

5399

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. SPANO -- read once and referred to the Committee
on Transportation

AN ACT to amend the transportation law, in relation to providing for the
erection of a sound barrier to abate highway generated noise on a
section of the Sprain Brook parkway

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 70 of the transportation law is amended by adding a
2 new subdivision 4 to read as follows:
3 4. THE COMMISSIONER SHALL PROVIDE FOR THE TIMELY CONSTRUCTION AND
4 ERECTION OF ONE OR MORE PHYSICAL BARRIERS ON THE SOUTHBOUND SIDE OF THE
5 SPRAIN BROOK PARKWAY BEGINNING FROM THE STATE MAINTENANCE FACILITY ON
6 WEST GRASSY SPRAIN ROAD AND RUNNING THENCE SOUTHERLY TO THE TUCKAHOE
7 ROAD EXIT AND ON THE NORTHBOUND SIDE OF THE SPRAIN BROOK PARKWAY BEGIN-
8 NING FROM PALMER ROAD AND RUNNING THENCE NORTHERLY TO CENTRAL AVENUE IN
9 THE CITY OF YONKERS, TO EFFECTIVELY SCREEN THE SOUND OF MOTOR VEHICLES
10 AND ABATE HIGHWAY GENERATED NOISE FROM SUCH LOCATIONS. THE CONSTRUCTION
11 OF SUCH PHYSICAL BARRIERS SHALL, TO THE EXTENT PRACTICABLE, BE CONSIST-
12 ENT WITH THE RECOMMENDATIONS OF DEPARTMENT OF TRANSPORTATION PROJECT
13 REPORT D010268, PIN S060.02.101.
14 (A) THE PHYSICAL BARRIERS AUTHORIZED BY THIS SUBDIVISION TO BE
15 CONSTRUCTED ON THE SOUTHBOUND SIDE OF THE SPRAIN BROOK PARKWAY SHALL
16 INCLUDE CONSTRUCTION OF:
17 (I) A THREE THOUSAND ONE HUNDRED THIRTY FEET LONG AND SIXTEEN FEET
18 HIGH PHYSICAL BARRIER BETWEEN THE SOUTHERN END OF SPRAIN RIDGE PARK AND
19 TUCKAHOE ROAD,
20 (II) A ONE THOUSAND FIVE HUNDRED THIRTY FEET LONG AND SIXTEEN FEET
21 HIGH PHYSICAL BARRIER BETWEEN THE ROUTE ONE HUNDRED INTERCHANGE AND THE
22 PALMER ROAD OVERPASS, AND

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (III) A ONE THOUSAND EIGHT HUNDRED FORTY FEET LONG AND TWELVE FEET
2 HIGH TWO-BARRIER SYSTEM BETWEEN THE PALMER ROAD OVERPASS AND DEWITT
3 AVENUE; AND

4 (B) THE PHYSICAL BARRIERS AUTHORIZED BY THIS SUBDIVISION TO BE
5 CONSTRUCTED ON THE NORTHBOUND SIDE OF THE SPRAIN BROOK PARKWAY SHALL
6 INCLUDE CONSTRUCTION OF:

7 (I) AN EIGHT HUNDRED SIXTY FEET LONG AND FOURTEEN FEET HIGH PHYSICAL
8 BARRIER BETWEEN DEWITT AVENUE AND KIMBALL ROAD,

9 (II) A THREE THOUSAND FIVE HUNDRED FORTY FEET LONG AND SIXTEEN FEET
10 HIGH PHYSICAL BARRIER BETWEEN PALMER ROAD AND THE ROUTE ONE HUNDRED
11 INTERCHANGE,

12 (III) A ONE THOUSAND NINE HUNDRED NINETY FEET LONG AND TWENTY-TWO FEET
13 HIGH PHYSICAL BARRIER BETWEEN THE ROUTE ONE HUNDRED INTERCHANGE AND
14 TUCKAHOE ROAD,

15 (IV) A SIX THOUSAND FOUR HUNDRED SIXTY FEET LONG AND TEN FEET HIGH
16 PHYSICAL BARRIER BETWEEN TUCKAHOE ROAD AND WINCHESTER DRIVE,

17 (V) A TWO THOUSAND ONE HUNDRED NINETY FEET LONG AND FOURTEEN FEET HIGH
18 PHYSICAL BARRIER BETWEEN WINCHESTER DRIVE AND JENNIFER LANE, AND

19 (VI) A ONE THOUSAND THREE HUNDRED EIGHTY FEET LONG AND SIXTEEN FEET
20 HIGH PHYSICAL BARRIER SOUTH OF JACKSON AVENUE.

21 S 2. This act shall take effect immediately.