

I. EXECUTIVE SUMMARY

The following is brief summary of the contents of this report.

METHODOLOGY AND BACKGROUND

This report is concerned with the twenty-eight miles of Route 22 (also known as State Highway 5203) that runs from the Village of Brewster in the south to the Town of Dover in the north. In December of 2002, the Eastern Putnam Dutchess Planning Alliance, after receiving approval from its municipal members, asked the non-profit Consensus Building Institute (CBI) to conduct an impartial assessment of the issues surrounding the proposed expansion of a three mile section of New York State Highway Route 22. This Assessment is based on confidential, voluntary interviews with forty-three (43) individuals. Individual stakeholders also submitted letters and CBI held two public listening sessions.

The decision about whether or not to widen Route 22 may seem initially to some like a simple exercise in which design and engineering solutions can be applied to mitigate adverse economic, environmental, and aesthetic impacts. However, further investigation reveals a more complex picture of diverse and divergent interests, tension between local and regional concerns, multiple government jurisdictions, and differences among the Route 22 communities in economic development, planning, and vision of place.

The purpose of this assessment is:

- To provide a map of the various issues and concerns of Route 22 stakeholders.
- To clarify the challenges and alternatives for addressing those issues according to stakeholder perspectives, and
- To provide recommendations on whether and how alternative processes might help the parties to move forward with the issues at hand.

FINDINGS

Putnam County

- The elected officials and residents of Putnam county municipalities do not see the problems of Route 22 and their resolution uniformly. Yet, there is concurrence that the problems of traffic, economic and environmental impact, safety, and quality of life are critically important issues that must be dealt with efficiently and effectively.

- The Route 22 situation is the result of a two factors in the view of Putnam stakeholders. First, traffic is severely congested at certain points of the day throughout the north-south corridor. Interviewees agree that quantity of vehicles exceeds capacity, and many see an immediate need for addressing this traffic. Second, some Putnam interviewees feel that the land use system has not adequately responded to the impacts they are now facing, even with the Southeast moratorium on commercial development
- How to resolve the Route 22 dilemma is viewed differently. Many believe strongly that the traffic and environmental degradation can largely be addressed through good transportation engineering and innovative environmental technologies. Others believe that traffic and economic solutions cannot be considered separately from a region-wide effort to improve planning and zoning schemes. Still others prioritize safety and believe nothing should impede immediate traffic alleviation in the short term. Though these perspectives vary, there is agreement that the issues are complex and urgent, and must be addressed soon.

Dutchess County

- Dutchess County officials and residents share many of the same concerns about Route 22 with their sister communities to the south: traffic congestion, commuter delays, loss of rural community, and environmental degradation. Yet there is a key difference. Many in Dutchess are concerned that, by expanding Route 22, the problems in that corridor will be transplanted further north. A repeated phrase among interviewees was, “if they build [22], *they* will come.”
- Dutchess interviewees’ concerns are driven by a number of factors. First, Route 22 is increasingly used as method of traveling through Southeast to access work. The corridor ‘funnel’ is causing more and more traffic delays at peak hours – particularly in Southeast. If the 3-mile expansion goes forward, many worry that the ‘bottleneck’ will come farther north in a matter of years. Second, residential homeowners worry that development may destroy the very things they came to Dutchess County for -- cheaper housing and the rural town lifestyle. Whatever changes are in store, most are convinced that their quality of life would be negatively affected by Route 22 development.
- There also is a wide range of opinions about the link between Route 22 expansion and regional planning. While some resist the idea of

expanding Route 22, others believe regional growth is inevitable and can be managed well with proactive planning. Municipal officials emphasize that they have much to offer in terms of guidance, studies and knowledge, based on the successful experience of Pawling and Dover enacting land use regulations designed to protect the environment and allow for appropriate economic growth. As one Dutchess official described “growth is like getting older, there is not much you can do stop it, but with some thought, you can do it gracefully.”

- Finally, some Dutchess interviewees view the Route 22 debate as an opportunity to look at regional development patterns and come up with more protective zoning. They believe that an inter-municipal vision would help bridge the tension about whether and how to move forward on Route 22 issues.

Regional and State Government Agencies

- Collectively, regional and state government agencies with a stake in the future of Route 22 have a significant role in the decision making process. Among their primary interests are: public safety and effective transportation, land use impacts on water resources, habitat protection in the Route 22 corridor, and regional economic development.
- While each agency is charged to protect a specific resource(s) (and sometimes there is overlap) each has different methods of exercising its authority. For example, DEP and DEC must issue permits for specific actions; the Watershed Inspector General’s office can challenge any decision in response to DOT that the office thinks will damage the watershed; and the counties provide an important advisory and planning function.
- In terms of environmental protection, Route 22 and the proposed expansion present several interesting challenges for these agencies. First, the road does not currently have any storm water treatment facilities. Second, construction on the road could conceivably have a negative impact on the water supply reservoirs if not managed properly. Third, expansion of the road is a concern to water quality since it would increase impervious surfaces and potentially take buffer land adjacent to the reservoirs.

Non-Governmental Organizations

- Natural resource, water quality, quality of life, land use, and open space organizations share several common concerns: the environmental impacts of Route 22 expansion, construction and operations, and potential long-term impact on regional development. The Route 22 traffic issue was also noted, but the problem is not considered of equal severity or importance across organizations.
- Among these stakeholders, we heard in most interviews an outright rejection of the improvements proposed to-date for the expansion of the 3-mile section of Route 22. The reasons for this rejection are explained in this report. However, we also heard potential support, or at least acceptance, of the concept of addressing Route 22 traffic and safety issues. We did hear that a new alternative, if properly scoped and designed, with an emphasis on low impact approaches--with all measures taken to ensure water quality protection, and linked to broader regional planning issues – might be acceptable. We also heard strong interest in a more transparent, inclusive process for arriving at an alternative for the Route 22 improvements. Many non-governmental organizations (NGOs) requested a consensus-based, formal process for resolving issues on the proposed expansion of Route 22. Some expressed strong concern about using consensus-based processes to resolve these issues, raising concerns about fairness, inclusion of all relevant stakeholders, and the potential lack of heart-felt interest from all stakeholders in truly protecting natural resources and water quality.

Business and Development Interests

- Business and development stakeholders throughout the Route 22 corridor concur that the current traffic situation is negatively affecting commercial and development opportunities in the region. Nearly all interviewees share concern for loss of business, inconvenience and personal cost. Northern business interviewees stressed the need for traffic relief, while southern community stakeholders are primarily concerned with avoiding day-to-day business disruption both currently and during potential Route 22 expansion.
- Overall, there is a high degree of uncertainty and lack of knowledge about DOT's proposed plans. Interviewees suggested that a larger community vision is needed to resolve the dilemma between traffic congestion, impact on businesses, and appropriate future development in the region.

ANALYSIS AND RECOMMENDATIONS

In our best professional judgment, we do believe that there are opportunities for a potential range of efforts that can be helpful and would seek to:

- Help resolve differences regarding the 3-mile proposed expansion of Route 22 efficiently.
- Increase coordination of land use and transportation planning along the Route 22 corridor through the two counties and six local towns and villages.
- Increase communication and improve understanding among numerous organizations, governments, and citizens regarding a host of land use, transportation, economic development, and environmental issues.

Below we summarize the key problems as we understand, and our recommendations to address them. The elaborated recommendations begin on page 37.

Problem #1

- The Route 22 proposed expansion has been mired in controversy that has resulted in delay and impasse, leaving important environmental, traffic, public safety, and quality of life issues unaddressed.

Recommendation #1a

- *A Public Participation Process for NYDOT to Share and Obtain Feedback on the Improved EIS Alternatives.* Over the last year, DOT has obtained extensive feedback on the build alternatives proposed in the EIS as part of the NEPA/SEQRA process. However, DOT has not had the opportunity to share with the interested public how the agency will address the concerns and issues raised by citizens, organizations, municipalities, and agencies. Thus, as one recommendation, we suggest that DOT engage in an active, intensive, short-term public participation process to share their thinking with numerous “publics.”

Recommendation #1b

- *A Structured, Focused, and Outcome-Oriented Consensus Building Process Addressing the 3-mile Section of Route 22.* At this time, we do not believe we can accurately determine whether or not a citizen participation process as described in 1A will be sufficient to address major stakeholder concerns and adequately assist DOT in making a decision that is likely to be acceptable and implementable. Thus, a full-blown, structured, consensus building process (as described in this recommendation) may not be

necessary at this time. However, barring recommendation #1A, we do think that a formal structured process holds some promise.

Problem #2

- Given traditional land use planning and the importance of home rule to local communities, municipalities in the region do not have extensive experience with jointly addressing land use and environmental issues that extend beyond their borders. This more fragmented approach to planning and decision-making can lead to unintended economic, life style, and environmental consequences. Overcoming the barriers to inter-municipal coordination will help the multiple jurisdictions to identify and enact innovative land use solutions that meet each municipality's needs for growth and conservation, as well as those of the region.

Recommendation #2

- *A Putnam and Dutchess County LandUse and Environment Summit.* We think that a one to two-day summit would serve several purposes. It would: (1) provide all interested citizens throughout the area a similar "birds eye" view of the interconnected issues facing the region; (2) improve communication, understanding, and networking among diverse individuals, organizations, and levels of government; (3) increase the understanding of the complexity and interconnections of the issues facing the region; and (4) education about land use techniques and tools that can help balance the need for economic development and environmental protection.

Problem #3

- Given the proposed expansion of Route 22, there will be increasing traffic and development pressure on the reaches of Route 22 that extend north of the three mile section. This pressure will endanger the resource of the Great Swamp, further potentially degrade water quality, and possibly cause traffic congestion that will impair the local economy, the quality of life and the character of the more rural communities north of Southeast. There is currently no means to review and coordinate transportation, land use, and environmental planning across multiple jurisdictions.

Recommendation #3

- *A Putnam and Dutchess County mid-Corridor Route 22 Plan.* Given the success of the transportation planning effort sponsored by the Harlem Valley Partnership in conjunction with Dutchess County, we recommend that stakeholders consider a similar one to two-year planning effort. This effort would seek to accomplish the goals of (1) coordinating and improving an understanding of existing transportation, land use, and

environmental conditions, future goals and plans from diverse municipalities, organizations, citizens, and two counties, and, (2) developing joint actions that can ensure that the planning recommendations are actually implemented.