

REPORT ON PROGRESS FOR WEST SHORE ROAD SEAWALL IMPROVEMENTS

1. Plans – scope, design, execution

- a. The roadway will be reconstructed using full depth asphalt instead of a concrete base with asphalt top. This will reduce construction time and simplify traffic maintenance by avoiding the cure time required if using concrete base pavement.
- b. Replacement of the existing roadway will retain the existing lines and grades.
- c. NCDPW has reviewed resident's suggestions regarding steel backed timber guide rails and rubberized asphalt and performed an investigation of each product for use in this project.

Steel backed timber guide rail:

- NCDPW has no objection to installation of this product provided the Village of Mill Neck assumes the maintenance responsibility afterwards through an IMA (Intergovernmental Maintenance Agreement).

Rubberized asphalt:

- Rubberized asphalt is being used by NYSDOT on an experimental basis and is not approved for general use. It is not eligible for State/federal funding due to lack of this approval.
- Only a 3 to 5 db improvement in sound would result at 30-35 mph speeds which is relatively minor compared to the noise produced from vehicle engines and the sound of vehicles moving through air.
- As there are concerns with the use of this product, NCDPW will not approve the use of this material at this location and time. The 3 phases of the project are expected to be completed over a 10 year span. Due to this time frame and that construction equipment will have caused wear to the previously placed wearing courses, the last construction phase will likely need to include milling and replacement of the asphalt wearing course for the entire 2 mile length of the project. NCDPW may revisit its use for this project at that time.

d. Undergrounding of utilities:

- Verizon is in the process of relocating their overhead wires to underground conduits that already exist for the entire length of the project. Verizon is a private company therefore they are responsible for the entire cost to this work.
- NCDPW has met with LIPA and has an understanding with them to place their overhead facilities underground. Nassau County will share in the cost by installing the empty conduits and vaults under County funds. LIPA is currently developing their design to accomplish the work.
- Cablevision facilities are currently located on the LIPA poles along West Shore Road. As those poles will no longer exist Cablevision is exploring the possibility of installing their own. The County will not share the costs as Cablevision is a private company.

- Federal funding to place utilities underground is not available.
- Decorative Street Lighting –

Nassau County does not maintain street lighting. County is willing to install street lighting under this project but will not take responsibility for maintenance. An IMA will be necessary between Nassau County and the Village of Mill Neck. Mayor Smith will ask O.B.P.D., N.C.P.D, and T.O.B. to conduct a study regarding this matter.

- e. The project will be constructed in 3 phases. The order of phases corresponds to the condition of the existing seawall and how close it is to the roadway embankment. Construction of phase 2 is dependent on accomplishing ROW acquisitions. If the acquisition process is delayed, phase 2 may be the last to be constructed.
- Phase 1 is from Cleft Road to 2000' north.
 - Phase 2 is from north end of phase 1 to the Bayville Bridge.
 - Phase 3 is from the LIRR bridge to Cleft Road.

Due to the importance of positioning the proposed drainage facilities as proposed, it is prudent to install the underground LIPA and Cablevision facilities at the same time on a phase by phase basis. This will ensure these utilities are positioned to avoid the proposed drainage system.

- f. Due to the environmentally sensitive bay, the regulatory agencies require the work be primarily accomplished from the landward side.
- g. Major construction tasks will require closing of the roadway during working hours. Access to driveways will be maintained for homeowner and emergency vehicles. 1 to 2 lanes will be opened during non-construction hours with signs or temporary traffic lights to maintain traffic. Temporary traffic lights have been used within the Village in the past [Robert DeGraff Causeway].

Phase 1 is anticipated to be under construction for 18 to 24 months. The County estimates that in next 10 years all three phases will be completed.

- h. Plans are pending underground utility work, street lighting, steel backed timber guide rail, potential comments that may be received from agencies that have not yet issued a permit. Otherwise, they are complete enough to be let for bid now.

2. Procedural status and time line

- a. To date the NYSDEC permit has been obtained. This permit applies to the entire 2 mile length of the project. ACOE, USFWL and NYSDOS permits are pending. These agencies will only permit on the Phase 1 portion of the project. Under this phase the proposed gravity wall will coincide with the original face of the seawall and therefore encroachment is not an issue. The other phases involve installing steel sheeting seaward of the existing seawall. Much of this sheeting will encroach onto the federal wildlife refuge. To mitigate this condition a land swap is needed to offset the encroachment area. Land to be swapped to the USFWL must be free and clear of title. The County is in the process of acquiring land that involves private ownership to enable this mitigation to proceed. Until the lands in question are acquired by the County only Phase 1 is to be considered for permitting by these agencies at this time. ACOE permit is also on hold pending consent from the "Friends of the Bay" comments.

- b. Title issues regarding residents rights to the mean high water line are being addressed by the County attorney who is progressing the acquisition process. Owners will be notified in accordance with the process.
- c. The County is aware of the following organizations which have had input into the project:
 - Friends of the Bay – want a brook trout stream daylighted, pond/lake outfalls made fish friendly, and wide spread planting of spartina grass to fill gaps and increase the vegetation along the entire seawall.
 - Bayville/Oyster Bay groups – want sidewalk and a sanctioned bike path. It is County's understanding a grant has been obtained to fund sidewalk installation. However, there is no room to accommodate an ADA/AASHTO compliant sidewalk or the bike path.
 - Bayville Fire Dept. – requested two “dry” hydrants (north and south of the Phase 1 portion of the project). The hydrants will enable pumper trucks to draw water from the bay with more efficiency. A metal ladder will be installed at each hydrant to facilitate fire crew access to the beach.
 - There have been no inquiries from governmental agencies other than the permitting agencies.
- d. No additional public meetings are planned for Phase 1. Phase 2 involves land acquisitions, and it is likely there will be a public meeting related to that issue.

3. Impact Mitigation

- NCDPW acknowledges there will be noise, dust and debris generated by the construction. The contractor will be required to control them as a standard construction practice.
- The contractor will be responsible for damages to private property. The proposed roadway grades have been designed to minimize disturbances along the right of way.