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SUPERVISOR'S COLUMN  
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**Safe roads are a high priority in Brighton, and over the years, our administration has worked with the New York State Department of Transportation (NYSDOT) to ensure that the many state roads within our community are in good repair and well maintained.**

**In addition to the Interstate highways that run through Brighton, Monroe Avenue, East Avenue, Browncroft Boulevard, East and West Henrietta Roads, and East River Road are major community thoroughfares owned and maintained by the state.**

**The most recent state road improvement project in our community involves “milling and filling” a portion of I-490 in Brighton and Pittsford. This maintenance method is a standard surface restorative practice that smoothes the road when deterioration occurs. The improvement typically lasts about 10 to 12 years. The judicious use of this cost-effective method reduces the frequency of much more costly road reconstruction that involves not just the road surface but its very foundation. A smoother road should reduce ambient noise levels for residents and wear-and-tear on vehicles from cracks in the road’s seams and potholes.**

**On January 11, 2008 the Brighton Town Board held a public hearing on the NYSDOT’s request for a waiver of the Noise Ordinance, which prohibits night construction work, for a mill and fill project on I-490 in Brighton and Pittsford during 2008. Neither the residents nor the Town objected to remediation of the road. Brighton residents spoke in opposition to the waiver because of the anticipated impact of night work on their quality of life, specifically regarding noise levels and concerns about potential damage to their homes. Representatives of the NYSDOT**

**advised the Town Board and residents that the Brighton section of the project could be jeopardized if the waiver was not approved to allow nighttime construction.**

**We made it clear that such threats and intimidation were unacceptable and counterproductive. Nonetheless, the NYSDOT announced the following day that it was removing the Brighton segment of the project, despite the state's authority to supersede a local noise ordinance.**

**To resolve this stalemate, I sought a compromise solution. NYSDOT indicated that nighttime construction is preferred based upon greater safety for construction workers and less traffic congestion, despite day work being less expensive. Unfortunately, the fact that road surface improvement would likely result in moderately reduced ambient noise levels was not presented by the NYSDOT representatives at the public hearing, and thus was not included among the issues considered by the residents in the interest of reaching a mutually agreeable solution.**

**I presented this new information to the spokesperson of the Kirk-Astor and Buffard-Cromwell neighborhood association. In an effort to reach an amicable solution, he accepted the nighttime construction plan if NYSDOT met the neighbors' conditions.**

**These conditions include several noise abatement measures and prohibition of vibratory compaction. Pre- and post-construction noise level surveys will be used by the NYSDOT, municipalities and residents to evaluate future road construction projects.**

**NYSDOT has agreed to provide homeowners, upon request, pre-construction photographic structural surveys in the Buffard-Cromwell and Kirk-Astor neighborhood. The survey will establish an independent record as to the condition of the homes and assist in reimbursement by NYSDOT or the contractors' insurance carrier in the event of consequential damage.**

**This mutually acceptable outcome moderates the impact on residents' quality of life during construction, anticipates a modest reduction in ambient road noise for several years, and provides protective measures for insurance recovery by homeowners in the event of structural damage related to the construction. The community will have an improved highway with less impact on the traveling public and greater safety for construction workers.**