

Appendix A7

Smart Growth Screening Tool

Prepared By: NYSDOT

Smart Growth Screening Tool (STEP 1)

NYSDOT & Local Sponsors – Fill out the Smart Growth Screening Tool until the directions indicate to **STOP** for the project type under consideration. For all other projects, complete answering the questions. For any questions, refer to [Smart Growth Guidance](#) document.

Title of Proposed Project: NYS Route 33, Kensington Expressway Project

Location of Project: City of Buffalo, Erie County, NY

Brief Description: The Build Alternative would cover the depressed section of NYS Route 33 (Kensington Expressway), creating a 4,150-foot-long tunnel between Sidney Street and Dodge Street. NYS Route 33 would be regraded north of Sidney Street and south of Dodge Street to bring the expressway back to existing grade. The proposed tunnel would consist of two independent tubes, each of which would provide three travel lanes in each direction for NYS Route 33, with an 8-foot-wide outside shoulder and 6-foot-wide inside shoulder.

Humboldt Parkway would be reconstructed on a new alignment from Northampton Street to Sidney Street and would be separated by a proposed 90-foot-wide landscaped center median. Humboldt Parkway would include a sidewalk, parking lane, bicycle lane (separated from the parking lane by a 2-foot-wide striped buffer area) and one travel lane in each direction. Humboldt Parkway would also include curb bump outs for traffic calming near intersections.

A minimum of three feet of soil depth would be provided on the tunnel deck and planted with trees (up to 50 feet in height at maturity). The proposed landscaping plan involves rows of four trees at a diagonal in the Humboldt Parkway median, a layout similar to the planting approach used for the historical Olmsted-designed Humboldt Parkway. Tree plantings would also be provided along the outside of Humboldt Parkway between the parking lane and the sidewalk.

The existing bridge structures over NYS Route 33 at East Ferry Street, East Utica Street, Northampton Street, and Dodge Street would be removed; the newly constructed cap over the tunnel would reconnect these streets at-grade and would provide additional new connections at Sidney Street/Butler Avenue, Winslow Avenue, and Riley Street.

Existing signalized intersections would be updated along the reconstructed portion of Humboldt Parkway. The Best Street signalized intersections with the NYS Route 33 ramps would be replaced by a roundabout, and a second roundabout would replace the adjacent signalized intersection between Best Street, Herman Street, and West Parade Avenue. The

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bridge at Best Street would be replaced with a wider bridge structure to accommodate the roundabouts. The Best Street interchange ramps would be modified, providing two lanes on the NYS Route 33 eastbound and westbound off-ramps. The partial NYS Route 33 interchange between Northampton Street and East Utica Street would be eliminated. A 10-foot multiuse path would be provided around the Best Street roundabouts for bicycle and pedestrian connectivity between the west side of NYS Route 33 and MLK Jr. Park.

Local street improvements are also part of the Build Alternative. The scope of local street improvement work includes milling and paving, ADA ramp upgrades, new traffic signals with pedestrian indicators, curb replacements (as needed), sidewalk replacement (as needed), driveway apron replacement (as needed), streetlight replacement (as needed), and landscaping between curbs and sidewalks, including new topsoil and grass seeding and tree planting. The bounding street limits for this work are generally High Street to the south, Northland Avenue to the north, Fillmore Avenue to the east, and Wohlers Avenue to the west.

For additional detailed information, refer to Final Design Report/Environmental Assessment (FDR/EA) Chapter 3 and Appendix A1.

A. Infrastructure:

Addresses SG Law criterion a. –

(To advance projects for the use, maintenance or improvement of existing infrastructure)

1. Does this project use, maintain, or improve existing infrastructure?

Yes

No

N/A

Explain: (use this space to expand on your answers above – the form has no limitations on the length of your narrative)

The purpose of the Project is to reconnect the community surrounding the Kensington Expressway's defined transportation corridor and improve the compatibility of the corridor with the adjacent land uses, while addressing the geometric, infrastructure, and multi-modal needs within the corridor in its current location. The Build Alternative involves the improvement to existing roadways (NYS Route 33, Humboldt Parkway, other local streets). NYS Route 33 would be reconstructed in a tunnel between Dodge Street and Sidney Street. Local streets would be reconstructed on top of the tunnel. The Best Street Bridge would be replaced with a new bridge and roundabouts. The project does not involve new highway capacity or new highways. Refer to Section 1.3 (Project Purpose, Objectives, and Needs) of the FDR/EA for more detail.

Maintenance Projects Only

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- a. Continue with screening tool for the four (4) types of maintenance projects listed below, as defined in **NYSDOT PDM Exhibit 7-1 and described in 7-4:**
<https://www.dot.ny.gov/divisions/engineering/design/dqab/pdm>
- Shoulder rehabilitation and/or repair;
 - Upgrade sign(s) and/or traffic signals;
 - Park & ride lot rehabilitation;
 - 1R projects that include single course surfacing (inlay or overlay), per Chapter 7 of the NYSDOT Highway Design Manual.
- b. For all other maintenance projects, **STOP here**. Attach this document to the programmatic [Smart Growth Impact Statement and signed Attestation](#) for Maintenance projects.

For all other projects (**other than maintenance**), continue with screening tool.

B. Sustainability:

NYSDOT defines Sustainability as follows: A sustainable society manages resources in a way that fulfills the community/social, economic and environmental needs of the present without compromising the needs and opportunities of future generations. A transportation system that supports a sustainable society is one that:

- Allows individual and societal transportation needs to be met in a manner consistent with human and ecosystem health and with equity within and between generations.
- Is safe, affordable, and accessible, operates efficiently, offers choice of transport mode, and supports a vibrant economy.
- Protects and preserves the environment by limiting transportation emissions and wastes, minimizes the consumption of resources and enhances the existing environment as practicable.

For more information on the Department's Sustainability strategy, refer to Appendix 1 of the Smart Growth Guidance and the NYSDOT web site, www.dot.ny.gov/programs/greenlites/sustainability

(Addresses SG Law criterion j : to promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain and implement.)

1. Will this project promote sustainability by strengthening existing communities?

Yes No N/A

2. Will the project reduce greenhouse gas emissions?

Yes No N/A

Explain: (use this space to expand on your answers above)

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1. The Project will promote sustainability and strengthen existing communities by creating new roadway connections, improving infrastructure for bicyclists and pedestrians by implementing Complete Street roadway design features, and creating a new continuous greenspace to enhance the visual and aesthetic environment of the transportation corridor. Refer to Section 3.2 (Description of Project Alternatives) of the FDR/EA for more detail.
2. The Project will reduce greenhouse gas emissions by reducing vehicle miles travelled (VMT) and vehicle hours of travel (VHT). Refer to Section 4.10 (Energy, Greenhouse Gases, and Climate Change) of the FDR/EA for more detail.

C. Smart Growth Location:

Plans and investments should preserve our communities by promoting its distinct identity through a local vision created by its citizens.

(Addresses SG Law criteria b and c: to advance projects located in municipal centers; to advance projects in developed areas or areas designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan.)

1. Is this project located in a developed area?

Yes No N/A

2. Is the project located in a municipal center?

Yes No N/A

3. Will this project foster downtown revitalization?

Yes No N/A

4. Is this project located in an area designated for concentrated infill development in a municipally approved comprehensive land use plan, waterfront revitalization plan, or Brownfield Opportunity Area plan?

Yes No N/A

Explain: (use this space to expand on your answers above)

1. and 2. The Project is located within a developed area and a municipal center (City of Buffalo). The Study Area is primarily residential with single- and multi-family homes directly surrounding the Kensington Expressway and a number of commercial and mixed-use areas along the major thoroughfares, such as Fillmore Avenue, Genesee Street, East Ferry Street, and Northland Avenue. The Study Area also contains a mix of educational facilities, places of worship, public services, and civic institutions. Refer to Section 4.2 (Neighborhood Character and Community Cohesion) of the FDR/EA for more detail.

3. The Project is not expected to influence the revitalization of downtown areas outside the transportation corridor. Refer to Section 4.5 of the FDR/EA for more information on potential economic effects.

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4. The Project is not located in an area designated for concentrated infill development in a municipally approved comprehensive land use plan, waterfront revitalization plan, or brownfield opportunity area. Refer to Section 2.2 (Land Use Plans and Transportation Plans) and Appendix D1 of the FDR/EA for more information.

D. Mixed Use Compact Development:

Future planning and development should assure the availability of a range of choices in housing and affordability, employment, education transportation and other essential services to encourage a jobs/housing balance and vibrant community-based workforce.

(Addresses SG Law criteria e and i: to foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income groups; to ensure predictability in building and land use codes.)

1. Will this project foster mixed land uses?
Yes No N/A
2. Will the project foster brownfield redevelopment?
Yes No N/A
3. Will this project foster enhancement of beauty in public spaces?
Yes No N/A
4. Will the project foster a diversity of housing in proximity to places of employment and/or recreation?
Yes No N/A
5. Will the project foster a diversity of housing in proximity to places of commercial development and/or compact development?
Yes No N/A
6. Will this project foster integration of all income groups and/or age groups?
Yes No N/A
7. Will the project ensure predictability in land use codes?
Yes No N/A
8. Will the project ensure predictability in building codes?

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Yes No N/A

Explain: (use this space to expand on your answers above)

In reference to question number 3, under the Build Alternative, the newly created greenspace above the Kensington Expressway (between the northbound and southbound Humboldt Parkway) would be an at-grade median with landscaping and pedestrian amenities. A layer of soil would be placed on top of the roof slab (approximately 3 feet deep) to allow for landscaping. Additional greenspace would be located adjacent to the Martin Luther King, Jr. Park and would provide landscaping opportunities, better integrating the corridor with this recreational resource. Furthermore, Humboldt Parkway would be completely reconstructed on a new alignment while implementing “Complete Street” roadway design features (e.g., traffic calming, curb ramps, crosswalks, bicycle lanes, and pedestrian/bicycle signals). Refer to Section 3.2 (Description of Project Alternatives) of the FDR/EA for more detail.

E. Transportation and Access:

NYS DOT recognizes that Smart Growth encourages communities to offer a wide range of transportation options, from walking and biking to transit and automobiles, which increase people’s access to jobs, goods, services, and recreation.

(Addresses SG Law criterion f: to provide mobility through transportation choices including improved public transportation and reduced automobile dependency.)

1. Will this project provide public transit?

Yes No N/A

2. Will this project enable reduced automobile dependency?

Yes No N/A

3. Will this project improve bicycle and pedestrian facilities (such as shoulder widening to provide for on-road bike lanes, lane striping, crosswalks, new or expanded sidewalks or new/improved pedestrian signals)?

Yes No N/A

(Note: Question 3 is an expansion on question 2. The recently passed Complete Streets legislation requires that consideration be given to complete street design features in the planning, design, construction, reconstruction and rehabilitation, but not including resurfacing, maintenance, or pavement recycling of such projects.)

Explain: (use this space to expand on your answers above)

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1. The project does not provide a new public transit service, but will contribute to improvements in the quality of existing NFTA service. Pedestrian/bicycle infrastructure improvements will make it easier and safer for transit riders to reach bus stops, and this in turn will allow NFTA to modify their bus stop pattern/locations to provide more efficient service (the barrier posed by the existing expressway impacts bus stops currently). Additionally, NYSDOT will construct the concrete base for future bus shelters at locations indicated by NFTA (completion of the bus shelters will be an independent NFTA project).

2. The project will enable reduced automobile dependency by improving pedestrian/bicycle infrastructure and providing additional options for non-automobile transportation. The project is anticipated to create a slight reduction in VMTs and VHTs. Refer to Section 4.10 (Energy, Greenhouse Gases, and Climate Change) of the FDR/EA for more detail.

3. "Complete Streets" roadway design features will be implemented along the reconstructed Humboldt Parkway. The Project also includes rehabilitation of sidewalks on additional City of Buffalo Streets adjacent to the transportation corridor. The bounding street limits for this work are generally High Street to the south, Northland Avenue to the north, Fillmore Avenue to the east, and Wohlers Avenue to the west.

F. Coordinated, Community-Based Planning:

Past experience has shown that early and continuing input in the transportation planning process leads to better decisions and more effective use of limited resources. For information on community based planning efforts, the MPO may be a good resource if the project is located within the MPO planning area.

(Addresses SG Law criteria g and h: to coordinate between state and local government and inter-municipal and regional planning; to participate in community based planning and collaboration.)

1. Has there been participation in community-based planning and collaboration on the project?

Yes No N/A

2. Is the project consistent with local plans?

Yes No N/A

3. Is the project consistent with county, regional, and state plans?

Yes No N/A

4. Has there been coordination between inter-municipal/regional planning and state planning on the project?

Yes No N/A

Explain: (use this space to expand on your answers above)

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1. The FHWA and NYSDOT have provided, and will continue to provide, meaningful opportunities for public and agency participation throughout the project development process. NYSDOT's efforts to provide opportunities for meaningful input are documented in Chapter 5 (Public Involvement) of this FDR/EA. Multiple types of public meetings occurred and each of these meetings provided multiple ways of submitting input and learning about the Project from NYSDOT and consultant staff. A Public Information Meeting was held in June 2023 and a formal Public Hearing was held in September 2023 following the publication of the DDR/EA for the project. The DDR/EA public hearing included a formal public testimony period with a stenographer. Two-way communication occurred through other means, including the one-on-one discussions at each meeting, NYSDOT's attendance at over 60 community events, and through the stakeholder group meetings that were held during the development of the Project.

2. The Project is consistent with local plans, including the City of Buffalo's Four-Year Strategic Plan (2023-2027). The plan is the City's current strategic plan to address its long-term challenges. The Four-Year Strategic Plan prioritizes four areas: thriving neighborhoods and people, smart and sustainable infrastructure, climate resilience, and economic opportunities and mobility. Refer to Appendix D1 (Local Land Use and Transportation Plans Summary and Consistency Assessment) for more detail.

3. The Project is consistent with regional and state plans, including the Bike Buffalo Niagara Regional Bicycle Master Plan (2020) and the NYSDOT Pedestrian Safety Action Plan, among others. Refer to Appendix D1 (Local Land Use and Transportation Plans Summary and Consistency Assessment) for more detail.

4. Coordination between inter-municipal/regional planning and state planning on the project has been ongoing. Refer to Section 4.1.1 (Agency Coordination) for more detail, including the Cooperating Agencies and Participating Agencies for the project.

G. Stewardship of Natural and Cultural Resources:

Clean water, clean air and natural open land are essential elements of public health and quality of life for New York State residents, visitors, and future generations. Restoring and protecting natural assets, and open space, promoting energy efficiency, and green building, should be incorporated into all land use and infrastructure planning decisions.

(Addresses SG Law criterion d :To protect, preserve and enhance the State's resources, including agricultural land, forests surface and ground water, air quality, recreation and open space, scenic areas and significant historic and archeological resources.)

1. Will the project protect, preserve, and/or enhance agricultural land and/or forests?

Yes No N/A

2. Will the project protect, preserve, and/or enhance surface water and/or groundwater?

Yes No N/A

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3. Will the project protect, preserve, and/or enhance air quality?

Yes No N/A

4. Will the project protect, preserve, and/or enhance recreation and/or open space?

Yes No N/A

5. Will the project protect, preserve, and/or enhance scenic areas?

Yes No N/A

6. Will the project protect, preserve, and/or enhance historic and/or archeological resources?

Yes No N/A

Explain: (use this space to expand on your answers above)

1. The project is not located near any agricultural land and/or forests (refer to Section 4.1.3.1 of the FDR/EA).

2. The project will protect groundwater by reducing impervious cover and by improving stormwater treatment practices. refer to Section 4.15 (Stormwater Management) of the FDR/EA for more detail.

3. A detailed air quality analysis was conducted and demonstrates concentrations of pollutants would be below the National Ambient Air Quality Standards. Mitigation measures that will minimize the air quality effects at the tunnel portals have been included in the Build Alternative. Refer to FDR/EA Section 4.9 for more detail.

4. The project will enhance recreation and/or open space by creating an additional 11 acres of greenspace which will function as a recreational area. There will be no permanent right-of-way acquisition that would change existing recreational uses to Martin Luther King, Jr. Park. Refer to Section 4.7 (Parks and Recreational Areas)

5. The project is not located near any scenic areas (refer to Section 4.1.3.4 of the FDR/EA).

6. There will be no adverse effect on historical or cultural properties. Refer to Section 4.6 (Historical and Cultural Resources) and Appendix D10 (Finding Documentation) of the FDR/EA for more detail.

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Smart Growth Impact Statement (STEP 2)

NYS DOT: Complete a Smart Growth Impact Statement (SGIS) below using the information from the Screening Tool.

Local Sponsors: The local sponsors are **not** responsible for completing a Smart Growth Impact Statement. Proceed to **Step 3**.

Smart Growth Impact Statement

PIN: 5512.52

Project Name: NYS Route 33, Kensington Expressway Project

Pursuant to ECL Article 6, this project is compliant with the New York State Smart Growth Public Infrastructure Policy Act. This project has been determined to meet the relevant criteria, to the extent practicable, described in ECL Sec. 6-0107. Specifically, the project:

- Advances the use, maintenance, or improvement of existing infrastructure
- Advances a project located in a municipal center
- Advances a project in developed areas or areas designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area
- Participates in community-based planning and collaboration
- Enables the reduction of automobile dependency and improves bicycle and pedestrian facilities
- Creates new greenspace and reduces GHG emissions.

This publically supported infrastructure project complies with the state policy of maximizing the social, economic and environmental benefits from public infrastructure development. The project will not contribute to the unnecessary costs of sprawl development, including environmental degradation, disinvestment in urban and suburban communities, or loss of open space induced by sprawl.

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Review & Attestation Instructions (STEP 3)

Local Sponsors: Once the Smart Growth Screening Tool is completed, the next step is to submit the project certification statement (**Section A**) to Responsible Local Official for signature. After signing the document, the completed Screening Tool and Certification statement should be sent to NYSDOT for review as noted below.

NYSDOT: For state-let projects, the Screening Tool and SGIS is forwarded to Regional Director/ RPPM/Main Office Program Director or designee for review, and upon approval, the attestation is signed (**Section B.2**). For locally administered projects, the sponsor's submission and certification statement is reviewed by NYSDOT staff, the appropriate box (**Section B.1**) is checked, and the attestation is signed (Section B.2).

A. CERTIFICATION (LOCAL PROJECT)

I HEREBY CERTIFY, to the best of my knowledge, all of the above to be true and correct.

Preparer of this document:

Signature

Date

Title

Printed Name

Responsible Local Official (for local projects):

Signature

Date

Title

Printed Name

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B. ATTESTATION (NYSDOT)

1. I HEREBY:

Concur with the above certification, thereby attesting that this project is in compliance with the State Smart Growth Public Infrastructure Policy Act

Concur with the above certification, with the following conditions (information requests, confirming studies, project modifications, etc.):

(Attach additional sheets as needed)

do not concur with the above certification, thereby deeming this project ineligible to be a recipient of State funding or a subrecipient of Federal funding in accordance with the State Smart Growth Public Infrastructure Policy Act.

2. **NOW THEREFORE**, pursuant to ECL Article 6, this project is compliant with the New York State Smart Growth Public Infrastructure Policy Act, to the extent practicable, as described in the attached Smart Growth Impact Statement.

NYSDOT Commissioner, Regional Director, MO Program Director,
Regional Planning & Programming Manager (or official designee):



Signature

01/24/2024

Date

Regional Design Engineer

Title

Sanjyot S. Vaidya

Printed Name