



# NOTICE OF PUBLIC HEARING

TO BE HELD BY THE  
TOWN BOARD  
OF THE TOWN OF NISKAYUNA

**NOTICE IS HEREBY GIVEN** that pursuant to Title II of the Americans with Disabilities Act (ADA), a public hearing will be held by the Town Board of the Town of Niskayuna in the Town Board Meeting Room at One Niskayuna Circle on the twenty second (22nd) day of October, 2019 at 7:00 p.m. on the Town of Niskayuna's proposed ADA Transition Plan for Pedestrian Facilities within the Public Right-of-Way ("ADA Transition Plan"). A presentation by the Town Planner of the plan will be given at that time.

The primary purpose of the proposed ADA Transition Plan is to identify existing barriers to accessibility within the public right-of-ways (sidewalks, curb ramps, shared use paths), detail how the Town will prioritize and remove barriers to accessibility, and provide a means for addressing complaints of discrimination under the ADA regarding accessibility of public facilities within the public right-of-ways by identifying the Town of Niskayuna's ADA Coordinator.

Comments may be submitted in writing through October 22, 2019, or made in person at the public hearing. Written comments may be emailed to [akim@niskayuna.org](mailto:akim@niskayuna.org) or addressed to Alexis Kim, Deputy Town Attorney, One Niskayuna Circle, Niskayuna, New York, 12309 (the proposed ADA Coordinator).

A copy of the proposed ADA Transition Plan will be available for inspection at the Town Clerk's office located at the Town Hall, on the Town's website, and at the public hearing.

All parties in interest and residents will be given an opportunity to be heard by the Town Board at the public hearing to be held as aforementioned. Upon request directed to the Deputy Town Attorney at least 48 hours before the public hearing, the Town of Niskayuna will provide reasonable accommodations to afford those who may have a disability with access and admission to the public hearing.

**BY ORDER** of the Town Board of the Town of Niskayuna, New York.

Michele M. Martinelli  
Town Clerk  
Town of Niskayuna

Dated:[UPDATE], 2019

# **Town of Niskayuna**

## **ADA Transition Plan for Pedestrian Facilities within the Public Right-of-Way:**



Proposed: September 24, 2019

Adopted: XXXX, XX, 2019

Effective: XXXX, XX, 2019

## **1. Introduction**

The purpose of the ADA Transition Plan is to ensure that the Town of Niskayuna creates reasonable, accessible paths of travel on sidewalks, shared use paths, and curb ramps in the public right-of-way for everyone, including individuals with disabilities.

The ADA Transition Plan identifies barriers of accessibility for individuals with disabilities and prioritizes improvements that are to be made throughout the Town of Niskayuna to increase ADA compliance of public facilities. This plan also outlines the plans, policies, and programs necessary to enhance the overall pedestrian accessibility.

## **2. Legal Requirements**

The Americans with Disabilities Act (ADA), enacted in 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. Under the ADA, people with disabilities are entitled to all of the rights, privileges, advantages, and opportunities that others have when participating in civic activities.

ADA regulations prohibit discrimination against individuals on the basis of disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities—designing and constructing pedestrian facilities in the public right-of-way that are not usable by people with disabilities may constitute discrimination under the ADA.

Title II of the ADA specifically applies to "public entities," (such as the state and local governments with 50 or more employees) and the programs, services, and activities they deliver. Title II, Article 8 of the ADA requires public entities to take several steps designed to achieve ADA compliance.

One required step is the development of an **ADA Transition Plan**, which at a minimum, must include:

- (1) A list of the physical barriers and their locations in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- (2) A detailed outline of the methods to be utilized to remove the identified barriers and make the facilities accessible;
- (3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- (4) Indicate the official responsible for implementation of the plan.

The ADA Transition Plan provides a method for the Town of Niskayuna to schedule and implement ADA required improvements to existing streets and sidewalks within the public right-of-way.

### **3. Identifying Barriers to Accessibility**

This ADA Transition Plan considers (i) sidewalks, (ii) curb ramps, and (iii) shared use paths as *potential* physical barriers that limit the accessibility of the Town of Niskayuna's programs, activities, or services to individuals with disabilities if they not constructed or maintained in compliance with ADA standards.

**Sidewalks** are located in a public right-of-way and typically are parallel to a roadway. Sidewalks are designed for pedestrians and are not designed for bicycles or other recreational purposes. Without sidewalks, public rights-of-way are inaccessible to all pedestrians, including people with disabilities.

A **curb ramp** is a sloped or angled section of a curb providing sidewalk access to those with impaired mobility. Installing a curb ramp at every intersection is necessary for the independence and safety of a wheelchair-bound individual. Without a curb ramp, these individuals are unable to cross streets by themselves

**Shared use paths** are a type of trail designed to be part of a transportation system, providing off-road routes for a variety of users. Shared use paths, unlike most sidewalks, are physically separated from streets by an open space or barrier. While they may coincidentally provide a recreational experience, shared use paths differ from other types of trails because they are designed primarily for transportation purposes.

When constructed or installed correctly, sidewalks, curb ramps, and shared use paths are not a barrier to accessibility at all. In fact, they are the means through which great accessibility is provided to everyone.

### **3.1.Inventory and Rating**

In order to determine whether a sidewalk, curb ramp, or shared use path constitutes a physical barrier to accessibility, the Town of Niskayuna completed a condition inventory and assessment of existing sidewalks, curb ramps, and shared use paths in 2019.<sup>1</sup> The Town prepared and utilized evaluation forms for sidewalks, curb ramps, and shared use paths, attached hereto as **Appendix A**.

Utilizing data from this inventory, a GIS data layer with 2019 conditions is now included in the Town's GIS database. A map of existing sidewalk, curb ramps, and shared use path conditions can be found in **Appendix B**.

#### **3.1.1. Rating of Sidewalks**

A tiered rating system from 1-4 provided a methodologically robust inventory of sidewalk conditions within the Town of Niskayuna. The rating system utilized for purpose of the Town's ADA Transition Plan was used as a tool to identify problem areas within the Town, as areas with many low scoring sidewalks are interest areas for the Town to bring up to ADA standards. The table below shows the general guidelines surrounding the rating scale, and the sidewalk condition evaluation form can be viewed in **Appendix A (Form 1)**.

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<sup>1</sup> The Mohawk-Hudson Bikeway was not included in the Town's inventory. In the past, the Town has funded improvements of the Mohawk-Hudson Bikeway through grants and intends to do so into the future. This will provide a continuous source of funding for improvements outside the scope of this Plan.

The Town also determined that it was not necessary to conduct a separate crosswalk condition inventory because necessary improvements to crosswalks with respect to ADA compliance will be evaluated and implemented during the construction and alteration phase of each block.

*Table 1: Sidewalk Rating Scale*

| <b>Rating</b> | <b>Guideline</b>   |
|---------------|--|
| 0             | Not rated.   |
| 1             | Not accessible. Accessibility for persons with disabilities is impossible or very difficult. |
| 2             | Partially accessible. Accessibility is possible, but there are problems.                     |
| 3             | Accessible. May need additional improvements.  |
| 4             | Fully accessible to current standards.   |

### **3.2. Rating of Shared Use Paths**

The system used to inventory shared use paths in the Town of Niskayuna also includes a tiered rating system from 1-4. The rating system was produced using the U.S. Access Board Proposed Technical Provisions Applicable to Shared Use Paths, which provided the minimum requirements for shared use paths to meet ADA Standards. The tiered rating system was based upon the number of issues for which a block of shared use path did not meet the minimum ADA requirements. This inventory assists the Town in identifying which shared use paths need to be improved to meet ADA Standards. The table below provides information on the tiered rating system, and the shared use path evaluation form can be viewed in **Appendix A (Form 2)**.

*Table 2: Shared Use Path Rating Scale*

| <b>Rating</b> | <b>Guidelines</b>                                     |
|---------------|---|
| 0             | Not rated.  |
| 1             | 6-7 issues that do not meet minimum ADA requirements. |
| 2             | 4-5 issues that do not meet minimum ADA requirements. |
| 3             | 1-3 issues that do not meet minimum ADA requirements. |
| 4             | Meets all ADA minimum requirements.                   |
|               |   |

### 3.3.Rating of Curb Ramps

The system used to inventory existing curb ramp conditions in the Town of Niskayuna uses a points-based system. For each characteristic of a curb ramp that did not meet ADA requirements, a point was given. All points for each curb ramp in an intersection were then totaled. Therefore, intersections with the highest number of points were identified as being the highest priority.

To evaluate curb ramp condition, a form was produced using the U.S. Access Board Technical Guide chapter on Ramps and Curb Ramps and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), ensuring that all curb ramps deemed compliant are aligned with the 2010 ADA Standards of the Department of Justice (DOJ).

This reference form provides information on the minimum requirements for different situations and types of curb ramps to meet ADA Standards, while the evaluation form provided space for data to be recorded. This inventory will assist The Town to identify and prioritize which curb ramps need to be improved to meet ADA Standards. The curb ramp reference form and evaluation form can be both viewed in Appendix A (Forms 3 and 4).

### 3.4. Summary of Sidewalk, Shared Use Path, and Curb Ramp Ratings

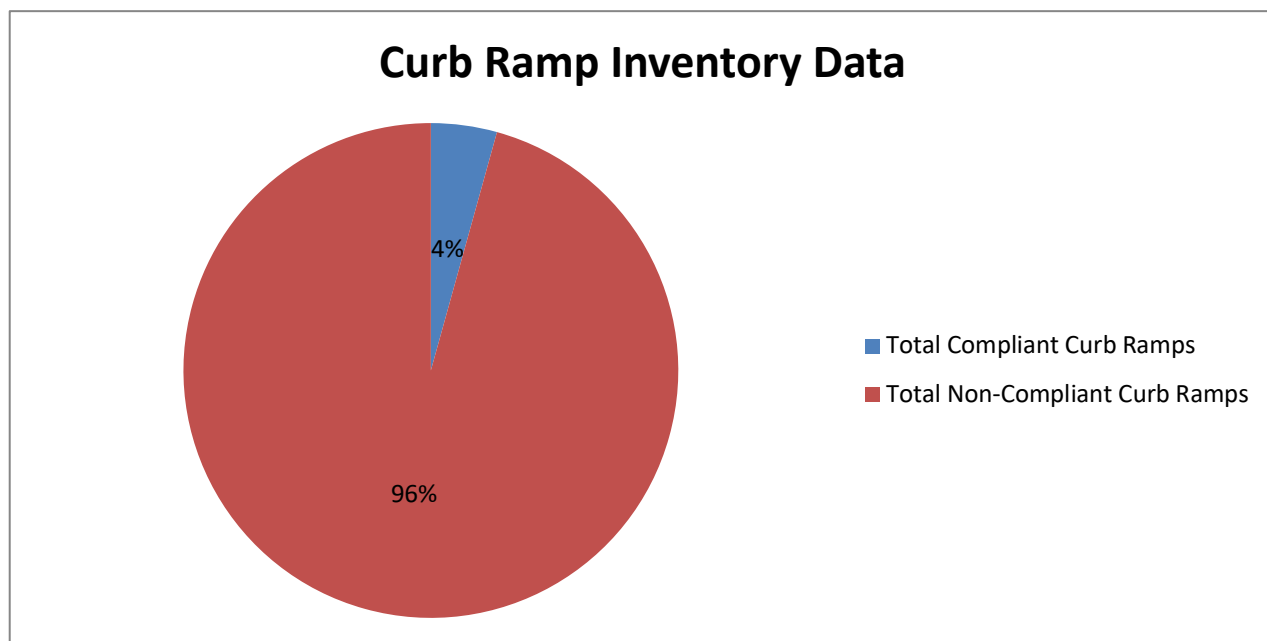
The Town of Niskayuna has 9.66 miles, or 30.6% of sidewalk or shared use path rated a “1” or a “2”. These sidewalks are either not accessible or partially accessible to persons with disabilities and are therefore priorities for improvements.

| Rating      | Total Length (mi) | Total Length (ft) | Total Length (%)  |
|-------------|-------------------|-------------------|-------------------|
| 0           | 9.65              | 50,978.29         | 30.6 <sup>2</sup> |
| 1           | 2.86              | 15,076.61         | 9.1               |
| 2           | 6.80              | 39,900.85         | 21.5              |
| 3           | 11.62             | 61,354.27         | 36.8              |
| 4           | 0.64              | 3,393.99          | 2.0               |
| Grand Total | 31.57             | 170,704.01        | 100               |

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<sup>2</sup> A large portion of unrated sidewalk and shared use path (9.65 miles) is attributed to the Mohawk-Hudson Bikeway.

The chart below shows the percentage of ADA compliant and non-compliant curb ramps in the Town of Niskayuna. Overall, the vast majority of curb ramps in the Town are **not** ADA compliant. For this reason, the Town used a point-based system to determine which curb ramps are the Town’s highest priority.



#### **4. Removing Barriers to Accessibility**

The primary focus of this ADA Transition Plan is to address all the noncompliant ADA facilities in the public right-of-way. On the tiered rating system for sidewalks and shared use paths, this means all sidewalks and shared use paths with a rating of “1” or “2”. With respect to curb ramps, a point-based system was utilized. Curb ramps in the public right-of-way that are not in compliance with the ADA will be given priority. Multiple factors were considered when prioritizing sidewalk, curb ramp, and shared use path improvements, including: (1) sidewalk rating/shared use path rating/curb ramp points; (2) areas in the public right-of-way within one half mile of publicly accessible government facilities (including schools and parks); (3) sidewalk width, grade, and cross slope; and (4) location along a State roadway. The priority list of blocks can be found in **Appendix C**.

The Town’s intent is to make all aspects of each block compliant when performing construction and alterations. This includes the sidewalk or shared use path, curb ramps, and crosswalks.



Additionally, the Town intends to adopt a policy that when alterations to a roadway are made by the Town, the Town will improve pedestrian facilities within the roadway that are not ADA compliant.

#### **4.1.New Construction and Alteration**

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alteration, the Town of Niskayuna, through the adoption of this ADA Transition Plan, will look to the *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities* (ADAAG) ([www.access-board.gov](http://www.access-board.gov)) as supplemented by the 2011 *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (PROWAG) (collectively, the “ADA Guidelines”).

These sources are the regulatory standards that govern the design and construction of all pedestrian facilities in all Town of Niskayuna projects. It is important to note that in alteration projects, whenever pedestrian facilities cannot fully meet the standards outlines in the ADA Guidelines, a determination of each structural implacability or technical infeasibility must be thoroughly documented in the project record by the Town.

There are three jurisdictional entities with rights-of-way in the Town of Niskayuna. These entities are the State of New York, Schenectady County, and the Town of Niskayuna.

In accordance with the *Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing* (<https://www.ada.gov/doj-fhwa-ta.htm>) – when pedestrian walkways intersect a curb, but no curb ramp exists the entity facilitating the roadway alteration is responsible for the provision of a curb ramp. The same principle exists if a public entity is undertaking a roadway alteration project that requires the removal of other pedestrian facilities, such as sidewalks. If the facility is removed it must be reinstalled and conform to the most current accessibility standards.

## **5. Schedule of Completion of Improvements and Cost Estimates**

### **5.1.Schedule of Completion**

The Town of Niskayuna's commitment to improving the accessibility of public facilities is demonstrated by the prioritization of areas in the public right-of-way for improvement. Based upon current conditions and available funding, the Town intends to address all identified deficiencies **within a 35-year period.**

The Town is responsible for the improvement of the facilities identified in the list found in Appendix C of this Plan. However, as previously discussed in this report, if another jurisdiction is undertaking alterations of a roadway, that agency is responsible for the replacement of removed pedestrian facilities or for the construction of a curb ramp to the adjacent sidewalk if one does not exist.

The Town's ADA Transition Plan requires continued review and must be revised and/or updated over this 35-year period. The Town will, at a minimum, review and update the ADA Transition Plan on a seven (7) year cycle. Therefore, the Town has developed a 7-year implementation plan to address deficiencies for the time period 2020 – 2027 –Attached hereto as **Appendix D.**

Nothing contained in this implementation plan would in any way prevent the Town of Niskayuna from modifying the implementation schedule, nor prevent the Town from altering the seven-year review cycle. Members of the public that wish to see changes made to the plan are encouraged to submit their comments and concerns, in writing, to the ADA Coordinator (identified in Section 6) to consider including during the next update.

The Town has prepared a list of blocks for improvement of non-compliant facilities (**Appendix C**). However, the Town should take advantage of regular capital improvement projects or private development to upgrade deficient sidewalks, shared use paths, and curb ramps, if occurring adjacent to those facilities. The Town will also coordinate with New York State Department of Transportation (NYSDOT) capital improvement schedule to replace or upgrade non-compliant curb ramps along State highways.

## **5.2. Cost Estimates**

The Town estimates that the cost of the 7-year implementation plan will be \$89,000 per year between 2020 – 2027. This cost estimate for the Town was derived from Capital District Transportation Committee (CDTC) cost estimates of recent bike-pedestrian projects

(<https://www.cdtempo.org/images/tip/2019tipupdate/Bike-PedCosts.pdf>). These cost estimates include all expected engineering, supervision, and contingency costs.

Unfortunately, like many municipalities, funding for street projects is limited and often doesn't provide enough money to complete as many projects as desired. This makes it difficult to dedicate significant sums of money solely towards replacing or improving sidewalks and curb ramps. Therefore, the Town of Niskayuna plans to apply for funding to assist in making these areas accessible. Programs the Town plans to apply to include but are not limited to the Transportation Improvement Program (TIP) through CDTC and Transportation Alternatives funding under the FAST (Fixing America's Surface Transportation) Act. The Town has identified the Grand Boulevard Corridor as a top priority project for grant funding and will try to secure funding for it during the initial 7-year implementation cycle.

Furthermore, NYSDOT undertakes on-going road maintenance and alterations and has an ADA Transition Plan. In their plan, NYSDOT identified specific sections of sidewalk and curb ramps not yet improved to fully achieve ADA accessibility. This list can be found here: (<https://www.dot.ny.gov/programs/adamanagement/ada-transition-plan/appendices>). Since NYSDOT completed their inventory in 2008 and used a slightly different rating scale than the Town, there are some differences in the lists of blocks needing to be improved. However, for the purposes of this Plan, the Town assumes that any areas of sidewalk included on the list in Appendix B of the NYSDOT ADA Transition Plan will be improved by NYSDOT. Therefore, the Town has removed those blocks from the sidewalk prioritization list. The list of removed blocks can be found in Appendix C. Should changes be made to the NYSDOT ADA Transition Plan affecting these areas of sidewalk, the Town will make appropriate changes to its Plan.

In addition, for the purposes of this ADA Transition Plan, areas lacking the provision of curb ramps in state rights-of-way will be identified in this Plan as being undertaken by NYSDOT. The improvement of these facilities will correspond to the approved NYSDOT capital improvement program.

## **6. ADA Coordinator**

Public entities that have 50 or more employees are required to have a grievance procedure and to designate at least one responsible employee to coordinate ADA compliance. The ADA

Coordinator's role is to coordinate the government entity's efforts to comply with the ADA and investigate any complaints that the entity has violated the ADA. The Coordinator serves as the point of contact for individuals with disabilities to request auxiliary aids and services, policy modifications, and other accommodations or to file a complaint with the entity; for the general public to address ADA concerns; and often for other departments and employees of the public entity. The Town of Niskayuna ADA Coordinator is:

**Name:** Alexis Kim,  
**Title:** Deputy Town Attorney  
**Phone:** 518-386-4516  
**Email:** [akim@niskayuna.org](mailto:akim@niskayuna.org)  
**Address:** 1 Niskayuna Circle, Niskayuna, NY 12309

The ADA Coordinator may change throughout the 35-year life of this ADA Transition Plan—in the event that the ADA Coordinator changes before the ADA Transition Plan is updated (7 year cycle), the Town of Niskayuna will be sure to notify the public of this change.

## **7. Public Input**

The Town of Niskayuna recognizes that public participation is an important component in the development of this ADA Transition Plan. Input from the public has been gathered and used to help define priority areas for improvements within the Town of Niskayuna. Public outreach for preparation of this document has consisted of the following activities:

- A presentation was made to the Town Board on March 26, 2019 regarding the need for a Interim ADA Transition Plan
- The Town Board called for a public hearing on the proposed ADA Transition Plan on October 22, 2019 at 7:00PM. Prior to the meeting, the proposed plan was provided to the public on the Town of Niskayuna's Town Board's website.
- Copies of the ADA Transition Plan have been made available upon request at the Town Hall.
- The ADA Transition Plan was also been made available on the Town's website at [UPDATE]
- The ADA Coordinator reviewed the public comments received [UPDATE]

- The Town Board discussed and opened a [REVIEW PERIOD (IN DAYS)]-day review period, beginning on [MONTH/DAY/YEAR], before the adoption of the ADA Transition Plan.

All comments received from the public can be viewed in **Appendix E**.

## **8. Public Notice and Complaint/Grievance Process**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities with regard to ADA compliance. A draft of this public notice is provided in **Appendix F**.

The public complaint process is an integral part of this ADA Transition Plan. Public complaints or requests may often drive the prioritization of improvements. Those wishing to file a complaint or a request regarding accessibility of public facilities in the Town's right-of-way should contact the ADA Coordinator, in writing, electronically or by another alternative means to accommodate those persons with disabilities. The grievance form can be found in **Appendix G**.

The complaint should be submitted no later than 60 calendar days from the date of the alleged violation. Within 15 calendar days the ADA Coordinator will meet or contact the complainant to discuss possible resolutions. Following this meeting or contact with the ADA Coordinator, the ADA Coordinator will respond, within 15 calendar days, in writing and/or by an alternative means to accommodate the complainant. This response will explain the position of the Town and offer substantive resolutions to the complaint. If within 15 calendar days, the complainant is not satisfied with the determination and resolution by the Town, the complainant may file an appeal with the Town Supervisor or their designee. Within 15 calendar days from the receipt of the appeal, the Town Supervisor will meet or contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days from the meeting or contact the Town Supervisor will respond in writing to the complainant with a final resolution on the complaint. All documents related to complaints related to the ADA Transition Plan must be retained by the Town for a period of at least three years.

## **9. Progress Monitoring and Transition Plan Management**

This ADA Transition Plan is considered to be a living document that will continue to be updated as conditions within the Town evolve. The Town of Niskayuna recognizes that ADA compliance is an ongoing responsibility which will require monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Coordinator will establish an on-going monitoring/inspection program or process to ensure that facilities continue to comply with ADA requirements. Town of Niskayuna employees will also be encouraged to report any accessibility concerns or deficiencies that are identified to the ADA Coordinator.

The Town of Niskayuna is committed to providing accessibility within its public spaces and will use this ADA Transition Plan as a guide to evaluate and update its public spaces with the goal that they should serve everyone equally.

## **10. Formal Adoption of ADA Transition Plan**

This ADA Transition Plan or, updated ADA Transition Plan is hereby adopted by the Agency Name, effective \_\_\_\_\_ of 2019.



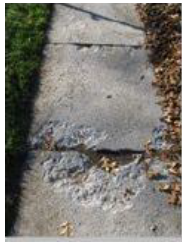
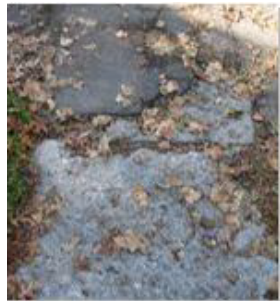
[Signature of ADA Coordinator and Town Supervisor]

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## Appendix A – Condition Evaluation Form

### Sidewalk Condition Evaluation – Form 1

| Surface Rating  | Visible Distress  | Examples  |
|---|---|---|
| <b>4</b><br><br><i>Fully accessible to current standards.</i>   | <ul style="list-style-type: none"> <li>Does not require maintenance</li> <li>Less than 1/8" vertical edge</li> <li>Little or no depressed or raised areas</li> <li>No cracked cement concrete squares</li> <li>No spalling of concrete surface or raveling of bituminous surface</li> <li>No horizontal separation</li> <li>No debris/vegetation</li> </ul>   |    |
| <b>3</b><br><br><i>Accessible. May need additional improvements.</i>  | <ul style="list-style-type: none"> <li>Generally minor maintenance problems</li> <li>Vertical edge between 1/8" and 1/4"</li> <li>0-1" raised/depressed</li> <li>No more than 3 cracked squares of cement concrete</li> <li>Less than 25% spalled concrete surface or bituminous surface</li> <li>Less than an inch of horizontal separation</li> <li>Less than 25% covered by debris/vegetation</li> </ul>   |    |
| <b>2</b><br><br><i>Partially accessible. Accessibility is possible, but there are problems.</i>                     | <ul style="list-style-type: none"> <li>Major maintenance issues</li> <li>Vertical edge between 1/4" and 1/2"</li> <li>1-2" raised/depressed</li> <li>No more than 4 cracked squares or cement concrete</li> <li>25-50% spalled concrete surface or raveled bituminous surface</li> <li>Less than 1-1.5" of horizontal separation</li> <li>25-50% covered by debris/vegetation</li> </ul>  |   |
| <b>1</b><br><br><i>Not accessible. Accessibility for persons with disabilities is impossible or very difficult.</i> | <ul style="list-style-type: none"> <li>Sidewalk may be failing</li> <li>Major maintenance issues</li> <li>Significant aging</li> <li>Vertical edge greater than 1/2"</li> <li>Greater than 2" raised/depressed</li> <li>More than 4 cracked squares of concrete</li> <li>More than 50% spalled concrete surface or raveled bituminous surface</li> <li>More than 1.5" of horizontal separation</li> <li>More than 50% covered by debris/vegetation</li> </ul> |  |
| Minimums for ADA Compliance   | <ul style="list-style-type: none"> <li>Width less than 4.0 ft. (or 5.0 ft. without passing areas)</li> <li>Grade more than 5.0%</li> <li>Cross Slope more than 2.0%</li> </ul>  | Width: _____<br><br>Grade: _____<br><br>Cross Slope: _____                            |

**Evaluator & Date** \_\_\_\_\_

**Road Name & Side of Road** \_\_\_\_\_

**Rating** \_\_\_\_\_

**Photo Taken?** \_\_\_\_\_

**Comments on Condition**

\_\_\_\_\_



## Appendix A – Condition Evaluation Form

### Shared Use Paths Evaluation - Form 2

| Criteria                           | Minimum Standard   |
|------------------------------------|--|
| Grade                              | <ul style="list-style-type: none"><li>• <i>Within Street or Highway Right-of-Way</i> – grade shall not exceed the general grade established for the adjacent street or highway</li><li>• <i>Not Within Street or Highway Right-of-Way</i> – maximum grade 5.0%</li></ul> |
| Cross Slope                        | <ul style="list-style-type: none"><li>• Maximum 2.0%</li><li>• <i>Pedestrian Street Crossing Without Yield or Stop Control</i> – maximum 5.0%</li></ul>  |
| Surfaces                           | <ul style="list-style-type: none"><li>• Firm, stable, and slip resistant</li><li>• Vertical alignment is planar</li><li>• Grade breaks flush</li></ul>   |
| Vertical Surface Discontinuities   | <ul style="list-style-type: none"><li>• Maximum 0.5 inches</li><li>• If between 0.25 inches and 0.5 inches then leveled with slope not steeper than 50%</li></ul>  |
| Horizontal Openings                | <ul style="list-style-type: none"><li>• Shall not permit passage of a sphere more than 0.5 inches in diameter</li></ul>  |
| Flangeway Gaps                     | <ul style="list-style-type: none"><li>• Maximum 2.5 inches on non-freight rail track</li><li>• Maximum 3 inches on freight rail track</li></ul>  |
| Objects                            | <ul style="list-style-type: none"><li>• Objects shall not overhang or protrude into any portion of a shared use path at or below 2.4 meters measures from the finish surface</li></ul>   |
| Curb Ramps and Blended Transitions | <ul style="list-style-type: none"><li>• Shall be equal to the width of the shared used path</li></ul>  |
| Detectable Warning Surfaces        | <ul style="list-style-type: none"><li>• Shall extend 2.0 feet minimum in the direction or pedestrian travel</li><li>• At curb ramps and blended transitions shall extend the full width of the ramp run (excluding side flares)</li></ul>                                |

Evaluator & Date

Shared Use Path Location

Rating

Photo Taken?

## Appendix A – Condition Evaluation Form

### Curb Ramp – Evaluation Factors and Standards – Form 3

| Criteria   | Minimum Standard   |
|--|--|
| Top Landing  | <ul style="list-style-type: none"> <li>As wide as ramp - 36" minimum</li> </ul>  |
| Top Landing Slope – Perpendicular Accessible Route | <ul style="list-style-type: none"> <li>1:48 maximum slope measured parallel to the running slope</li> </ul>  |
| Top Landing Slope – Parallel Accessible Route      | <ul style="list-style-type: none"> <li>1:20 maximum slope</li> </ul>   |
| Side Flare Slope                                   | <ul style="list-style-type: none"> <li>Side flare is not required</li> <li>If there is a side flare - 1:10 maximum slope</li> <li>If top landing space is not available, then slope maximum is 1:12</li> </ul>   |
| Curb Ramp Slope                                    | <ul style="list-style-type: none"> <li>Running slope – 1:12 maximum</li> <li>If space is limited running slope can be 1:10 maximum (6" rise) or 1:8 maximum (3" rise)</li> <li>Cross Slope – 1:48 maximum</li> </ul>                                       |
| Sides of Curb Ramps                                | <ul style="list-style-type: none"> <li>Can have returned sides but top landing is required</li> </ul>  |
| Built-up Curb Ramps                                | <ul style="list-style-type: none"> <li>Cannot project in parking spaces, access aisles, or vehicle traffic lanes.</li> <li>Top landing at least 36" deep is required</li> <li>Side flares are recommended (1:10 slope maximum) but not required</li> </ul> |
| Parallel Curb Ramps                                | <ul style="list-style-type: none"> <li>Level landing 48" long minimum (60" preferred)</li> <li>Slope into landing is 1:12 maximum</li> </ul>   |

## Appendix A – Condition Evaluation Form

| Criteria                    | Minimum Standard   |
|-----------------------------|--|
| Curb Ramps at Intersections | <ul style="list-style-type: none"> <li>• Must be wholly contained within the crosswalk, excluding side flares</li> <li>• Must be oriented so that the grade break is perpendicular to the curb ramp run.</li> <li>• Curb ramp opening can be aligned with the curb line or more directionally oriented to the crosswalk</li> </ul>           |
| Diagonal Curb Ramps         | <ul style="list-style-type: none"> <li>• Clear space 48” long minimum available at bottom and is outside active vehicle traffic lanes and located within marked crossings</li> <li>• A segment of curb at least 24” long beyond side flares must be provided on both sides of curb ramps with side flares within marked crossings</li> </ul> |
| Raised Crossings            | <ul style="list-style-type: none"> <li>• 36” minimum width</li> <li>• If in place, then it is not necessary to have a curb ramp</li> </ul>   |
| Islands                     | <ul style="list-style-type: none"> <li>• 48” minimum long separation between curb ramps</li> <li>• If islands will not accommodate separation, a level cut-through is an alternative (36” minimum width)</li> </ul>  |
| Detectable Warnings         | <ul style="list-style-type: none"> <li>• Dark/light contrast with adjacent walking surface</li> <li>• Full width of run</li> <li>• 24” minimum from back of curb</li> <li>• See guidelines for dome spacing and dome size</li> </ul>   |

## Appendix A – Condition Evaluation Form

### Curb Ramp – Evaluation Input Form 4

#### **Curb Ramp 1**

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

#### **Curb Ramp 2**

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

#### **Curb Ramp 3**

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

## Appendix A – Condition Evaluation Form

### Curb Ramp 4

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

### Curb Ramp 5

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

### Curb Ramp 6

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

## Appendix A – Condition Evaluation Form

### Curb Ramp 7

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

### Curb Ramp 8

|            |                 |           |                   |               |
|------------|-----------------|-----------|-------------------|---------------|
| Run Slope: | Cross Slope:    | Width:    | Side Flare Slope: | Top Slope:    |
| Top Width: | Parallel Slope: | Diagonal: | DW:               | Intersection: |

Island Width: \_\_\_\_\_

**Evaluator & Date** \_\_\_\_\_

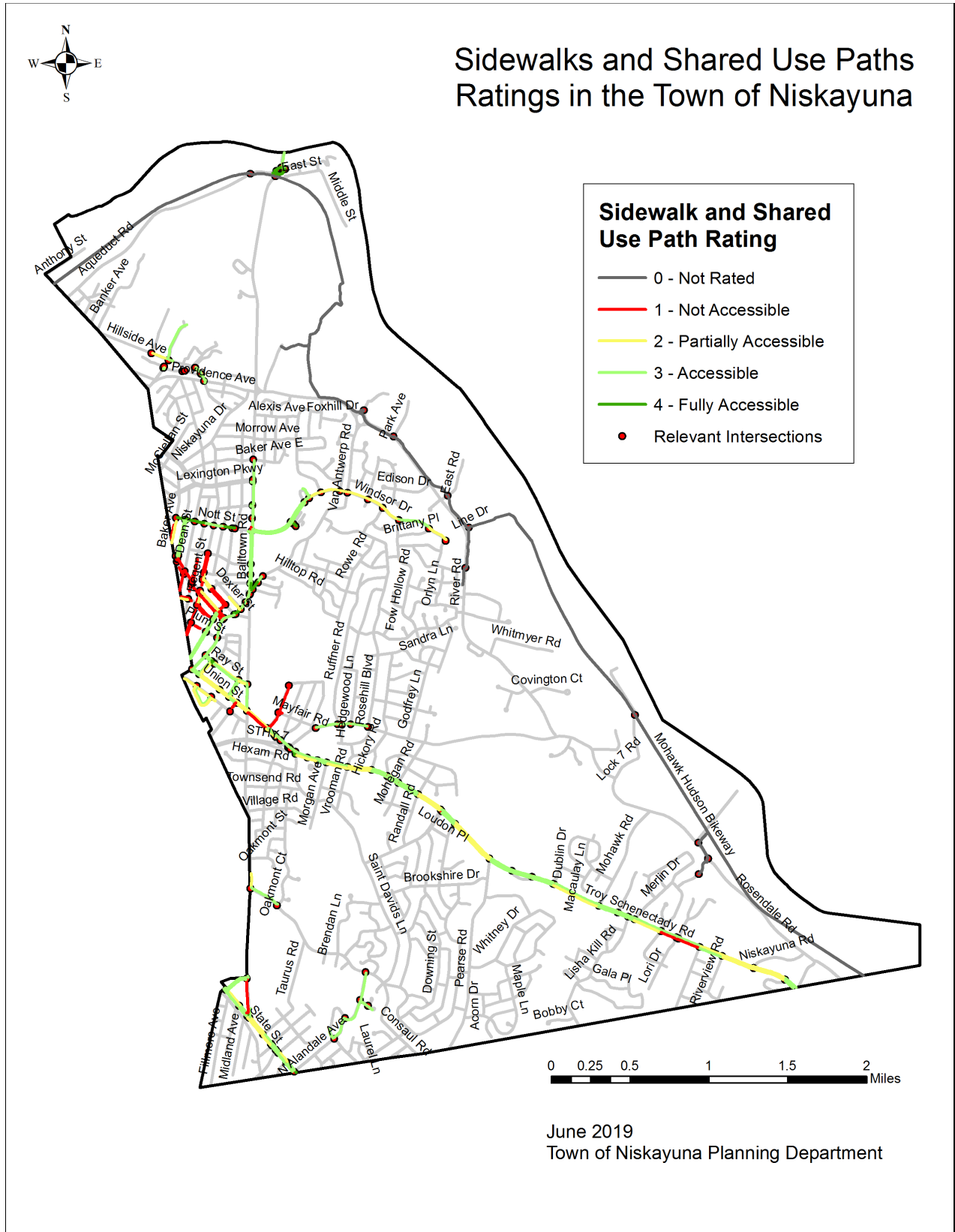
**Curb Ramp ID** \_\_\_\_\_

**ADA Compliant?** \_\_\_\_\_

**Photo Taken?** \_\_\_\_\_

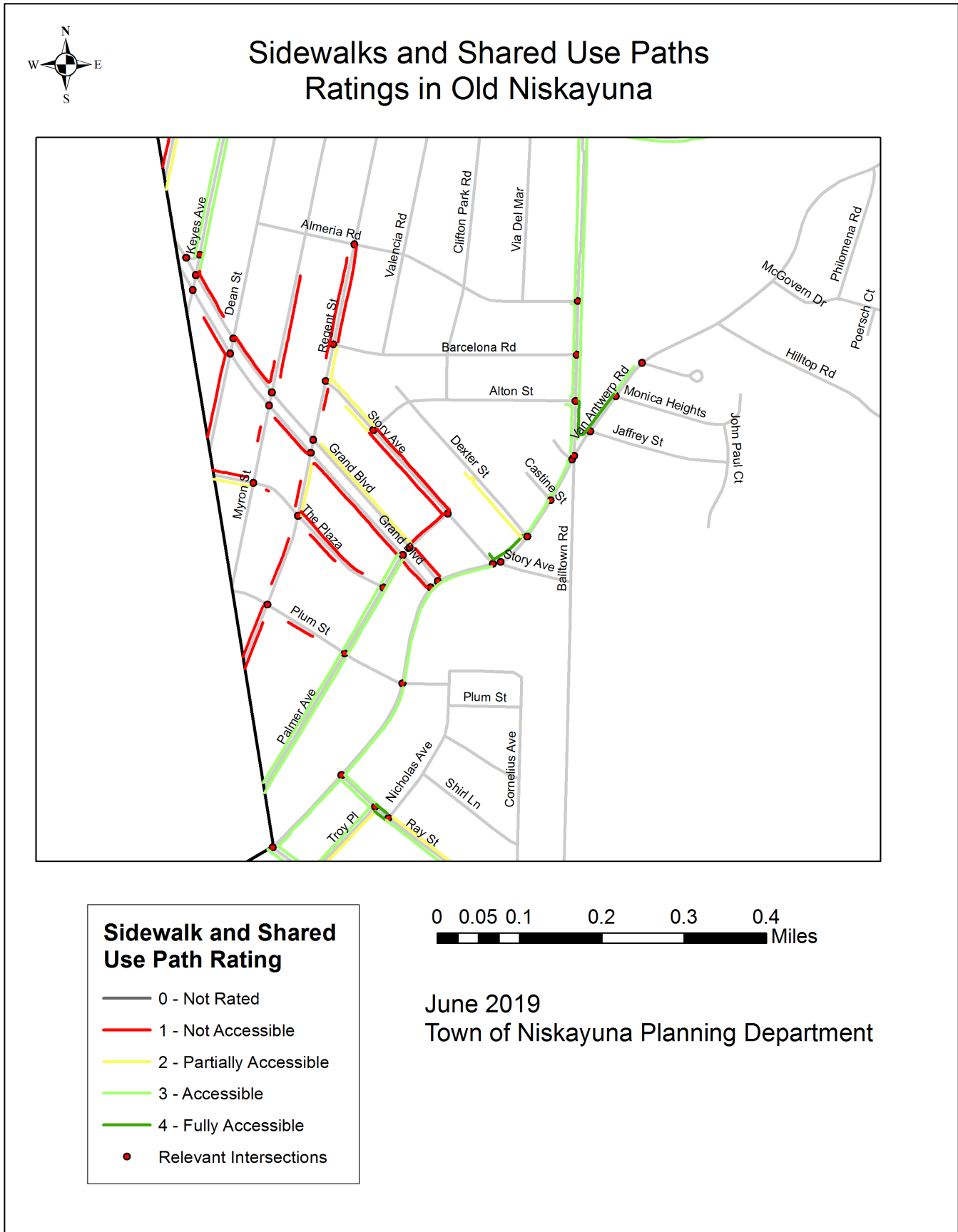
# Appendix B – Map of Sidewalk, Curb Ramps and Shared Use Path Conditions as of 2019

Map 1



# Appendix B – Map of Sidewalk, Curb Ramps and Shared Use Path Conditions as of 2019

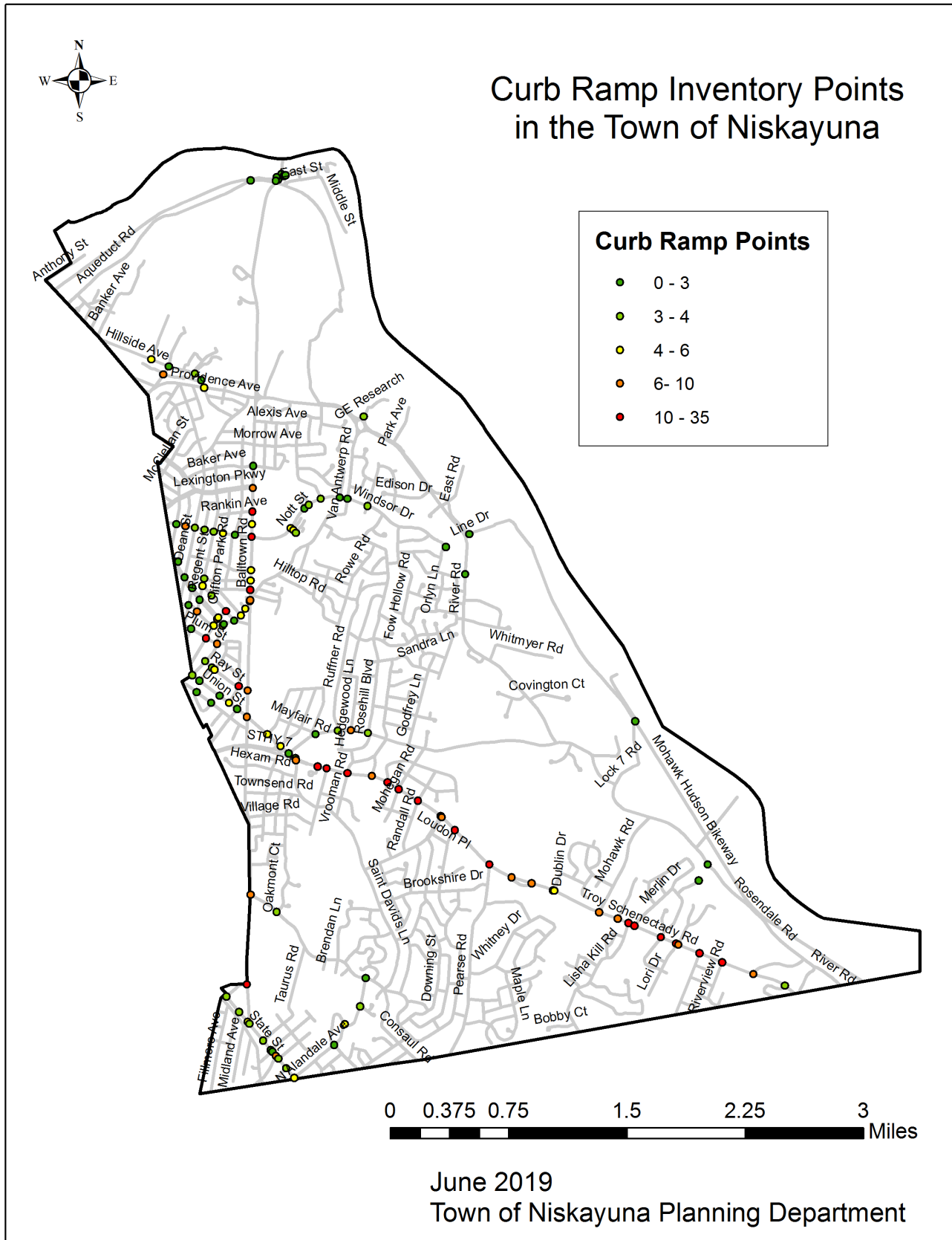
Map 2





# Appendix B – Map of Sidewalk, Curb Ramps and Shared Use Path Conditions as of 2019

Map 3



## Appendix C: Priority List of Blocks

Rating 1: Not accessible; Rating 2: Partially Accessible

| Road Name           | Side of Road | From         | To                | Type     | Rating |
|---------------------|--------------|--------------|-------------------|----------|--------|
| Troy Schenectady Rd | S            | Douglas Ct   | Lori Dr           | Sidewalk | 1      |
| Troy Schenectady Rd | S            | Lori Dr      | Birchwood Ln      | Sidewalk | 1      |
| Palmer Ave          | W            | Story Ave    | Grand Blvd        | Sidewalk | 1      |
| Story Ave           | S            | Alton St     | Palmer Ave        | Sidewalk | 1      |
| Story Ave           | N            | Alton St     | Palmer Ave        | Sidewalk | 1      |
| The Plaza           | S            | Regent St    | Palmer Ave        | Sidewalk | 1      |
| The Plaza           | N            | Regent St    | Palmer Ave        | Sidewalk | 1      |
| Plum St             | S            | Palmer Ave   | Regent St         | Sidewalk | 1      |
| Regent St           | W            | The Plaza    | Plum St           | Sidewalk | 1      |
| Grand Blvd          | S            | Palmer Ave   | Van Antwerp Rd    | Sidewalk | 1      |
| Balltown Rd         | W            | Nott St      | Balltown Rd       | Sidewalk | 1      |
| Regent St           | W            | Story Ave    | Barcelona Rd      | Sidewalk | 1      |
| Regent St           | W            | Grand Blvd   | The Plaza         | Sidewalk | 1      |
| Grand Blvd          | S            | Palmer Ave   | Regent St         | Sidewalk | 1      |
| Regent St           | E            | Grand Blvd   | Story Ave         | Sidewalk | 1      |
| Grand Blvd          | N            | Palmer Ave   | Van Antwerp Rd    | Sidewalk | 1      |
| Regent St           | E            | Barcelona Rd | Almeria Rd        | Sidewalk | 1      |
| Regent St           | W            | Barcelona Rd | Almeria Rd        | Sidewalk | 1      |
| Grand Blvd          | N            | Dean St      | Myron St          | Sidewalk | 1      |
| The Plaza           | N            | Town Border  | Myron St          | Sidewalk | 1      |
| Regent St           | W            | Plum St      | Town Border       | Sidewalk | 1      |
| Regent St           | E            | Plum St      | Town Border       | Sidewalk | 1      |
| Oregon Ave          | W            | Union St     | Oregon Ave        | Sidewalk | 1      |
| Myron St            | W            | Grand Blvd   | Myron St          | Sidewalk | 1      |
| Myron St            | E            | Grand Blvd   | Almeria Rd        | Sidewalk | 1      |
| Myron St            | W            | Grand Blvd   | The Plaza         | Sidewalk | 1      |
| Grand Blvd          | S            | Myron St     | Regent St         | Sidewalk | 1      |
| Dean St             | W            | Grand Blvd   | Town Border       | Sidewalk | 1      |
| Grand Blvd          | N            | Keyes Ave    | Dean St           | Sidewalk | 1      |
| Grand Blvd          | S            | Keyes Ave    | Dean St           | Sidewalk | 1      |
| The Plaza           | S            | Myron St     | Regent St         | Sidewalk | 1      |
| Union St            | S            | Balltown Rd  | N Country Club Dr | Sidewalk | 1      |
| Balltown Rd         | W            | State St     | Mansion Blvd      | Sidewalk | 1      |
| N Country Club Dr   | E            | Union St     | Mayfair Rd        | Sidewalk | 1      |

### Appendix C: Priority List of Blocks

| Road Name           | Side of Road | From                   | To                     | Type                   | Rating   |
|---------------------|--------------|------------------------|------------------------|------------------------|----------|
| Baker Ave           | W            | Nott St                | Town Border            | Sidewalk               | 1        |
| N Country Club Dr   | E            | Mayfair Rd             | E Country Club Dr      | Sidewalk               | 1        |
| Troy Schenectady Rd | S            | Merlin Dr              | Douglas Ct             | Sidewalk               | 2        |
| Ray St              | S            | Cornelius Ave          | Balltown Rd            | Sidewalk               | 2        |
| Ray St              | N            | Nicholas Ave           | Cornelius Ave          | Sidewalk               | 2        |
| Regent St           | E            | Grand Blvd             | The Plaza              | Sidewalk               | 2        |
| Regent St           | E            | Story Ave              | Barcelona Rd           | Sidewalk               | 2        |
| Story Ave           | S            | Regent St              | Alton St               | Sidewalk               | 2        |
| Story Ave           | N            | Regent St              | Alton St               | Sidewalk               | 2        |
| <b>Nott St</b>      | <b>N</b>     | <b>Niskayuna Cir</b>   | <b>Orchard Park Dr</b> | <b>Shared Use Path</b> | <b>2</b> |
| Union St            | S            | Cornelius Ave          | Troy Pl                | Sidewalk               | 2        |
| Union St            | N            | Troy Pl                | Cornelius Ave          | Sidewalk               | 2        |
| Eastern Pkwy        | S            | Daisy Ln               | Daisy Ln               | Sidewalk               | 2        |
| Grand Blvd          | N            | Palmer Ave             | Regent St              | Sidewalk               | 2        |
| Troy Pl             | E            | Ray St                 | Union St               | Sidewalk               | 2        |
| <b>Nott St</b>      | <b>N</b>     | <b>Orchard Park Dr</b> | <b>Comanche Trail</b>  | <b>Shared Use Path</b> | <b>2</b> |
| Dexter St           | S            | Van Antwerp Rd         | Dexter St              | Sidewalk               | 2        |
| <b>Nott St</b>      | <b>N</b>     | <b>Comanche Trail</b>  | <b>Van Antwerp Rd</b>  | <b>Shared Use Path</b> | <b>2</b> |
| The Plaza           | S            | Town Border            | Myron St               | Sidewalk               | 2        |
| Eastern Pkwy        | S            | Eastern Pkwy           | Daisy Ln               | Sidewalk               | 2        |
| Eastern Pkwy        | S            | Daisy Ln               | Town Border            | Sidewalk               | 2        |
| <b>Windsor Dr</b>   | <b>N</b>     | <b>Van Antwerp Rd</b>  | <b>Menlo Park Rd</b>   | <b>Shared Use Path</b> | <b>2</b> |
| Windsor Dr          | N            | Brittany Pl            | Briar Ridge            | <b>Shared Use Path</b> | 2        |
| Troy Schenectady Rd | S            | Randall Rd             | Avon Crest Blvd        | Sidewalk               | 2        |
| Troy Schenectady Rd | N            | Onondaga Rd            | Avon Crest Blvd        | Sidewalk               | 2        |
| Troy Schenectady Rd | N            | Inman Rd               | Pearse Rd              | Sidewalk               | 2        |
| Union St            | S            | St Davids Ln           | Primrose Ln            | Sidewalk               | 2        |
| Union St            | N            | Balltown Rd            | N Country Club Dr      | Sidewalk               | 2        |
| Union St            | N            | Cornelius Ave          | Balltown Rd            | Sidewalk               | 2        |
| Union St            | S            | Balltown Rd            | Oregon Ave             | Sidewalk               | 2        |

### Appendix C: Priority List of Blocks

| Road Name           | Side of Road | From                            | To                      | Type                   | Rating   |
|---------------------|--------------|---------------------------------|-------------------------|------------------------|----------|
| State St            | S            | Central Ave                     | Midland Ave             | Sidewalk               | 2        |
| State St            | N            | Central Ave                     | Balltown Rd             | Sidewalk               | 2        |
| <b>Hillside Ave</b> | <b>N</b>     | <b>Commerce Park Dr</b>         | <b>Alice Wagner Way</b> | <b>Shared Use Path</b> | <b>2</b> |
| State St            | N            | S Fagan Ave                     | N Amherst Ave           | Sidewalk               | 2        |
| Rosa Rd             | N/E          | Rosa Rd                         | Hillcrest Apts          | Sidewalk               | 2        |
| State St            | S            | Fairfax Ave                     | Central Ave             | Sidewalk               | 2        |
| Daisy Ln            | E/W          | Eastern Pkwy (closer to Oregon) | Eastern Pkwy            | Sidewalk               | 2        |
| Union St            | S            | N Country Club Dr               | STHY 7                  | Sidewalk               | 2        |
| Baker Ave           | E            | Nott St                         | Town Border             | Sidewalk               | 2        |
| <b>Windsor Dr</b>   | <b>N</b>     | <b>Menlo Park Rd</b>            | <b>Saint Ann Dr</b>     | <b>Shared Use Path</b> | <b>2</b> |
| <b>Windsor Dr</b>   | <b>N</b>     | <b>Saint Ann Dr</b>             | <b>Fox Hollow Rd</b>    | <b>Shared Use Path</b> | <b>2</b> |

### **NYSDOT ADA Transition Plan Sidewalks**

| Road Name           | Side of Road | From         | To            | Type     | Rating |
|---------------------|--------------|--------------|---------------|----------|--------|
| Troy Schenectady Rd | N            | Birchwood Ln | Riverview Rd  | Sidewalk | 2      |
| Union St            | S            | Morgan Ave   | Vrooman Rd    | Sidewalk | 2      |
| Troy Schenectady Rd | N            | Vrooman Rd   | Hickory Rd    | Sidewalk | 2      |
| Troy Schenectady Rd | S            | Vrooman Rd   | Hickory Rd    | Sidewalk | 2      |
| Troy Schenectady Rd | S            | Shannon Blvd | Mohawk Rd     | Sidewalk | 2      |
| Troy Schenectady Rd | S            | Inman Rd     | Pearse Rd     | Sidewalk | 2      |
| Troy Schenectady Rd | N            | Riverview Rd | Niskayuna Rd  | Sidewalk | 2      |
| Troy Schenectady Rd | S            | Riverview Rd | Niskayuna Rd  | Sidewalk | 2      |
| Troy Schenectady Rd | N            | Niskayuna Rd | Vly Pointe Dr | Sidewalk | 2      |
| Troy Schenectady Rd | S            | Niskayuna Rd | Vly Pointe Dr | Sidewalk | 2      |
| State St            | N            | Stanford Ave | Mansion Blvd  | Sidewalk | 2      |

## Appendix D - Implementation Plan (2020 – 2027)

### 7-Year Implementation Plan

1. Address 5/6 Squares on Troy Schenectady Road between Douglas Court and Birchwood (#1 and #2 on priority block list)
2. Reconstruct 1-block of Palmer between Story Ave and Grand Boulevard  
(Within ½ mile of school, high pedestrian traffic, poor accessibility rating)
3. Reconstruct all sidewalks/curb ramps on Story Ave
4. (Within ½ mile of school, high pedestrian traffic, poor accessibility rating)
5. Reconstruct all sidewalks/curb ramps on North Country Club  
(Poor accessibility rating)

#### ANTICIPATED COST

|                  |                 |
|------------------|-----------------|
| Route 7 touch-up | \$10,000        |
| Palmer Block     | \$46,000        |
| Story Ave        | \$317,000       |
| N Country Club   | \$250,000       |
| TOTAL            | \$623,000       |
| <i>Per Year</i>  | <i>\$89,000</i> |

#### Grant Project: GRAND BOULEVARD

This project has many of the lowest rated sidewalks and curb ramps in Town, and should be holistically addressed to include continuing sidewalks when they dead-end, so there is a complete set of ADA assessable facilities up and down the entire section. It is within ½ mile of a school and a well-traveled pedestrian route.

Cost estimate: \$528,000

*ONGOING: Update any sidewalk and curb ramp facilities that can be incorporated into Town repaving projects*

## **Appendix E: Public Comments Received**

**[TO BE UPDATED FOLLOWING PUBLIC HEARING / BEFORE ADOPTION]**



## Appendix F – Public Notice

### TOWN OF NISKAYUNA NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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In accordance with the requirements of the Americans with Disabilities Act of 1990 (ADA), the Town of Niskayuna will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The Town of Niskayuna does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under the ADA. Qualified individuals with disabilities employed by the Town of Niskayuna are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave, and all other forms of employment compensation or advantage.

**Effective Communication:** The Town of Niskayuna will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Niskayuna's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** The Town of Niskayuna will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of Niskayuna offices, even where pets are generally prohibited.

**Request for Accommodations:** Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Niskayuna should contact the Deputy Town Attorney or the Town Comptroller as soon as possible but no later than 48 hours before the scheduled event:

|  |  |
|--|--|
| Deputy Town Attorney (Alexis Kim)                          | Comptroller (Paul Sebesta)   |
| <a href="mailto:akim@niskayuna.org">akim@niskayuna.org</a> | <a href="mailto:psebesta@niskayuna.org">psebesta@niskayuna.org</a> |
| (518) 386-4516   | (518) 386-4506   |

The Town of Niskayuna will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Town of Niskayuna's ADA Coordinator for pedestrian facilities within the Town public right-of-way is the Deputy Town Attorney. Complaints that a program, service, or activity of the Town of Niskayuna is not accessible to persons with disabilities should be directed to the ADA Coordinator,

The ADA does not require the Town of Niskayuna to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

## Appendix G: Public Complaint/Grievance Form

### TOWN OF NISKAYUNA ADA COMPLAINT/GRIEVANCE FORM FOR PEDESTRIAN FACILITIES WITHIN THE TOWN'S PUBLIC RIGHT-OF-WAY

This form is for requesting that the Town of Niskayuna review an existing public pedestrian facility as it relates to ADA compliance or to analyze the need for a new ADA compliant public pedestrian facility within the Town of Niskayuna's public right-of-way.

#### **Contact Information:**

Name: \_\_\_\_\_

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

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

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

#### **Description of ADA grievance (please be as detailed as possible):**

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#### **Suggestions:**

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The Town of Niskayuna's ADA Coordinator is the Deputy Town Attorney. She may be contacted at 518-386-4516 or via email: [akim@niskayuna.org](mailto:akim@niskayuna.org) Please submit this form to the following address or via the Office of the Town Attorney's website

Alexis Kim, ADA Coordinator  
One Niskayuna Circle  
Niskayuna, NY 12309  
[akim@niskayuna.org](mailto:akim@niskayuna.org)

#### **For Office Use Only**

Date of Response: \_\_\_\_\_ Action Taken: \_\_\_\_\_