 7 beautiful day -- and I can't wait to get back out  
19:01:41 8 there.

19:01:43 9 And I'm going to almost, like, do verbatim  
19:01:48 10 what I said to him even in a prelude or preface to  
19:01:53 11 my remarks that I made for a little mirth. Like I  
19:01:58 12 said, well, you're going to -- ten minutes before I  
19:01:59 13 got in here, I got an idea but --

19:02:02 14 And I want to site David Bennett who wrote a  
19:02:09 15 Chorus Line and so on, if that was indeed him to  
19:02:11 16 say all good ideas die in Buffalo. So here it goes  
19:02:16 17 anyway. And I'll just say that, you know, just,  
19:02:18 18 you know, as one Buffalonian to another not really  
19:02:23 19 meaning it and, you know, loving our city anyway.

19:02:27 20 But in the 33 -- and I defer to your  
19:02:35 21 translation -- but the -- what I was saying was,  
19:02:42 22 like, in the 33 table, you know, half of it going  
19:02:49 23 this way, the other half going that way -- the 198

19:02:54 1 whatever -- at its -- each edge and whatever  
19:03:01 2 segment or the entire length of it from its  
19:03:06 3 beginning to end, you know, whether it's from the  
19:03:10 4 museum -- you know, Best Street to the park side  
19:03:14 5 city or Main, wherever -- demographic diagnostic  
19:03:26 6 perusal of the adjacent populations, family units.

19:03:31 7 I see on my way over here riding my bike a  
19:03:35 8 good number of family. And I'm sure inset from  
19:03:39 9 the -- the, you know, expressway are, you know,  
19:03:44 10 homes with families. And good.

19:03:50 11 At the perimeters -- and you're welcome to  
19:03:56 12 chuckle -- like in the amusement park -- you  
19:04:02 13 weren't here, but Crystal Beach. You know, it's a  
19:04:06 14 long time ago. You've heard of it. But it had  
19:04:10 15 these -- it's not -- it predated the paddle boats  
19:04:15 16 at Canal Side. You were in a boat. And there was  
19:04:18 17 some sort of thing and electricity and you moved  
19:04:23 18 around with bumpers around it, rubber bumpers.

19:04:26 19 And it was, like, maybe ankle or shin deep,  
19:04:29 20 the water. And, you know, you'd bump into other  
19:04:35 21 boats. It was a family and kids thing. You know,  
19:04:37 22 just something around the size of two of these  
19:04:39 23 rooms or three, four of them. An amusement park

19:04:41 1 ride.

19:04:42 2 But in this setting, at the perimeter -- at  
19:04:50 3 the edges, this kind of boat that would seat, you  
19:05:02 4 know, three or four, a little thing like a care --  
19:05:06 5 like the Herschel carousel thing with horses. A  
19:05:12 6 playful-looking thing. And these days, I suppose  
19:05:18 7 it would be paddle or maybe there would be an  
19:05:22 8 option of electric also as well, but that's more  
19:05:27 9 costly. Or a generation of -- from the museum to  
19:05:33 10 Parkside or further, like, a -- as if it were a hot  
19:05:38 11 tub, a generation of water that would make an easy  
19:05:42 12 ripple, too, if someone wanted to glide their way.  
19:05:47 13 And you figure out what would be the overall  
19:05:50 14 weight, the maximum weight of a family of three,  
19:05:54 15 four. Let's make sure -- that's physics. You  
19:05:59 16 know, water -- what kind of water would push --  
19:06:01 17 would make for the float.

19:06:03 18 And it's just an option. Even if it was,  
19:06:06 19 like, ten blocks and a mother said let's go visit  
19:06:11 20 Aunt Ruth today. And let's take the little boat  
19:06:16 21 for those ten blocks. And then we'll get out and  
22 we'll walk the rest of the way. In addition to the  
19:06:20 23 guard -- and, you know, guardrails, of course, on



19:06:22 1 each side.

19:06:23 2           And, of course, it's more viable in the  
19:06:25 3 summer. But even if it's, like, a fall day or a  
19:06:32 4 spring day. You know, you just lose out in the  
19:06:35 5 winter like any -- like the downtown skating rink  
19:06:39 6 at Chippewa Street there. You know, a seasonal  
19:06:45 7 thing.

19:06:45 8           It's an option. And it's unique. It would  
19:06:48 9 be unique to Buffalo. You know San Antonio has  
19:06:51 10 this -- on St. Patrick's Day, their little river is  
19:06:55 11 green. Boston -- he said something about. But  
19:07:00 12 this is -- it's not something that is set aside  
19:07:05 13 only as -- by itself like an amusement park. It  
19:07:17 14 approximates more the San Antonio stroll. You  
19:07:21 15 would be using it for transportation.

19:07:23 16           And he did -- he said, well, let me ask  
19:07:27 17 you -- one thing that comes immediately to mind.  
19:07:30 18 What comes -- what happens at the cross streets.  
19:07:32 19 You know, let's say you're on Humboldt Parkway.  
19:07:35 20 You go from one street and then next one is Butler  
19:07:39 21 or Northland or whatever around here. You know,  
19:07:43 22 the cross streets.

19:07:46 23           Well, because traffic would be down below

19:07:53 1 for the express, and if there's still upper  
19:07:56 2 traffic -- if it's a park, there's no problem,  
19:08:01 3 except it's like a give and take between  
19:08:03 4 pedestrians walking this way or that way and the  
19:08:08 5 slow moving boat.

19:08:10 6 Just -- and they wait for the boat or  
19:08:13 7 whatever with the rubber cushion like it had at the  
19:08:16 8 amusement park. Big bulging rubber cushions like a  
19:08:23 9 tug boat or whatever. And at those intersections,  
19:08:28 10 certain ones that might be even more busy. And  
19:08:32 11 especially if there were cars. I mean, even a  
19:08:37 12 pedestrian is going to have to stop for a cross  
19:08:40 13 light, whatever.

19:08:40 14 So indigenous to the city of Buffalo and in  
19:08:44 15 keeping with Buffalo, you have a kind of facsimile  
19:08:48 16 to the Lockport locks. There's a lock. You know,  
19:08:52 17 nothing terribly sophisticated with engineer, but,  
19:08:56 18 you know. And that would be, like, the stop light  
19:08:59 19 for the boat.

19:09:03 20 And I just -- it could be experiment --  
19:09:10 21 well, it's hard to experiment. You kind of almost  
19:09:13 22 have to -- once you do, you can't just make a  
19:09:17 23 little -- a little pond and do it. You're either

19:09:20 1 going to go full board and if it doesn't work then  
19:09:26 2 you cement it up and whatever and call it a day.  
19:09:29 3 You tried.

19:09:30 4 But I would think it's an idea to -- at  
19:09:33 5 least to toss around that -- I think the other --  
19:09:36 6 other cities, they have, you know, hall of fames.  
19:09:43 7 I believe Baltimore has something. St. Louis -- I  
19:09:47 8 don't know. Caves in Kentucky. You know, and  
19:09:50 9 Buffalo has its own already stuff.

19:09:53 10 But this would be yet another -- people --  
19:09:56 11 not that that's the reason to do it, but people  
19:09:59 12 would say, geez, that's awfully good ingenuity over  
19:10:04 13 there in Buffalo. Yeah. The kids love that little  
19:10:07 14 thing. And it's shallow enough you don't need life  
19:10:12 15 preservers or anything.

19:10:13 16 And if they want to go full board, like  
19:10:18 17 if -- if it ever got to a point where the economy  
19:10:25 18 was churning, it could be employment for the young  
19:10:31 19 adults, teenagers at those intersections to say,  
19:10:35 20 okay; hold it. Okay; go ahead. You know, simple  
19:10:38 21 things -- or to pull a rope whatever it is just  
19:10:42 22 like an amusement park ride or operating a Ferris  
19:10:46 23 wheel. You know, something like that.

19:10:48 1 And that's pretty much my idea there. You  
19:10:53 2 said your name. Or did you? Olivia or whatever.  
19:11:00 3 Did you get all that?

19:11:19 4 (Thereupon, at 7:27 p.m., further  
5 comments were provided.)

19:27:27 6 To say the Humboldt plan reminds me of San  
19:27:35 7 Vicente -- you know, V-I-C-E-N-T-E -- Boulevard in  
19:27:42 8 Brentwood, California, which is, like, West Los  
19:27:50 9 Angeles. It's -- it's probably many places that  
19:27:56 10 this vision resembles. But it's a nice one to take  
19:28:03 11 a look at along with --

19:28:05 12 I'll tell you one other thing I'm reminded  
19:28:09 13 of. In the Netherlands, there's a city on the sea  
19:28:16 14 called end -- it's one word. Let's pronounce it  
19:28:21 15 Enkhuizen. E-N-D-H-U-I-Z-E-N. And as is Maastricht  
19:28:37 16 actually also -- M-A-A-S-T-R-I-C-H-T -- which is on  
19:28:45 17 the border of three different countries, Belgium,  
19:28:53 18 Netherlands, and somewhere else -- and maybe  
19:28:58 19 Germany. I don't ...

19:29:01 20 There are -- there's, like, a little rivulet.  
19:29:09 21 Not a river, but like a creek. Like a Scajaquada  
19:29:15 22 Creek or an Ellicott Creek kind of thing, but more  
19:29:19 23 full. Not quite a river and more than a creek.

19:29:24 1 And there are segmented pathways to cross over from  
19:29:29 2 one side to another.

19:29:31 3 And the way they dot it in both those cities  
19:29:36 4 at each of those places with cafés and residences  
19:29:41 5 and everything else is something that I think you  
19:29:50 6 guys whoever are reading this to take a look at or  
19:29:55 7 Google those cities -- well, Los Angeles and  
19:30:01 8 Brentwood, and San Vicente, Enkhuizen and  
19:30:06 9 Maastricht. So I do think that this will be it.

19:30:18 10

11 (Statement concluded at 7:30 p.m.)

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1 **DENISE WILSON-SHANNON,**

2 and **BOBBIE HICKS,**

3 state as

4 follows:

5  
18:05:29 6 **MS. WILSON-SHANNON:** I oppose the  
18:05:32 7 thoroughfare at the corner of Humboldt and Winslow.  
18:05:36 8 The proposed through traffic will create unsafe  
18:05:42 9 conditions, additional traffic, chaos. And there's  
18:05:50 10 elementary street -- I mean an elementary school at  
18:05:54 11 the end of the street. It's not a thoroughfare.

18:05:58 12 A better proposal would be Glenwood or  
18:06:03 13 Woodlawn. Those streets empty out all the way to  
18:06:06 14 Main Street. So to have a cross street emptying  
18:06:11 15 more traffic is very tight. Right now, when the  
18:06:17 16 students are de-busing, when they're getting on the  
18:06:22 17 about bus to go home, it's already a traffic  
18:06:25 18 nightmare. And you're about to create chaos for  
18:06:28 19 the residents.

18:06:32 20 **MS. HICKS:** In the middle of the residential  
18:06:34 21 neighborhood.

18:06:36 22 **MS. WILSON-SHANNON:** Right. Additional  
18:06:38 23 traffic, noise pollution for nothing.

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18:06:41 1 What's my other concern?

18:06:46 2 **MS. HICKS:** The trees.

18:06:48 3 **MS. WILSON-SHANNON:** Yeah. The trees across  
18:06:50 4 the street proposed in the green space can be used  
18:06:53 5 to hide vagrants, murderers, robbers, drug dealers.  
18:06:59 6 Without a police substation present, I fear for my  
18:07:04 7 safety.

18:07:04 8 Lastly, I would propose for -- in your  
18:07:09 9 contingency budget, for those of us homeowners that  
18:07:13 10 will live in the affected areas along the Humboldt  
18:07:17 11 Parkway, if we should choose to want to be  
18:07:22 12 displaced from our homes and placed either in a  
18:07:23 13 hotel or a rental property during the most  
18:07:27 14 obtrusive portion of the reconstruction that we be  
18:07:31 15 allowed to on the state's dime.

18:07:33 16 And as we have elderly residents -- because  
18:07:38 17 these are generational homes and they deserve  
18:07:42 18 quality of life, peace, and not to have issues  
18:07:48 19 because they're medically ill, like dementia or  
18:07:52 20 Alzheimer's. Those sudden sounds, the blasting,  
18:07:56 21 the vibrations of the homes.

18:07:58 22 These are 95-year-old homes. At least my  
18:08:02 23 home is 95 years old. Touch one thing, something

18:08:03 1 else is going to break. So I would like to be  
18:08:06 2 removed like we were during the filming of the  
18:08:13 3 "Ninja Turtle" movie. We were moved during that  
18:08:17 4 time on their dime.

18:08:19 5 What was the other one? It was the moving.  
18:08:21 6 It was the trees across the street. It was the  
18:08:24 7 thorough on Winslow. And --

18:08:34 8 **MS. HICKS:** We talked about the increased  
18:08:36 9 noise pollution, right? Not only -- not just from  
18:08:39 10 construction, but bringing the communities closer.  
18:08:43 11 You know, we really don't want to be connected to  
18:08:47 12 the opposite side of the street.

18:08:48 13 **MS. WILSON-SHANNON:** For me, it's -- the  
18:08:50 14 patented responses that we keep getting -- we keep  
18:08:55 15 begging for a seat at the table to let our voices  
18:08:56 16 be heard. And we're told to e-mail, give comment  
18:09:00 17 cards, et cetera.

18:09:00 18 All the people that wanted this initiative  
18:09:03 19 do not live along the affected area. They do not.  
18:09:07 20 Because my little block club, none of us -- to this  
18:09:11 21 day, has anyone come to our doors and knocked on  
18:09:12 22 the doors to speak to us in regards to what they  
18:09:15 23 propose to do with our properties.



18:09:18 1 And then we're given this carrot to say, oh,  
18:09:22 2 your home's value will go up. No. My assessed  
18:09:25 3 value will go up. But just like it'll go up, it'll  
18:09:27 4 go down.

18:09:28 5 There's goats and chickens and lots of drama  
18:09:32 6 on the renter side of Humboldt Parkway versus the  
18:09:35 7 homeowner side. I don't want to be joined with  
18:09:38 8 that at all. It's a quality of life thing. And I  
18:09:42 9 feel as if we're being forced out of our  
18:09:46 10 neighborhoods. We're giving up our family  
18:09:50 11 generational homes.

18:09:51 12 My home has been in our family for -- since  
18:09:55 13 1963. So my only option is to sell right when  
18:10:00 14 things are getting good. That's not fair. Not  
18:10:04 15 fair at all.

18:10:08 16 **MS. HICKS:** We must of said it all. I  
18:10:13 17 totally agree with what you just said.

18:10:14 18 **MS. WILSON-SHANNON:** I want a seat at the  
18:10:16 19 table. I don't want a block club that doesn't  
18:10:20 20 represent the area speaking on our behalf. I don't  
18:10:24 21 want the city of Buffalo mayor or -- I love her --  
18:10:24 22 Kathy Hochul -- she doesn't live where I live. She  
18:10:29 23 doesn't work two jobs to pay for my home. I want

18:10:34 1 people who have a dog in the fight giving and --  
18:10:37 2 giving our opinions, suggestions, et cetera.

18:10:40 3 And I want to be heard and not made to feel  
18:10:43 4 as if it's just a patented response. And yeah,  
18:10:48 5 okay. Because that's the way it feels to us right  
18:10:52 6 now. All of us. Well, at least on my side of  
18:10:56 7 Humboldt because I've asked. I did the work. I  
18:10:59 8 went door-to-door. And then had --

18:11:01 9 Where was that investigative reporter?  
18:11:04 10 I-jazz?

18:11:04 11 **MS. HICKS:** I forget her name. I had her  
18:11:06 12 card and I think I threw it away the other day.

18:11:09 13 **MS. WILSON-SHANNON:** Yeah. We did a  
18:11:10 14 couple -- she wanted to interview us. And we  
18:11:13 15 didn't want to talk down on the project because no  
18:11:16 16 one wants to stand in the way of progress. We  
18:11:19 17 don't. I just don't want to feel as if I'm being  
18:11:19 18 steam rolled. And that's the way it feels. You  
19 know.

18:11:24 20 But if at the end of the day it's because  
18:11:27 21 other people want our properties, everything is for  
18:11:31 22 sale. But yesterday's price is not today's at all.

18:11:35 23 **MS. HICKS:** Yeah. We just wonder in the

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18:11:37 1 long run who's really going to benefit from this  
18:11:41 2 construction -- this project. Who's really going  
18:11:43 3 to benefit from it?

18:11:43 4 **MS. WILSON-SHANNON:** And this is Ms. Bobbie.  
18:11:57 5 We're neighbors. And we're our block club.

18:12:02 6 **MS. HICKS:** We make up the block club.

18:12:03 7 **MS. WILSON-SHANNON:** For our block. It's  
18:12:04 8 just three of us on the block. And it's just,  
18:12:07 9 like, okay. They're doing whatever they're doing.  
18:12:11 10 We're just left to pick back up the pieces.

18:12:14 11 And we're not talking about things that we  
18:12:17 12 perceive that might happen. We're speaking from  
18:12:21 13 experience. We've dealt with two people driving  
18:12:25 14 through the expressway and living through that  
18:12:27 15 trauma.

18:12:28 16 We've dealt with the trauma of the  
18:12:29 17 helicopter, the cars blowing up not even 500 feet  
18:12:35 18 from our homes during the filming of the movie, you  
18:12:39 19 know, and how it affected the people that live in  
18:12:39 20 our homes, our families. You know, put our own  
18:12:43 21 safety in jeopardy.

18:12:45 22 So I'm speaking from experience, not what I  
18:12:47 23 think it is going to happen. I'm going to tell you

18:12:48 1 what's going to happen. And it's not going to be  
18:12:50 2 nice for us. And it shouldn't be that way. Not  
18:12:53 3 for progress. The -- for everybody else to  
18:12:58 4 benefit, we shouldn't have to suffer.

18:13:01 5 So we're just asking to be heard -- honestly  
18:13:05 6 heard -- taken into consideration. And during this  
18:13:09 7 time period where it will be the most intrusive by  
18:13:14 8 our homes, for medical reasons, I would like to  
18:13:18 9 be -- to have my family moved. That's just me.

18:13:24 10 **MS. HICKS:** Yeah. We don't believe it's to  
18:13:28 11 our benefit. This construction -- deconstruction,  
18:13:31 12 construction -- deconstruction, reconstruction --  
18:13:34 13 whatever you want to call it -- we don't feel it's  
18:13:38 14 to our benefit. And we want to know to whose  
18:13:41 15 benefit is it.

18:13:44 16 **MS. WILSON-SHANNON:** But thank you so much  
18:13:45 17 for letting me have my say because that saved me  
18 one less e-mail that I have to send when I get  
19 home.

20 **MS. HICKS:** And you don't have to look for a  
21 response that you're not going to get.

18:13:58 22 **MS. WILSON-SHANNON:** I have e-mailed a  
18:14:00 23 couple of times on a couple of those issues and I

18:14:00 1 haven't heard anything. I went to the church, Old  
18:14:04 2 City Grove, where that young lady that's out  
18:14:08 3 there -- she's the representative they put in that  
18:14:10 4 office.

18:14:10 5 And I even told her, I'm on my lunch hour.  
18:14:14 6 You represent an entity of a billion dollar  
18:14:19 7 project. I shouldn't have to walk into your  
18:14:22 8 offices. You should be on foot coming by to each  
18:14:25 9 one of us who live along this area.

18:14:29 10 I'm sure the whole neighborhood will be --  
18:14:32 11 will benefit. But the fact that the only  
18:14:35 12 communication that I've had is two meeting notices  
18:14:40 13 not even placed on my door. They hung it on the  
18:14:44 14 stair rail. How lazy can you be? And you want me  
18:14:47 15 to trust you and come in here and talk to you and  
18:14:49 16 think that you're actually going to help me out.  
18:14:52 17 And even she told me --

18:14:52 18 **MS. HICKS:** That's our concern.

18:14:54 19 **MS. WILSON-SHANNON:** Yeah. She was like --  
18:14:54 20 she gave me this little Q square. Scan that and  
18:14:57 21 e-mail. And they'll get back to you. I haven't  
18:15:00 22 gotten a response, a phone call, or anything.  
18:15:03 23 Because they asked for my phone number and the

18:15:05 1 e-mail address. So, you know, I don't know who  
18:15:08 2 they're talking to, but not us.

18:15:13 3 I don't know. Maybe we're making a big issue  
18:15:17 4 out of it. I just don't want my mother's end of  
18:15:21 5 life years disrupted. She deserves more than that.  
18:15:25 6 She worked hard. So she deserves to be happy.

18:15:30 7 **MS. HICKS:** So do I.

18:15:32 8 **MS. WILSON-SHANNON:** Yeah. I mean, but I'm  
18:15:33 9 a little bit more fluid. I can go and come. You  
18:15:38 10 know what I mean? I'm just thinking of -- you're  
18:15:41 11 saying that the expressway project is to right the  
18:15:44 12 wrong of destroying the neighborhood and the air  
18:15:47 13 pollution because the --

18:15:49 14 My aunt who owned the home prior to me died  
18:15:52 15 of respiratory issues. COPD-related not being a  
18:15:58 16 smoker. And she purchased that home and raised her  
18:16:01 17 family in that home and stayed there all of the  
18:16:04 18 years of her life. Now, they didn't send a card, a  
18:16:09 19 sorry. They didn't do a class action lawsuit  
18:16:12 20 because, you know, they knew that the pollution  
18:16:16 21 would put these carcinogens in the air.

18:16:17 22 We have to power wash our house -- what --  
18:16:18 23 three, four times a year.

1           **MS. HICKS:** Oh, my gosh.

18:16:20 2           **MS. WILSON-SHANNON:** You know, that's  
18:16:20 3 expensive. But we knew -- I knew that going in  
18:16:24 4 because I grew up in the home. And when I  
18:16:28 5 purchased it, I knew this is something that we had  
18:16:30 6 to do beyond sound proofing the front of your home.

18:16:34 7           But if this is supposed to be about righting  
18:16:38 8 the wrong, then why don't you let the elderly that  
18:16:42 9 are still alive that remembers when it was a park  
18:16:43 10 over there live out there remaining years in peace.

18:16:48 11           **MS. HICKS:** In peace. This project won't  
12 last 50 years.

18:16:50 13           **MS. WILSON-SHANNON:** Yeah. A billion  
18:16:52 14 dollars at that point would be what? 1.5? Let  
18:16:58 15 that be what it is. But if it can't be -- because  
18:17:02 16 they are older, let them go somewhere, you know,  
18:17:05 17 where they're -- when her dementia is not telling  
18:17:11 18 her that there are people outside trying to kill  
18:17:14 19 her. You know what I mean? That's horrible, but  
18:17:18 20 that's where we are. We deal with it now when  
18:17:22 21 there's accidents on the 33.

18:17:28 22           Thank you.

18:17:31 23           (Statement concluded at 6:17 p.m.)

18:46:21 1 **JACOB KOZLOW,**

2 states as follows:

18:46:36 3

18:46:38 4 My main concern comes with the commercial  
18:46:44 5 implications of the actual project. Because at  
18:46:50 6 face value, it is a wonderful way to put equity  
18:46:55 7 back into the pocket of the people whose equity was  
18:46:58 8 taken from them from the building of the Kensington  
18:47:02 9 Expressway.

18:47:02 10 The issue I have with it comes where all the  
18:47:05 11 homeowners may have some benefit from this project,  
18:47:09 12 but when it comes to all the commercial spaces in  
18:47:12 13 the surrounding area, there's no guarantee of such  
18:47:14 14 a thing.

18:47:15 15 Because you think about it, you have all  
18:47:20 16 those commercial buildings that can be easily  
18:47:23 17 bought up and changed into whatever or where mixed  
18:47:27 18 use buildings can be made into an area that now  
18:47:31 19 becomes high demand. And so that raises taxes, so  
18:47:34 20 that makes it less affordable for the home owners.

18:47:37 21 But not only that, when you have all of  
18:47:39 22 these new apartment buildings that have the ability  
18:47:41 23 to be built as it becomes a high demand area,

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18:47:45 1 that's now out of the hands of all the residents  
18:47:46 2 that live there. And therefore, if the land  
18:47:49 3 becomes so valuable because of these beautiful old  
18:47:53 4 homes and this highway, then who has the money to  
18:47:56 5 move into an expensive priced apartment but all the  
18:48:00 6 people that don't fit the racial description of the  
18:48:04 7 people that actually live in that area, which  
18:48:07 8 could --

18:48:07 9 I mean, that's how it goes. I mean, money  
18:48:11 10 leads to more money. More money leads to higher  
18:48:14 11 prices. And higher prices lead to gentrification.  
18:48:18 12 And I'm not saying that it will cause an entire  
18:48:22 13 change of it. But there's no control that is had  
18:48:25 14 over the commercial implications of this project.  
18:48:29 15 That's it.

18:48:41 16

18:48:41 17 (Statement concluded at 6:48 p.m.)

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1 **DENISE HOLTZ,**

2 states as follows:

3

18:33:23 4 I beg of you. I live on Humboldt Parkway  
18:33:26 5 for over 35 years. I'm an avid gardener. And I  
18:33:31 6 love to see the grass and everything all pretty.  
18:33:34 7 And any possible way to have some cherry blossom  
18:33:45 8 trees? You know how they go to Delaware park and  
18:33:49 9 all these different places to take pictures? They  
18:33:49 10 could draw people to the park.

18:33:51 11 I am not saying all of them have to be that  
18:33:54 12 way, but don't have the maple that drop those  
18:33:58 13 little helicopters. You know what I mean? That is  
18:34:01 14 just -- I'm pulling those up all the time, you  
18:34:05 15 know. So please try to have some trees that -- can  
18:34:11 16 we do that?

18:34:11 17 Plus another thing. I used to be a member  
18:34:31 18 of the Hamlin Park Association. And they had a  
18:34:36 19 group that worked on the project of making homes --  
18:34:41 20 putting us in the historical district. And up to  
18:34:45 21 700 was completed. Is it possible for something  
18:34:50 22 like that to happen with the remainder of Humboldt?

18:34:55 23 I know I'm asking the impossible things, but

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18:34:59 1 I have to ask. You know what I mean? If at all  
18:35:03 2 possible, that's something to think about as well.  
18:35:08 3 Okay?

18:35:08 4 It's just I've lived here for so long, I want  
18:35:26 5 it to be nice. And then as far as -- I'm out there  
18:35:29 6 on that busy street picking up paper all the time.  
18:35:33 7 And some people say, Denise, you got to stop doing  
18:35:36 8 that; you're going to get hit by a car. Because  
18:35:38 9 sometimes when I stand up, a car is turning the  
18:35:40 10 corner real quick. So then I'm calling 311 to have  
18:35:46 11 the street cleaner come around.

18:35:48 12 And it's not always the people in the  
18:35:50 13 neighborhood. It's people driving by because of  
18:35:54 14 the busy street, they're just throwing stuff out  
18:35:55 15 the window from Burger King, McDonalds, potato chip  
18:35:59 16 bags, water bottles. What is the cleanup going to  
18:36:04 17 be like for this park?

18:36:07 18

18:36:09 19 (Statement concluded at 6:36 p.m.)

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\* \* \*

21

22

23

**PATRICK FITZGERALD,**

states as follows:

So I want to first explain the concept then we can get into actual talking about it. I live near Bidwell Parkway. And I see how Bidwell Parkway is used constantly by the community. And I also see how kids are utilizing the space. And a lot of times, kids will migrate to open spaces. Something they can throw a frisbee around, throw a ball, play a little baseball or whatever.

And what I notice about what's -- the landscaping above the tunnel is right now, it's all planned to be trees which will be beautiful for any adult to look at. But for a kid, it might seem like there isn't a space for them to be able to play, to enjoy.

And so what I'm suggesting is that every maybe, like, three blocks, there be an open space that's really kind of developed for kids to enjoy. And kids will be kids. It can be an open grass area. It doesn't have to be all that much. Kids will find a way to make it something that they can

18:43:48 1 turn into something for themselves.

18:43:50 2 So that's my comment in regards to a

18:43:53 3 suggestion for the type of landscaping that's going

18:43:58 4 to be done over the tunnel.

18:44:02 5

18:44:10 6 (Statement concluded at 6:44 p.m.)

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# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: Eileen Watson Affiliation (if applicable): None

Address:

Date 6/21/23

Phone Number:

E-mail:

### COMMENTS\*

① Side street project is inspired - play it up

② Recommend planned crosswalk and cross park paths at non through streets

③ Two of three proposed trees are native. Recommend to prioritize those

④ Don't drop the ball on the communication piece. It seems to be working.

*\*Any information provided on this form may become part of the project file, which is a public record.*

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)

**Comments are due by July 7, 2023.**



Department of  
Transportation



**From:** Thomas Murdock  
**Sent:** Wednesday, June 21, 2023 11:30 AM  
**To:** dot.sm.kensingtonexpressway  
**Subject:** feedback on 6/20 meeting

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

I attended your public information meeting last night at the Buffalo Museum of Science. Please put me down as someone who is totally underwhelmed by and not in favor of this project.

I was disappointed to see how the project only covers a tiny portion of the Kensington Expressway - leaving the great majority of its neighboring properties with no improvement, and probably worse off when new fumes and noises are introduced at the end of the tunnels. I'm skeptical that sufficient trees will be able grow atop the cap. It does not reconnect the parks.

As proposed, this project fails to improve its neighborhood and instead leaves us stuck with the 33 for another 50+ years. I'd much rather this colossal sum of money was used to eliminate the Kensington altogether, provide direct assistance to the neighborhood, plant huge numbers of trees... or was not spent at all.

--

Thomas Murdock

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**From:** Liam Winters  
**Sent:** Wednesday, June 21, 2023 5:55 PM  
**To:** dot.sm.kensingtonexpressway  
**Subject:** Capping of NY 33 near Humboldt parkway

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I'm emailing to make a comment about the proposal to cap the Kensington expressway near Humboldt parkway in Buffalo, NY.

This project is an opportunity to expand cycling infrastructure in Buffalo so people have viable alternatives to driving. This improves both safety and traffic flow for a city.

Are there plans to build new bike infrastructure as part of this project? Will there be any cycle paths on the newly capped portion, or any complete streets with protected bike lanes built in the surrounding area?

Additionally, this project is an opportunity to make the area more pleasant to live in and travel through if we replace the open highway with park space, or at least low-speed roads with tree coverage. I hope that this project improves the livability for residents of the neighborhood it's built in, rather than being another expensive project just for cars to drive through.

Looking forward to hearing from you about how the Kensington Expressway plan will address these needs for the Buffalo community.

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Name: Ruth, Todd

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: Build Alternative Plan - it's time for Buffalo, NY to regain as much green space lost over the past 60 yrs with hopes to reconnect more communities up to Agassiz Circle.

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Name: Chaney, Taylor

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation: Neighbor

Comment: As a resident of the City of Buffalo, I do have several concerns regarding this project. Based on the renderings we have available, it simply appears to be insufficient. It looks more like an expensive band-aid than a true infrastructure project. For \$1B, we could have seen more effort. For less, we could see justice, in the form of tearing out that mostly empty, unused highway. At minimum, this project should have included protected bike lanes moving residents to and from the park. The so-called roundabouts look awful, and would certainly not be safe for pedestrians, nor cars, considering that area looks like a formula 1 track. If we're committing to the cap, it should've been considerably longer, covering the 33 south through the Fruit Belt and north to Delavan, where we are expecting the removal of the 198. These highways are a plague on our neighborhoods, our neighbors, and our City. We hear motorists racing up and down these roads in the night. Please do more, and do better.

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Name: Galbraith, Robert

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: DOT must give complete and fair consideration to removing the Kensington Expressway entirely and restoring the street grid that was destroyed in order to construct it for a number of reasons:

1. Removing the expressway is the only way to reduce automobile pollution and attendant disease in the neighborhoods on both sides of the expressway;
2. The Kensington Expressway was built for a city of twice the population that Buffalo currently has and maintaining its level of capacity is unnecessary;
3. Removing the expressway and restoring the former parkway is in far better alignment with state climate goals than preserving an urban highway for generations to come; and
4. Removing the expressway and restoring the former parkway will cost significantly less than constructing a tunnel, especially if air filtration is to be installed.

Further, environmental review for this state action must include the public health impacts of removing the highway as well as the tunnel conversion and no-build.

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The Department of Transportation must give complete and fair consideration of removing the Kensington Expressway (Route 33) entirely and restoring the street grid that was destroyed in order to construct it.

The objectives of the Kensington Expressway project must be modified to also include improving the air quality and health outcomes in the neighborhoods that have been harmed by the Kensington Expressway since its construction, especially since advocates of the Department of Transportation plan have repeatedly made misleading public comments suggesting that turning the expressway into a tunnel will reduce pollution in the surrounding neighborhoods, when that assertion is not supported by any studies or reports that have been made public. It is entirely inadequate that project objectives be limited into “enhanc[ing] the visual and aesthetic environment of the transportation corridor” and “maintain[ing] the vehicular capacity of the existing transportation corridor” and not include improving the air quality and reducing pollution for people living adjacent to the expressway.

Further, removal of the expressway and re-establishment of the former parkway must be studied as an alternative in comparison to no-build and tunnel options when the lead agency completes an environmental review for this state action and such review should include the public health impacts of removing the highway compared to converting highway into a tunnel as well as the no-build option.

Removing the Kensington Expressway and re-establishing the former parkway deserves to be seriously considered – including and especially during environmental review and through participatory public hearings – for a number of reasons:

1. Removing the expressway is the only way to reduce automobile pollution and attendant disease in the neighborhoods on both sides of the expressway;
2. The Kensington Expressway was built for a city of twice the population that Buffalo currently has and maintaining its level of capacity is unnecessary;
3. Removing the expressway and restoring the former parkway is in far better alignment with state climate goals than preserving an urban highway for generations to come; and
4. Removing the expressway and restoring the former parkway will cost significantly less than constructing a tunnel, especially if air filtration is to be installed.

**Removing the expressway is the only way to reduce automobile pollution and attendant disease in the neighborhoods on both sides of the expressway**

First, removing the Kensington Expressway is the only option of any of the 10 presented by the DOT that will reduce automobile pollution and the disease that it causes in the neighborhoods impacted by the expressway.

In her January 2022 State of the State address, Governor Hochul declared her intent to “reverse the damage that was done more than half a century ago”<sup>1</sup> by the construction of the

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<sup>1</sup> <https://www.governor.ny.gov/news/remarks-prepared-governor-hochul-delivers-2022-state-state>

Kensington Expressway. Beyond its aesthetic and mobility impacts, the Kensington Expressway has been a major source of damage to the health of people living nearby. The health impacts of the highway have driven activism in the neighborhood for decades and has been acknowledged by elected officials as well as by Department of Transportation studies.

In a May 2022 press conference about the expressway, Rep Brian Higgins referenced “environmental injustices that have negatively impacted low-income communities nationwide by way of increased traffic and pollution which led to many health complications (cancers, lupus, asthma).”<sup>2</sup> State Assembly Majority Leader Crystal Peoples-Stokes announced environmental health as a priority for the redesign of the expressway at the same press conference.

A 2014 study<sup>3</sup> on the expressway prepared by the UB Regional Institute funded by the Department of Transportation, researchers noted (internal citations omitted):

To date there has been several studies that point to the adverse impacts of highways on nearby residents’ health. Road traffic is a major source of air pollutants such as nitrogen dioxide, carbon monoxide, particulate matter and volatile organic compounds which have major negative impacts on the health of children and adults who live in close proximity to them. There is also considerable epidemiologic evidence on the relationship between ambient air pollution, morbidity due to respiratory diseases, and chronic respiratory disease in school aged children.

[...]

Locally, a study was carried out in Erie County that has linked asthma and other breathing disorders of children and adults to the effect of highways near residential areas. The results of this study also estimated that children living within 200 meters of roads with heavy truck traffic or a high density of automobile traffic have a higher risk of asthma hospitalization.

Because of the documented harm from automobile pollution and policymakers stated intent to “reverse the damage” done by the construction of the Kensington Expressway, removing the expressway must be considered as an option.

Merely constructing air filtration systems while retaining the highway is not adequate. Beyond the expense (discussed below), according to Slide 16 in the Department of Transportation’s presentation, filtration systems will remove some carbon monoxide and nitrogen oxides from the pollution ventilated from the highway, but these are not the only pollutants that cause harmful

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<https://higgins.house.gov/media-center/press-releases/reconnecting-our-community-peoples-stokes-kennedy-higgins-join-rocc-to>

3

<https://www.dot.ny.gov/content/delivery/region5/projects/551252-Home/551252-Repository/Ken%20Deck%20Report%20Final%204-25-14.pdf>

health impacts. Volatile organic compounds and particulate matter, as acknowledged in the DOT's 2014 expressway study, also cause significant health problems and would be better mitigated by removing the expressway than by converting it into a tunnel whose effluent will still pollute the neighborhood.

Further, as acknowledged in the DOT's 2022 presentation, the air filtration technology that is under consideration has never been deployed in the United States and will require significant energy inputs as well as traffic and upkeep to maintain and to haul away waste. The health of generations of neighborhood residents now and into the future should not be gambled on unproven and expensive technologies that, even if successful, will require even more resource and traffic inputs to operate.

The simpler option of removing the highway must be studied and given a fair hearing.

**The Kensington Expressway was built for a city of twice the population that Buffalo currently has and maintaining its level of capacity is unnecessary**

According to US Census Bureau data, Buffalo's population was 532,759 in 1960, two years after construction on the Kensington Expressway began.<sup>4</sup> In 2020, the population of Buffalo was 278,302<sup>5</sup>, less than 53% of the population of the time when the highway was built. The population of Erie County has also declined, though not as much, from 1,064,688<sup>6</sup> to 954,236<sup>7</sup>. As Buffalo has shrunk at a faster rate than Erie County, local jobs have shifted out to the suburbs<sup>8</sup>, reducing the need for a high-speed expressway to bring commuters into the city.

All of these facts render the Kensington Expressway overbuilt for the population we have. Whether there ever was a need for the expressway in the first place considering the enormous costs it has imposed is debatable, however the fact that currently there is not such a need is not. With far fewer people to use it, maintaining the current vehicular capacity of the Kensington Expressway is not a legitimate goal in the first place and certainly does not override other public policy objectives, especially public health.

Just as it is well-established that building new highways and adding additional traffic capacity creates new demand and causes more vehicle miles to be traveled<sup>9</sup>, so does removing urban highways actually reduce the number of vehicle miles traveled.<sup>10</sup>

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<sup>4</sup> <https://buffaloah.com/h/bflopap.html>

<sup>5</sup> <https://www.census.gov/quickfacts/fact/table/eriecountynynewyork,buffalocitynewyork/PST045221>

<sup>6</sup> <https://buffaloah.com/h/bflopap.html>

<sup>7</sup> <https://www.census.gov/quickfacts/fact/table/eriecountynynewyork,buffalocitynewyork/PST045221>

<sup>8</sup> [https://ppgbuffalo.org/files/documents/working\\_toward\\_equalityfinal.pdf](https://ppgbuffalo.org/files/documents/working_toward_equalityfinal.pdf)

<sup>9</sup> See, e.g. <https://www.wired.com/2014/06/wuwt-traffic-induced-demand/>, <https://arstechnica.com/cars/2021/08/please-stop-adding-more-lanes-to-busy-highways-it-doesnt-help/>

<sup>10</sup> See, e.g. <https://freakonomics.com/2011/05/does-destroying-highways-solve-urban-traffic-congestion/>, <https://www.nytimes.com/interactive/2021/05/27/climate/us-cities-highway-removal.html>

In sum, there is no need for a highway of the size of the Kensington Expressway cutting through the heart of Buffalo. It is overbuilt for our population and is causing more car trips to be made, which in turn cause increased pollution, worse climate change, and more motor vehicle accidents.

**Removing the expressway and restoring the former parkway is in far better alignment with state climate goals than preserving an urban highway for generations to come**

New York State passed one of the most ambitious climate change laws in the United States in 2019 with the passage of the Climate Leadership and Community Protection Act. While that act is focused primarily on carbon pollution from the electrical generation and transmission sector, it is unambiguously the intent of voters and policymakers to use public resources to slow and mitigate climate change.

With that in mind, it is inexplicable that slowing and mitigating climate change – like reducing other pollutants – has been omitted as an objective of the Kensington Expressway redesign project.

The Department of Transportation, in its environmental impact study as well as in its holistic consideration of options for redesigning the expressway, must consider the climate impacts of removing the expressway in addition to studying the impacts of concealing the expressway under a tunnel and of doing nothing.

There is considerable reason to believe that removing the highway will be the best option from a climate perspective.

As mentioned above, a reduction in vehicular capacity will likely induce a reduction in demand and thus a reduction in overall vehicle miles traveled, which will result in reduced carbon emissions.

Further, removing the highway and restoring the original parkway and street grid that existed prior to highway construction will be far more conducive to an expansion of public transit, especially critically needed crosstown public transit in Buffalo, which will further drive down the number of vehicle miles traveled and the carbon and other pollution that accompanies increased auto travel.

Finally, even in an a hypothetical future scenario where all internal-combustion automobiles have been replaced with electric cars, reducing the number of vehicle miles traveled and demand for personal automobiles will still be of critical importance. Building and maintaining roads and manufacturing cars all rely on fossil fuel inputs beyond just the fuel burned for propulsion: asphalt and plastic are both derived from petroleum, and cars still move on rubber tires that create particulate pollution that is a health hazard.

From the long-term perspective and considering the social imperative to mitigate climate

change, removing the expressway when there is the money and political will to invest in redesign is clearly the best option and must be seriously considered alongside tunnel options.

**Removing the expressway and restoring the former parkway will cost significantly less than constructing a tunnel, especially if air filtration is to be installed**

Finally, judging from the costs of other highway removal projects and cost estimates for proposed tunnel conversion options, removing the Kensington Expressway appears to be far more fiscally prudent than preserving it.

The cost of converting the Kensington Expressway redesign has ranged from an estimated \$600 million in a 2012 Department of Transportation study<sup>11</sup> to \$560 million in the 2014 UB Regional Institute study<sup>12</sup> to the proposed \$725 million for a tunnel with air filtration in the most recent public documents.<sup>13</sup>

By comparison, removing a 0.67-mile segment of Rochester's Inner Loop cost only \$22 million<sup>14</sup>, just 3% of the \$725 million projected cost of converting a slightly longer segment of the Kensington Expressway into a tunnel with air filtration.

From a financial standpoint, this would be what is commonly referred to as a “no-brainer”. By removing the highway rather than building an enormously expensive tunnel, hundreds of millions of dollars of the \$1 billion allocated for the project could instead be used for rebuilding homes and businesses lost to the construction of the expressway, establishing new public transportation routes, creating jobs to maintain new trees and greenscapes, or any number of other valuable public investments.

For all of the above-stated reasons, it would be a blunder of astronomical proportion to continue pursuing a tunnel project for the Kensington Expressway without giving serious study to removing the highway altogether. Removing urban highways has proven to improve communities in the past, and it has been a major error to pre-emptively remove this option from the table in the case of the Kensington Expressway. The interests of public health, New York's climate goals, and sound public investment all demand that the Department of Transportation give highway removal a fair hearing.

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<sup>11</sup>

<https://www.dot.ny.gov/content/delivery/region5/projects/551252-Home/551252-Repository/Concept%20Design%20Study.pdf>

<sup>12</sup>

<https://www.dot.ny.gov/content/delivery/region5/projects/551252-Home/551252-Repository/Ken%20Deck%20Report%20Final%204-25-14.pdf>

<sup>13</sup> <https://kensingtonexpressway.dot.ny.gov/Documents.aspx>

<sup>14</sup>

<https://www.whec.com/rochester-new-york-news/mayor-warren-federal-bill-could-clear-path-to-fill-in-north-section-of-inner-loop/6104146/>



To do otherwise would constitute (another) deep betrayal of east Buffalo, belie the statements of the public officials who have declared their intent to remedy the harms that have been inflicted by the expressway over the past three generations, and consign future generations to more disease and poor climate.

Robert Galbraith

Name: Galbraith, Robert

Address:

Phone:

Email:

Comment:

I was unable to fit my entire comment into the web form. My complete comment (with sources and foot notes) is copied below and is also attached to this email as a pdf document.

Kensington Expressway Comment - Robert Galbraith

The Department of Transportation must give complete and fair consideration of removing the Kensington Expressway (Route 33) entirely and restoring the street grid that was destroyed in order to construct it.

The objectives of the Kensington Expressway project must be modified to also include improving the air quality and health outcomes in the neighborhoods that have been harmed by the Kensington Expressway since its construction, especially since advocates of the Department of Transportation plan have repeatedly made misleading public comments suggesting that turning the expressway into a tunnel will reduce pollution in the surrounding neighborhoods, when that assertion is not supported by any studies or reports that have been made public. It is entirely inadequate that project objectives be limited into "enhanc[ing] the visual and aesthetic environment of the transportation corridor" and "maintain[ing] the vehicular capacity of the existing transportation corridor" and not include improving the air quality and reducing pollution for people living adjacent to the expressway.

Further, removal of the expressway and re-establishment of the former parkway must be studied as an alternative in comparison to no-build and tunnel options when the lead agency completes an environmental review for this state action and such review should include the public health impacts of removing the highway compared to converting highway into a tunnel as well as the no-build option.

Removing the Kensington Expressway and re-establishing the former parkway

deserves to be seriously considered – including and especially during environmental review and through participatory public hearings – for a number of reasons:

1. Removing the expressway is the only way to reduce automobile pollution and attendant disease in the neighborhoods on both sides of the expressway;
2. The Kensington Expressway was built for a city of twice the population that Buffalo currently has and maintaining its level of capacity is unnecessary;
3. Removing the expressway and restoring the former parkway is in far better alignment with state climate goals than preserving an urban highway for generations to come; and
4. Removing the expressway and restoring the former parkway will cost significantly less than constructing a tunnel, especially if air filtration is to be installed.

**Removing the expressway is the only way to reduce automobile pollution and attendant disease in the neighborhoods on both sides of the expressway**

First, removing the Kensington Expressway is the only option of any of the 10 presented by the DOT that will reduce automobile pollution and the disease that it causes in the neighborhoods impacted by the expressway.

In her January 2022 State of the State address, Governor Hochul declared her intent to “reverse the damage that was done more than half a century ago”<sup>1</sup> by the construction of the Kensington Expressway. Beyond its aesthetic and mobility impacts, the Kensington Expressway has been a major source of damage to the health of people living nearby. The health impacts of the highway have driven activism in the neighborhood for decades and has been acknowledged by elected officials as well as by Department of Transportation studies.

In a May 2022 press conference about the expressway, Rep Brian Higgins referenced “environmental injustices that have negatively impacted low-income communities nationwide by way of increased traffic and pollution which led to many health complications (cancers, lupus, asthma).”<sup>2</sup> State Assembly Majority Leader Crystal Peoples-Stokes announced environmental health as a priority for the redesign of the expressway at the same press conference.

A 2014 study<sup>3</sup> on the expressway prepared by the UB Regional Institute funded by the Department of Transportation, researchers noted (internal citations omitted):

To date there has been several studies that point to the adverse impacts of highways on nearby residents’ health. Road traffic is a major source of air pollutants such as nitrogen dioxide, carbon monoxide, particulate matter and volatile organic compounds which have major negative impacts on the health of children and adults who live in close proximity to them. There is also considerable epidemiologic evidence on the relationship between ambient air pollution, morbidity due to respiratory diseases, and chronic respiratory disease in school aged children.

[...]

Locally, a study was carried out in Erie County that has linked asthma and other breathing disorders of children and adults to the effect of highways near residential areas. The results of this study also estimated that children living within 200 meters of roads with heavy truck traffic or a high density of automobile traffic have a higher risk of asthma hospitalization.

Because of the documented harm from automobile pollution and policymakers stated intent to “reverse the damage” done by the construction of the Kensington Expressway, removing the expressway must be considered as an option.

Merely constructing air filtration systems while retaining the highway is not adequate. Beyond the expense (discussed below), according to Slide 16 in the Department of Transportation’s presentation, filtration systems will remove some carbon monoxide and nitrogen oxides from the pollution ventilated from the highway, but these are not the only pollutants that cause harmful Kensington Expressway Comment - Robert Galbraith

health impacts. Volatile organic compounds and particulate matter, as acknowledged in the DOT’s 2014 expressway study, also cause significant health problems and would be better mitigated by removing the expressway than by converting it into a tunnel whose effluent will still pollute the neighborhood.

Further, as acknowledged in the DOT’s 2022 presentation, the air filtration technology that is under consideration has never been deployed in the United States and will require significant energy inputs as well as traffic and upkeep to maintain and to haul away waste. The health of generations of neighborhood residents now and into the future should not be gambled on unproven and expensive technologies that, even if successful, will require even more resource and traffic inputs to operate.

The simpler option of removing the highway must be studied and given a fair hearing.

**The Kensington Expressway was built for a city of twice the population that Buffalo currently has and maintaining its level of capacity is unnecessary**

According to US Census Bureau data, Buffalo’s population was 532,759 in 1960, two years after construction on the Kensington Expressway began.<sup>4</sup> In 2020, the population of Buffalo was 278,302<sup>5</sup>, less than 53% of the population of the time when the highway was built. The population of Erie County has also declined, though not as much, from 1,064,688<sup>6</sup> to 954,236<sup>7</sup>. As Buffalo has shrunk at a faster rate than Erie County, local jobs have shifted out to the suburbs<sup>8</sup>, reducing the need for a high-speed expressway to bring commuters into the city.

All of these facts render the Kensington Expressway overbuilt for the population we have. Whether there ever was a need for the expressway in the first place considering the enormous costs it has imposed is debatable, however the fact that currently there is not such a need is not. With far fewer people to use it, maintaining the current vehicular capacity of the Kensington Expressway is not a legitimate goal in the first place and certainly does not override other public policy objectives,

especially public health.

Just as it is well-established that building new highways and adding additional traffic capacity creates new demand and causes more vehicle miles to be traveled<sup>9</sup>, so does removing urban highways actually reduce the number of vehicle miles traveled.<sup>10</sup>

In sum, there is no need for a highway of the size of the Kensington Expressway cutting through the heart of Buffalo. It is overbuilt for our population and is causing more car trips to be made, which in turn cause increased pollution, worse climate change, and more motor vehicle accidents.

**Removing the expressway and restoring the former parkway is in far better alignment with state climate goals than preserving an urban highway for generations to come**

New York State passed one of the most ambitious climate change laws in the United States in 2019 with the passage of the Climate Leadership and Community Protection Act. While that act is focused primarily on carbon pollution from the electrical generation and transmission sector, it is unambiguously the intent of voters and policymakers to use public resources to slow and mitigate climate change.

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From the long-term perspective and considering the social imperative to mitigate climate Kensington Expressway Comment - Robert Galbraith

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To do otherwise would constitute (another) deep betrayal of east Buffalo, belie the statements of the public officials who have declared their intent to remedy the harms that have been inflicted by the expressway over the past three generations, and consign future generations to more disease and poor climate.

Robert Galbraith 156 Riley St Buffalo, NY

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Rob Galbraith

**CAUTION:** This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name: Pritchard, Braden

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: The Kensington should be returned to a surface road, without a tunnel. The cost would be less, as you know, and it would be more equitable, environmentally friendly, and frankly look better. The park design seems like it would be hardly used given it's location in the Center of what remains essentially an urban highway-level interchange. If the state insists on going through with the tunnel, it should contain a metro expansion to the airport, even though that would be done best on the surface, along the Center of the parkway.

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Braden J. Pritchard

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Name: Whalen, Kathryn

Address:

Phone:

Email:

Include on future project updates: NO

Affiliation:

Comment: Could we do something less car centric? What about refilling it to grade and putting in a park/bike/tram line on it? Or turning the tunnel into a subway line instead of a car tunnel? Capping the highway is still a highway through a residential neighborhood, with all the attendant health issues and pollution. Can we please get some green options? Buffalo is in desperate need of public transit upgrades and this seems like a golden opportunity to change the tone in the city.

Thank you for your consideration!

Kate

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**From:** Ski Dawg

**Sent:** Friday, June 23, 2023 3:43:27 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gaston , David

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: Personal

Comment: Are there any studies or projected financials to how the property values within the immediate neighborhoods would be affected by this project? And, how will significant snow accumulations be handled atop the new structure?

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**From:** Chris Heffner

**Sent:** Sunday, June 25, 2023 4:53:16 PM

**To:** Fischlein, Eric

**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Heffner, Chris

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation:

Comment: Although I'm delighted that the state is looking to right historical wrongs, I don't think a cap is the right option. We need to be restoring Humboldt Parkway to its previous state, not enshrining an enormous highway on the East Side for generations to come. It's a shame that the state hasn't followed the inspiring decisions being made with the Scajaquada and realizing the enormous wealth-building potential of restoring this area to its original surface alignment.

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**CAUTION:** This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**From:** ubu joe  
**Sent:** Wednesday, June 28, 2023 9:33 AM  
**To:** dot.sm.kensingtonexpressway  
**Subject:** Comment on this Project

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

## Kensington Expressway Plan: Worthy Goals; Wrong Ideal

I fully support the intent of the NYSOT Plan to remedy the past destruction of an entire East Side neighborhood that resulted from an urban planning mistake that saw the replacement of beautiful Humboldt Parkway with an Expressway, However, the current plan to cover a portion of that Expressway is a mistake that won't achieve its worthy goals and only serve to create new problems in the process. Specifically,

it will only impact a small part of the overall neighborhood

that was (and is) damaged

it will only impact a small number of families

it will not have a substantial benefit economically to that community

the maintenance costs will be high

the air quality, inside and outside the tunnel will suffer

The current proposal is the product of an inherited need to ‘do something’, and the plan makes us feel good. But it is unjustifiable to spend such a large amount of money on an urban reconstruction project when our community has so many other needs, unless the job was done right and the money well spent, with tangible returns that meet its original goals.

Instead of a ‘half-a-loaf’ solution to this problem, lets do it right, like was done with the AKG Museum and the Martin House, and in Syracuse, with a 1.2 mile replacement of Highway 81, and Rochester, with the removal of the Inner Loop in 2014 and the planned removal of the 1.5 mile Northern Inner Loop in 2023.

I recognize there are financing and engineering challenges associated with doing this right, but good leadership is about finding ways to get it done right, and not finding reasons why it can’t be done. Otherwise, the East Side will continue to suffer over the next 50 years as it has over the past 50. To

really achieve the overarching goals of this project means replacing the 3-mile Kensington Expressway with a Boulevard.

Joseph Donofrio, Ph.D.

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**From:** [Daniel Sack](#)  
**To:** [dot.sm.kensingtonexpressway](#)  
**Cc:** [Senator Sean Ryan](#);  
**Subject:** Tear down that expressway  
**Date:** Friday, June 30, 2023 2:40:25 PM

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Please remove the entire Kensington Expressway.

*Social Justice* demands fairness. It is fair that suburbanites could be inconvenienced for the benefit of East Side residents. After the 5/14/22 Tops shootings White people were asking what they could do. Spreading millions of dollars around the East Side is worthwhile but a more permanent solution is to heal the landscape that was demolished decades ago.

DOT representatives at the recent meeting at the Buffalo Science Museum told me that removal would cause gridlock on the I-90. I don't believe it. Perhaps for a week or two, before suburban commuters get used to other paths to downtown, there will be some traffic issues. But if the streets from Amherst and Cheektowaga to downtown are upgraded, and efficient bus transportation is funded, there will be no problem. And all the problems will be for mostly White suburbanites who had been taking advantage of Black people on Buffalo's East Side for decades.

Buffalo's West Side has three intact Olmsted Parkways; Bidwell, Chapin, and Lincoln. Buffalo's East Side? Zero. Why don't Black people deserve the Olmsted Humboldt Parkway that was demolished?

*Economic Justice* demands that cars return to Genesee, Broadway, Jefferson, etc.

Centuries of history informs us that commerce prospers along transportation routes such as harbors along coastlines, rivers, canals, railroads, and streets. The Kensington bypassed East Side commercial streets. Commerce on and near Kensington Avenue, Genesee, Walden-Best, Sycamore, Broadway, Jefferson, and Fillmore suffered and the nearby neighborhoods suffered. What would

Transit Road be without I-90's Exit 49? Before Exit 49 Transit was a 2 lane country road. What would happen to businesses on Transit Road if an expressway bypassed Transit from Exit 49 to Sheridan Drive?

The argument for spending hundreds of millions of dollars returning cars to Buffalo's downtown Main Street was residential and commercial development would prosper downtown. The argument for the Erie Canal terminus in Buffalo rather than Black Rock was that the Buffalo economy would prosper. We know what happened.

*Environmental Justice* demands a quieter Humboldt Parkway.

I have measured periods of average noise of 77.3 dB SPL at the front yards on Humboldt Parkway opposite the Kensington Expressway at Hamlin Road where there will be no covering on the expressway because Scajaquada Creek runs beneath it.

"Levels of highway traffic noise typically range from 70 to 80 dB(A) at a distance of 15 meters (50 feet) from the highway. These levels affect a majority of people, interrupting concentration, increasing heart rates, or limiting the ability to carry on a conversation. The noise generated by a conversation between two people standing 1 meter (3 feet) apart is usually in the range of 60-65 dB(A). Most people prefer the noise levels in their homes to be in the 40-45 dB(A) range, similar to the levels found in a small office. A reduction of sound from 65 to 55 dB(A) reduces the loudness of the sound by one half, while a reduction of sound from 65 to 45 dB(A) results in a loudness reduction of one quarter." \*

If New York State is serious about reducing greenhouse gases and carbon monoxide, 29% and 75% respectively caused by transportation, it will spend billions on cleaner transportation rather than billions to subsidize continued pollution from thousands of single occupancy vehicles every day.

If Governor Kathy Hochul is serious about combatting climate change and serious about social justice she will direct her DOT to remove the Scajaquada and Kensington expressways.

Please go with Social Justice, Economic Justice, and Environmental Justice



rather than convenience for suburbanites. SEQRA demands it.

Daniel Sack

\*

<[https://highways.dot.gov/public-roads/julyaugust-2003/living-noise#:~:text=Constructing%20a%20noise%20barrier%20\(i.e.,noise%20associated%20with%20highway%20projects.](https://highways.dot.gov/public-roads/julyaugust-2003/living-noise#:~:text=Constructing%20a%20noise%20barrier%20(i.e.,noise%20associated%20with%20highway%20projects.)>



June 29, 2023

GObike Buffalo

RE: Kensington Expressway Cap Project Feedback

GObike Buffalo offers the following feedback on the most recent iteration of the Kensington Expressway Cap project Build Alternative. Our input is informed by both professional experience in designing safer streets for all types of road users, and by personal experience as a team of people who personally depend on biking, walking, and public transportation as our primary forms of transportation.

1. The dual objectives of reconnecting the community by creating continuous greenspace while also maintaining "the vehicular capacity of the existing transportation corridor" is so specific that it constrains alternatives.
2. The objectives say nothing about reducing the health and environmental impacts experienced by those that live in the surrounding neighborhood.
  - a. The project purpose indicates that the project should improve compatibility of the corridor with adjacent land uses, which should necessitate study of the health and environmental impacts negatively impacting households on Humboldt Parkway.
3. Assuming that vehicular capacity must be the same violates the CLCPA because it fails to consider the impact of maintaining traffic capacity on the state's climate goals. This project must comply with CLCPA section 7 and the NYSDOT must "consider whether such decisions are inconsistent with or will interfere with the attainment of the statewide greenhouse gas emissions" goals. Additionally, the project area is located within a "Disadvantaged Community" for CLCPA purposes. This means that NYSDOT should look for ways to reduce traffic, reduce speeds, reduce overall vehicle miles traveled in order to reduce the overall pollution burden on this community as well as the overall GHG emissions of the roadway.
4. A major takeaway of the Region Central process has been the determination of how many trips originating in "Region Central" are longer than they need to be because people have to go around the Expressway. This is an important piece of analysis that must be done for Kensington as well in order to understand the true cost-benefit basis for "maintaining the vehicular capacity" of this roadway. How many households must take longer trips to access basic needs because of the highway as a barrier? What is that cost in both emissions and negative health impacts?



5. The project objectives lack clarity on coordinating and collaborating with the Region Central study for the Scajaquada being conducted by the GBNRTC.
6. Because this project is limited in its scope to just a segment of the highway, it inherently fails to address the health, economic, environmental, and social impacts of the highway in the adjacent neighborhoods outside the project boundaries, but still affected by the existence of the highway.
7. The Kensington Expressway Cap project should be designed in such a way that it is not prohibitive for future parkway restoration or capping work outside of the existing scope of work, especially in relation to the Region Central/Scajaquada Expressway project. Through Region Central, a robust community planning and technical exploration process, the community in Buffalo has demonstrated a long-term desire to see the full corridor of the 198 and 33 from I-190 to downtown transformed to create stronger community connections, improve public health, foster opportunities for non-automotive transportation options, and repair inequitable investment patterns from the last 70 years. Although the Kensington Expressway Capping project scope does not extend north to the 198, the infrastructure being changed or built in this project should not impede future redevelopment of the 198 according to the recommendations of the Region Central process.
8. Streets in surrounding neighborhoods that are being improved through the project should be implemented with complete streets principles in mind, including crosswalks, bump outs, raised intersections, improved sidewalks and protected bike infrastructure. Streets in this focus area that are listed on the City's Bicycle Master Plan should be improved, at the very least, in accordance with the recommendations outlined in that plan.
9. While the Best Street roundabout proposal is an improvement over signalized intersections, the lack of any type of bike infrastructure will be a barrier to families on bikes who are attempting to get to the park from points west of the expressway. Please explore providing separated bike facilities that offer better connectivity to the park by bike along this route. Because this section of roadway is an important connection between a residential neighborhood and the community's largest park, a school, and a youth-oriented cultural amenity (Buffalo Science Museum), street infrastructure should reflect that many of the users will be children and families. By not creating a safe, separated bike facility here, you significantly reduce the ease of access for this group of road users who will likely feel it is not safe enough to use. Riding on the sidewalk should *not* be a proposed solution, because for bicyclists over the age of 14, it is illegal to ride on the sidewalk. Riding on the sidewalk can also create more conflicts between pedestrians and bicyclists, especially as e-bikes with higher speeds become more prevalent.
10. The jet fan proposal for ventilation is an improvement on the idea of tearing down homes to install ventilation shafts, but still does not solve the problem of improving air quality in the neighborhood. It is our understanding that the proven ways to reduce vehicular pollution are to: (1) reduce the number of vehicles/vehicle miles traveled, (2) reduce vehicular



pollution at the tailpipe through stricter pollution standards for cars, trucks, and buses, (3) reducing vehicular speeds, and (4) reducing traffic congestion. The proposed build alternative does not solve the problem of air pollution caused by the expressway, but instead concentrates the air pollution in parts of the neighborhood that are already not benefitting from the cap. A solution that does not tear down homes, impose ventilation structures on the landscape, or concentrate pollutants into certain areas of the neighborhood should be a core component of this project. Please clarify how the ventilation options will actually lead to less vehicular pollution from the roadway if the road capacity, speed and congestion are maintained. If the ventilation is meant to emit vehicular emissions higher into the air, there should be modeling to show the dispersion of the air emissions and the effects on both the adjacent community and those residents living further away from the roadways.

11. The bike lanes along the capped portion of Humboldt Parkway are currently proposed as being placed between the vehicle travel lane and the parking lane. However, this solution creates conflicts between vehicles and bicyclists, including people pulling in and out of parking spaces with people on bikes next to them, and people opening their doors into the bike lane while people are riding next to them. A safer alternative is to place a protected bike lane between the grass section of the parkway and the vehicle parking lane. This alternative creates separation between people on bikes and vehicles, reducing chances of conflict. An example of this layout can be seen along Niagara Street in Buffalo. Another option could be placing a path within the planted median. There is historical precedence for this in many of Olmsted's original designs, even here in Buffalo.
12. Improved transit access either through light rail expansion or dedicated bus lanes should be a key strategy to meet the project objectives and support the mobility needs of a community where a third of the households do not have access to a vehicle.

Sincerely,

Brendan Seney  
Planning Director  
GObike Buffalo

> From: Monica Colston  
> Sent: Wednesday, July 5, 2023 11:24 PM  
> To: dot.sm.kensingtonexpressway  
> Subject: NYS Route 33 - Comments  
>  
> [You don't often get email from . Learn why this is important at  
<https://aka.ms/LearnAboutSenderIdentification> ]  
>  
> ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown  
senders or unexpected emails.  
>  
>  
> Hello Kensington Expressway Project Team,  
>  
> The following and attached are a few comments following the June 20, 2023 meeting at The Buffalo Museum of  
Science:  
>  
> 1) Thank you so much for extending the project to include Humboldt Parkway upto Brunswick Boulevard.  
Incorporating the additional community is a huge benefit to the city!  
>  
> 2) The plumbing on Humboldt Parkway is over 100 years old. With the ground being disturbed it is likely that the  
plumbing (sewer, water, etc) will not survive the construction. Will our underground lines be upgraded and replaced  
by the city, on the street and from the street to the house?  
>  
> 3) How are fumes from the tunnel being vented? Is this still a part of the plans?  
>  
> 4) What style of street lights will be used? In lieu of theft lights can we use traditional straight posts?  
>  
> 5) What type of improvements are planned for the area surrounding the planned construction on Humboldt  
Parkway?  
>  
> Thank you,  
> Monica & Charles Colston  
  
>  
>  
> Sent from my iPhone



NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT  
P.I.N. 5512.52  
PUBLIC INFORMATION MEETING  
JUNE 20, 11AM-2PM & 5PM-8PM  
BUFFALO MUSEUM OF SCIENCE  
COMMENT FORM

Name: JOAN MILLER Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date: 7/4

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

COMMENTS\*

If you can tell me how the project will help with school dropouts - test scores - READING AND MATH / teen pregnancy / drug problems gun violence - then it would be worth the money -

Spent dollars could be better used on the people - other than trees & curbs -

The neighborhood did not always look as it does - Maybe track pride in one's neighborhood

\*Any information provided on this form may become part of the project file, which is a public record.

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)  
Comments are due by July 7, 2023.



# NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT

P.I.N. 5512.52

## PUBLIC INFORMATION MEETING

JUNE 20, 11AM-2PM & 5PM-8PM

BUFFALO MUSEUM OF SCIENCE

## COMMENT FORM

Name: Greg Garten Affiliation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Date 6/29/23

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

### COMMENTS\*

I think the presentation was very well done. The diagrams and images used were well thought out and clearly conveyed their messages. The people on hand were knowledgeable about the plan and most of the details. It is a huge project with many moving parts.

My concerns are for the residents living near by during the construction phases. To minimize the inconveniences that arise during the project and to take their complaints seriously and not just blow them off because they "don't understand what needs to be done."

The other concern I have is about ~~the~~ all the vegetation used in the final phases. The plants need to be native to this area ~~because~~ because follow up care after planting is not guaranteed by the overseeing municipalities. Natives will have a better chance of survival when left kind of on their own.

Where cross streets do not have streetways through the "park land," some type of hardscape walkways should be installed. Folks will use the shortest distance to cross the park and dirt pathways will soon arrive. Seating areas would also benefit all the folks that will enjoy the park.

\*Any information provided on this form may become part of the project file, which is a public record.

Thank you in advance for your reading this.

Greg Garten

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: [kensingtonexpressway@dot.ny.gov](mailto:kensingtonexpressway@dot.ny.gov)

Comments are due by July 7, 2023.



Department of  
Transportation





Shari Willis and Camille Willis

June 29, 2023

NYS Route 33 / Kensington Expressway Project Team  
NYSDOT Region 5  
100 Seneca Street  
Buffalo, New York 14203

Thank you for an opportunity to comment on the proposed New York State Route 33 / Kensington Expressway project. We attended the public information meeting on June 20<sup>th</sup> at the Buffalo Museum of Science. Along with many of our neighbors, we frequently travel the 33 and were anxious to see the proposed changes. As we viewed the various display panels, we became abundantly aware of gaps in the presentation leaving us with a sense of uneasiness and more questions than we had arrived with.

A project of this scale, magnitude and expense needs to be voted on by the constituency of the city of Buffalo. A big mistake at the inception of the first incarnation of the 33 Expressway was that the public was not asked if this was a good idea. Then as now, it seems that small groups of people are influencing policy and effecting the lives of all of us. Despite what some may think, this is still a democracy and this project needs to be **voted on** by an informed public.

The project overall lacks substance. We hear catch phrases like *community revitalization, correcting historical injustice and visual resources* – those are nice sound bytes for someone who is seeking political office. However, ultimately, the constituency will want to know what those words mean and how have they been implemented to improve our quality of life.

Creation of a “pretty” roadway does not translate into economic prosperity in this community. The policymakers of yesteryear already blundered that idea. Today, the needs have changed and \$1 billion dollars would do nicely to investigate and invest in the new needs of this community. Increasing and expanding the tax base, by attracting community – friendly industry to the area would be a start.

Also, are funds being allocated to repair our one – hundred – year – old homes once the blasting and subsequent vibrations create fissures in interior walls and shifting of the foundation of our homes? Water and utility lines are also a hundred years old and are vulnerable to blast waves and extremely heavy machinery that will be used for this project.



You are asking the residents to be subjected to **years** of blast vibrations, concrete dust (even with the water spray), mud, redirected traffic through our streets and a myriad of other inconveniences. Why? The answer is simple: small groups of people want to look at a "pretty" roadway when much more glaring problems exist. Road repaving, new street lights, re - curbing and re - treeing of city streets should have been ongoing all along, instead of being a placating afterthought.

Needless to say, we are skeptical and suspicious of the motivations for this project. Historically, projects of this magnitude fall behind schedule (it's already behind schedule!), and the project runs out of money thus, adding years to the project's completion. The city of Buffalo is beleaguered by "half - baked" projects that haven't seen completion: The Peace Bridge Plaza, The Central Terminal, removal of the Skyway Expressway, adding traffic to Main Street, and the Rapid Rail system extended to the suburb of Amherst. Our city deserves better than this.

In conclusion, please do not make another mess that a future generation has to "correct." Progressive, forward - thinking policy means NOT having a "knee - jerk" reaction because it sounds politically correct "to correct a historic injustice." Additionally, it seems that various special interest groups want to go on a spending spree. Less invasive solutions for the beautification of the 33 should be explored such as maintaining and adding to the landscaping that is already in place. This would also be in keeping with Olmstead's vision for Humboldt Parkway. Otherwise, just leave the 33 Expressway as it is.

Thank you for your attention. We look forward to your response.

Sincerely,

  
Shari Willis

  
Camille Willis

**From:** Suzanne Kelley  
**Sent:** Saturday, July 8, 2023 8:13 AM  
**To:** Fischlein, Eric  
**Subject:** [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Kelley, Sue

Address:

Phone:

Email:

Include on future project updates: YES

Affiliation: N/A

Comment: This is a project long over do. Humboldt parkway should of never of been destroyed this way it was part of the Olmsted Parkway system it had beautiful trees lining the streets. People have no clue how beneficial trees are to people health. It also destroyed a community. This project is going to be so beneficial to this community and the surrounding area. This is a project that needs to move forward immediately

\* this email was generated by [kensingtonexpressway.dot.ny.gov](https://kensingtonexpressway.dot.ny.gov)

**CAUTION:** This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**From:** Douglas Funke

**Sent:** Friday, July 7, 2023 4:31 PM

**To:** dot.sm.kensingtonexpressway

**Subject:** Comments on Kensington Expressway Project NY33

Please find attached comments from Citizens for Regional Transit (CRT) on the Kensington Expressway NY33 Project as a followup to the Public Meeting held on June 20th.

Sincerely,

Douglas Funke

President, CRT

—

Douglas Funke

President, Citizens for Regional Transit



## **Public Comment submission for NY Route 33 Reconnecting Humboldt Parkway**

July 7, 2023

### **Executive Summary**

One year ago, Citizens for Regional Transit (CRT) submitted comments on the NY33 Kensington expressway project. We concluded, “Let’s restore Humboldt Parkway to a modern version of the vision of Olmsted and Vaux plan while healing the community.”

NYS DOT has refined their proposal and made some changes to it. Our comments today are based on the information presented at the June 20, 2023 public meeting held at the Buffalo Museum of Science.

CRT believes that a project with this scope and environmental impact demands community involvement and public support. NYS DOT has done all it can to avoid meaningful public engagement, and therefore its proposals lack legitimacy. CRT believes that NYS DOT should restore the cap alternative option #10 to fill-in the trench and restore Humboldt Parkway and its linear park. CRT believes this is a preferable alternative if augmented with Light Rail Rapid Transit (LRRT) to handle commuter capacity concerns while minimizing pollution, avoiding congestion, and providing improved downtown access.

### **Meaningful Public Engagement**

According to the FTA (Administration, What do we mean by “meaningful public engagement”?, 2023), meaningful public engagement “eliminates participation barriers and engages minority and low-income populations in transportation decision making.” One cannot have two hand-picked organization speak for the whole community for a project of this magnitude. To CRT, meaningful engagement means a process is in place where community engagement determines the outcome of the project, rather than a process where public engagement is managed to support a predetermined outcome.

## Introduction

Buffalo is once again at a crossroad. In 1870 it had to decide whether to adopt Olmsted's plan for a city in a park. Adopting the Olmsted plan was a bold move. Today, the beneficial value of the Olmsted plan can be measured in dollars and satisfaction. Property on or near Olmsted's undisturbed parks and parkways sells for a premium. Property on or near NY-33 Kensington expressway sells for less than 25% of the price for comparable properties on undisturbed Olmsted parkways.

In the 1960's, planners abandoned Olmsted's vision and replaced Humboldt Parkway's Park with polluting cars, which had recently replaced all-electric non-polluting streetcar technology. The 1960's goal was to alleviate congestion caused by the inefficiency of the personal cars that replaced streetcars. Climate change, pollution from every aspect of car production and ownership, and waste were not on anyone's mind at the time. Cars were the latest gadgets of yesteryear.

The NY-33 Kensington Expressway project affords an opportunity to look at planning from an urbanist/strong city perspective and decide what the future should be. Buffalo can transition away from pollution, climate change, global warming, and congestion by switching to the proven technology of all-electric, non-polluting Light Rail Rapid Transit (LRRT). Alternatively, Buffalo can perpetuate the mistake made in the 1960's and cover it up with a cap or lid.

The subtitle of Olmsted's Elmwood (Brown, 2022) "The Rise, Decline and Renewal of Buffalo's Parkway Neighborhood, A Model for America's Cities" could also apply to Olmsted's Humboldt Parkway, which was built concurrently with his Elmwood Avenue, Bidwell, Chapin and Lincoln Parkways. Humboldt is part and parcel to the same park system. Except Humboldt Parkway is waiting for its well-deserved, long-delayed renewal. The NYS DOT Kensington Expressway NY33 Expressway Project (hereafter referred to in this document as *The Project*) is the roadblock preventing Humboldt Parkway from being renewed.

## Planning Process

NYS DOT is a member agency of the local Metropolitan Planning Organization (MPO), the Greater Buffalo Niagara Regional Transportation Council (GBNRTC). As a member organization, NYS DOT could have engaged the GBNRTC to plan this project in conjunction with or using the same exemplary planning methods used by the GBNRTC for the Region Central project. CRT urged for this to happen a year ago in last year's comments. CRT continues to believe it is crucial for NYS DOT to provide meaningful stakeholder engagement as required by the Federal Transit Administration (FTA).

The NYS DOT planning process lacks meaningful public engagement from community stakeholders. See "Replace NYSDOT as the lead agency on the Kensington Expressway project" (Funke, 2023), "NYSDOT Proposes Band-Aid Fix for Kensington Expressway" (Puma, 2019), and especially see the three-part series "Our Way – AND – The Highway," (Marriott). There is an opportunity to do this project right but not if we continue on NYS DOT's "our way or the highway" approach.

## Transportation Planning

The Project plan does not mention nor consider goals set forth in transportation planning goals of the MPO 2050 Long Range Transportation Plan, the Erie County Climate Action Plan, or NY State Climate Scoping Plan. Included in these planning goals are climate considerations, especially a mandate of reducing vehicle miles traveled by car (VMT) and to encourage lower polluting travel alternatives.

The most efficient transportation technology widely available today is high speed, all-electric Light Rail Rapid Transit (LRRT). Buffalo's LRRT produces no greenhouse gas emissions, requires no batteries, and uses zero rubber tires resulting in drastic reductions in hazardous microplastics and landfill waste.

The Project plan does not consider LRRT as an alternative transportation option to repairing the Expressway, yet the proposal to do so has been around for as long as the expressway has existed. Indeed, before car-crazed planners in the 1940's and 1950's demolished our passenger rail system, Buffalo had what we currently need to move large numbers of people at the lowest possible cost in both money and environmental consequences. In certain transportation corridors, there is an obvious need to switch from cars to rail. The East Buffalo/Airport corridor is one such corridor.

With about 112,000 cars daily going east and west on NY33 at Grider Street according to NYS DOT 2019 traffic counts, there is ample justification for LRRT capacity and speed to the eastern parts of metropolitan Buffalo to supplement the highway and offer a viable alternative to both fossil-fuel and electric cars.

People could be directed to rail stations instead of the current practice of funneling cars to urban highways promoting car-centric transportation that does not meet climate goals.



## Lack of Power of Community

NYS DOT has not conducted a public forum or established a process whereby community stakeholders can interact with each other and discuss The Project. CRT and other stakeholders including OneBuffalo, The Olmsted Conservancy, GoBike, Colored Girls Bike Too, LISC, The East Side Bike Club, The Buffalo History Museum, Buffalo Place, Fruit Belt Community Land Trust, FruitBelt Coalition, Fillmore Forward, Preservation Buffalo Niagara, Friends of the Broadway Market Community, The University at Buffalo Regional Institute, The Town of Cheektowaga, Buffalo Preservation Board, Buffalo Common Council, Coalition for Economic Justice, Our Cheektowaga Community, and many others have not been afforded the opportunity to participate in open discussions. NYS DOT has not reached out to these organizations and communities nor offered public participation instead opting to engage exclusively with Restoring Our Community Coalition and the Black Chamber of Commerce, supporters of the cap option.

Unless and until NYDOT offers option #10 of expressway removal to stakeholders and asks their preference for cap versus removal and restoration of Olmsted's park and parkway, NYS DOT can not reasonably claim to have conducted public engagement.

NYS DOT did not undertake a study to determine how 70,000 cars use the corridor daily. No study was done to see how the adjacent Region Central plan will affect car travel. No study was done to account for Light Rail Rapid Transit as an alternative to car travel. With so much money and the future of East Buffalo and the larger region at stake, it is irresponsible for NYS DOT to rush decisions based on incomplete data and without collaborative input.

## Project scope

CRT continues to recommend that The Project scope be expanded to integrate with the Region Central plan for Humboldt Parkway at East Delavan Avenue. Having a two-block gap between NY 198 Region Central project and NY 33 Kensington Expressway project is short-sighted. The NY33 project should seamlessly connect with the Region Central project at East Delavan Avenue. These are both NYS DOT projects on the same parkway. Planning for both projects is concurrent yet disjointed. Having a gap between these two projects is unacceptable.

CRT recommends that NYS DOT should adopt the same surface cross-section for its Kensington Expressway project that was settled upon for the Region Central portion of Humboldt Parkway east of Main Street to East Delavan Ave.

CRT understands why NYS DOT does not want to include the small stretch of Humboldt Parkway between Sidney Street and East Delavan Avenue within The Project scope. It is because if this segment were included, NYSDOT would be required to consider the environmental impact of the project on the Scajaquada Creek watershed, which flows beneath the Kensington Expressway there. Yet, if NYS DOT gets their way, there will be blasting dynamite within yards of this

watershed, as if somehow this watershed won't be affected if it isn't included it in the project scope.

## Wealth Destroyed

In the 1960's about 60 upper middle class mostly African American occupied homes were blasted to smithereens with dynamite and their residents were displaced to make way for the Kensington Expressway. The park within Humboldt Parkway was dynamited into oblivion. It had taken generations for Humboldt Parkway to develop into one of the most affluent neighborhoods in the city. More than 500 additional residential properties were demolished, and more than 1,000 residents were displaced to make way for the expressway. The promise of an economic boom from the expressway became a wealth destroying bust that is a cancer keeping property values depressed, stealing generational wealth, and starving the city and county of property tax revenue needed to maintain the neighborhoods. The expressway caused property values on Humboldt Parkway and the immediate vicinity to fall by more than 75%.

The displaced families largely left the City of Buffalo altogether, feeding a cycle of economic wealth destruction that resulted in the ruination of East Buffalo.

The primary reason for connecting the Elm/Oak arterial through Humboldt Parkway to I-90 and the airport was congestion relief. At the time, Buffalo's population was about 30% larger than it is today. The plan worked too well. Traffic was induced or enticed from city streets leaving them with anemic traffic counts, empty store fronts, and destroyed livable, walkable neighborhoods. Main Street and other streets were devastated.

Using 2019 NYS DOT pre-COVID traffic counts, it is obvious corridors parallel to the expressway are starved for traffic. Station 534374-Genesee St from Jefferson Ave to Fillmore Ave traffic daily count of cars is 6,273. Station 534826-Sycamore St from Jefferson Ave to Herman St count is 3,493. Similar low counts are encountered on almost all city streets parallel to the expressway. Healthy city streets have traffic counts around 20,000 cars daily.

NYS DOT design funneled traffic from North Buffalo into Humboldt Parkway via NY 198 into Humboldt Parkway causing congestion. Enticing people into cars siphoned ridership from bus routes causing bus service to be diminished on Route #11 and discontinuation of the Parker Ave bus route.

## Wealth Restoration

Parks are valued assets. To achieve maximum wealth restoration the linear park within Humboldt Parkway needs to be restored with large full-canopy trees in the median. We know that residential property values on Humboldt Parkway are depressed by about ½ million dollars each compared with Olmsted's Bidwell Parkway, which has comparable properties.



Humboldt Parkway properties lost value instantly from the construction of the Kensington Expressway. There's been 60 years of neglect for most of these properties. Most need lead water pipe removal, lead-based paint abatement, roofing, kitchen & bath remodeling, landscaping, sidewalk, electrical and plumbing upgrades to bring Humboldt properties up to par with Bidwell properties.

Filling in the expressway (not a cap or lid) and restoring a quiet residential neighborhood, reconnecting Delaware Park with MLK Park, restoring the linear park within Humboldt Parkway, rebuilding new upper middle-class homes to replace the homes blasted to smithereens, and preparing the neighborhood for an all-electric future offers the possibility of restoration of community wealth and providing skilled trade jobs to residents.

Filling in the expressway and restoring the entire Olmsted Humboldt Parkway allows for restoring Fruit Belt connections with Cherry Street. It allows for reconnecting the Belt Line corridor. It allows new mixed-use and affordable housing to be constructed in areas where more than 500 properties were destroyed. This is much more in keeping with the intent of the Reconnecting the Communities program than the NYS DOT plans for The Project.

It takes 50 years to get saplings to grow into the beautiful canopy that Humboldt Parkway was famous for. Humboldt Parkway restoration would not cause instant wealth, but with the current state-wide housing shortage of more than 70,000 units, restoration of generational wealth is likely to occur quickly after full restoration of Humboldt Parkway and hardwood forest saplings are planted in the median.

Full parkway restoration means expressway traffic would melt away as it has in many other similar expressway removal projects. Significant increase to traffic counts on parallel streets is likely, which is good for Black owned businesses and for wealth.

Installation of LRRT through East Buffalo to the airport via Larkintown, the Central Terminal and Galleria Mall to the airport and Transit Road would mitigate undesirable effects from highway closure and would likely stimulate equitable Transit Oriented Development.

Research (Warren, 2013) shows a degree of increased wealth and neighborhood reconnection is possible with a cap. A cap would prevent complete equity, and social justice. If the expressway were to be removed and Humboldt Parkway be restored, then there is opportunity for recapturing lost wealth and equity. Restoration (not a cap or lid) brings with it equity, social justice, sustainable workforce development, restoration of nearby small and disadvantaged businesses, and leverages the \$180 million dollars NYS is spending on East Side Avenues Initiative to rebuild business districts and corridors, Broadway Fillmore Downtown Revitalization Initiative, Jefferson Avenue Streetscape Improvements (Buffalo, Jefferson Avenue Streetscape Improvements, 2021), and the GBNRTC's NFTA's Bailey Avenue Corridor Improvement Study (Bus Rapid Transit) (Buffalo, 2021). It does not make sense to CRT for the Kensington Expressway to continue to take traffic away from minority owned businesses. (Development, 2022)

Filling-in expressway will increase traffic along Fillmore and Jefferson Avenues, along with Genesee Street. More traffic will allow for those business districts to grow, making the neighborhoods more walkable, providing for more local employment and services, and adding opportunity to truly create generation wealth for the community. CRT is perplexed that NYS can fund a \$1.1 Billion dollar cap for .75 mile while investing heavily in redevelopment and strengthening the East Buffalo business districts. Making traffic bypass East Buffalo business districts for another 50 years is counter-productive to the goals of the State and community.

Living on an Olmsted parkway adds value. Living on a former Olmsted parkway that was blasted into oblivion and then rebuilt with a park-like replica of its former self as a consolation prize just isn't as good.

## Gentrification

Erie County in general, and especially the City of Buffalo are experiencing a period of growth. Just last week Erie County welcomed 125 immigrants, with promises of hundreds more to come (Tan, 2023). While the area has capacity for many thousands more, growth has resulted in high demand for housing at all price points.

Steps need to be taken to ensure current residents in the project area are not priced out of the market or displaced by The Project, whatever option is ultimately chosen. Low or no-interest financing could be provided to tenants who want to become owner-occupants to buy their homes at current 2023 prices and rehabilitate them. Current homeowners could be offered low or no-interest rehabilitation loans for roofing, plumbing, electrical, concrete, foundation, and other upgrades to catch up to the properties on Bidwell Parkway.

## Justice40

### Transportation Insecurity:

The NYS DOT Kensington Expressway proposal traverses a portion of Buffalo where more than 30% of households do not own cars and rely on walking and public transportation. Insecurity runs deep in this community. CRT asked supporters and organizers of the cap movement, "If NYS DOT were to offer to fill in the expressway and restore Humboldt Parkway as a park as it was before the expressway, would you prefer that option to capping the expressway?" The reply was consistent. Yes, they would prefer that option, but it is not possible because of a belief that white commuters from the suburbs would never let it happen.

These Black residents are so insecure that they won't even ask for what they want out of fear. ROCC is settling for a less desirable "solution" in the name of expediency while other community groups have not been given an opportunity to share their voices in public. It's the DOT's objectives of: "Maintain the vehicular capacity of the existing transportation corridor" (DOT, n.d.) and "Address identified geometric and infrastructure deficiencies within the transportation corridor"<sup>1</sup>,

not ROCC's objectives that limit the options presented as "feasible" to the community. (Coalition, n.d.)

NYS DOT has never offered the community surrounding The Project an option to fill in the expressway instead of capping it. Indeed, it took ROCC decades just to convince NYS DOT to even consider the cap option.

#### Climate and Disaster Risk Burden:

The NYS DOT proposal ensures car-dependency and supremacy for the next 50 or more years. The current air-quality disaster is often attributed to global warming. The NYS DOT proposal promotes increasing VMT, pollution, and global warming. There is also a disaster risk from construction blasting operations with the adjacent Scajaquada Creek watershed.

#### Health Vulnerability:

The latest proposal from NYS DOT calls for fans to draw air through the car tunnel to protect motorists from the dangers of polluted air in the tunnel. While the fans are a far better solution to this problem than the prior fake houses proposal, there is a significant risk that blowing contaminated exhaust air from the tunnel into neighboring houses at either end of the tunnel could render those houses uninhabitable, causing them to be deserted and displacing their residents. The current solution doesn't meet ROCC's Environmental Remediation Objective. (Coalition, The Reason, n.d.)

#### Social Vulnerability:

Olmsted envisaged and built a linear park accessible to residents on Humboldt Parkway and neighbors within easy walking distance. 60 Years ago, NYS DPW exploded the park. Since then, the idea of a city in a park has been denied to Humboldt Parkway residents and neighbors. The idea of reconnecting the neighborhood is as foreign to today's Humboldt Parkway residents as was the idea of a parkway in the 1800's when Olmsted proposed it, and the City of Buffalo bravely implemented the Olmsted vision.

CRT conducted a non-scientific informal survey of visitors to our table at the 2023 Buffalo Juneteenth celebration just 1,200 feet from Humboldt Parkway. The survey result was heavily lopsided in favor of expressway removal, but there were some in favor of the cap.

#### Reconnecting Communities Program

The Federal Transit Administration will provide \$55 million federal dollars for the purpose of reconnecting the Humboldt Parkway community. According to the FTA, "U.S. Housing and Urban Development is providing complementary technical assistance as part of the Thriving Communities program to improve the coordination of housing and transportation planning to advance residents' access to opportunity and increase housing supply." (Administration, 2022)

This suggests to CRT that the FTA would prefer the fill-it-in option because it provides opportunity to rebuild homes directly on Humboldt Parkway as well as restore hundreds more. The NYS DOT

proposal does not include rebuilding any of the homes lost to the expressway. NYS DOT has not mentioned HUD as having any involvement whatsoever.

When pressed for answers at the June 20, 2023 public poster session, NYS DOT representatives would not describe exactly how the \$55 million would be spent. When asked whether this money would simply be mixed in with other project money, NYS DOT answered in the affirmative. CRT found this to be disturbing.

## Who Will Pay?

Usually, NYS DOT likes to brag about how much “new” Federal money will be brought in for highway projects. Typically, the Federal share for highway projects is at least 80% and often more than that. Yet for this project, NYS DOT is mute about funding sources. “The Governor of New York has agreed to commit up to \$1 billion of state money for this project,” says NYS DOT.

At the June 20, 2023 public promotional event, NYS DOT would not provide details about the funding plans. When pressed about the Federal percentage, all they would say is they plan to ask for federal money.

CRT is very concerned about this aspect of The Project. \$55 million is in the ball-park to completely cover the costs of filling in the expressway with no additional funding required from either the state or the Federal government. \$1 billion of state transportation dollars could be used to obtain dollar-for-dollar Federal matching funds to pay for LRRT through East Buffalo to the Airport enabling equitable transit-oriented development. The money is enough to also pay for LRRT to the new Buffalo Bill’s stadium in Orchard Park, NY. \$1 billion buys two extensions totaling about 20 miles of LRRT.

When CRT asked our NY State Transportation Committee chair, Tim Kennedy, he indicated that funds for LRRT are not at risk due to the Kensington Expressway project. We wish we could get a firm commitment. Getting funds for a study on the East Buffalo/Airport extension would be reassuring, but so far, we have seen nothing.

Another aspect of the cap is who will pay for and be responsible for cap maintenance? Seattle offers a lesson as to why it is important to know up front who the responsible parties are. (Kroman, 2023)

### Who should take care of these lids?

WSDOT and four Eastside cities still can’t agree on who should care for three lids over Highway 520, nearly a decade after they opened.



## Is the Expressway project worth it?

\$1 billion is a lot of money for 12 city block's worth of asphalt. Blasting the trench an additional 13 feet deeper runs a high risk of damage to property and to the Scajaquada Creek watershed. Is the expressway worth this much money to repair? Where is the cost/benefit study? What are the opportunity costs? When all is said and done, will Buffalo have anything more than an expensive faux-park and the same old expressway? NYS DOT should have engaged the MPO to answer these questions instead of dragging the roll-out of The Project over decades.

## Conclusion

Today we have an opportunity to do it right this time using twenty-first century priorities, which include addressing climate change, implementing a complete streets philosophy, and truly multi-modal transportation solutions. Instead of spending \$1 billion to do it the wrong way again, let's do it right this time. Let's restore Humboldt Parkway and supplement Buffalo's roads and streets with viable, high-speed, high-capacity East Side LRRT on its own alignment using publicly owned railroad rights-of-way, not on Humboldt Parkway. Let's restore Humboldt Parkway to a modern version of the vision of Olmsted and Vaux while healing the community and meeting ROCC's foundational objectives.

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-----Original Message-----

From: Gerald Cantor

Sent: Sunday, July 9, 2023 9:11 PM

To: dot.sm.kensingtonexpressway

Subject: Further comment to you all from recent museum

Hi. I spoke to several and sundry of you at the event not to mention the stenographer's taking down my thoughts as well in a separate sitting.. I am I guess one would most easily describe as the einstein-looking-like guy there. I spoke of miniature row boats along the sidewalk-grass perimeters of the segments of streets along Humboldt Parkway between the museum and Parkside or any other shorter version of the final plan, against the sidewalk and going from one street corner to the next. Safe motor-run by internal battery or whatever. With sort of like mock locks of the erie canal to highlight the area's heritage...plaques at different intervals etc (naming tribes, presidents, sport luminaries, <https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fet.al&c=E,1,0HaYbyQw6ffxf4azlezNkoo1DQpjq2nNXAqwWZXSrsHOjo0zt6SXWe2ETFs8jVDidO0KQyb0I4MAwKYQkTaJC1T3F5FrRIT-wNVcWde8ikom5U,&typo=1> as well). But if that presents a problem (engineering or otherwise) with going from one street to the next...and thus the purpose of this addendum.. well, then maybe limit the 'little boats' (foot powered like those at canalside or whatever) ..limit to just one of the streets' segments. That they then go about in an oval or circular or rectangular fashion within that one segment. With the locks and plaques and such. Fenced from sidewalk pedestrianship and well enough away from the 4 vehicular streets that are at each track's perimeter.Oh well, and howdy..Gerald Cantor