

Appendix A

Glossary

Amenity Zone

Area nearest the curb where trees, bike parking, benches and trash/recycling receptacles (where applicable), lighting, and signage is installed.

Arbor

A garden structure typically used to support climbing plants or vines.

Bicycle Boulevard

Streets with low motorized traffic volumes and speeds, designated and designed to give bicycle travel priority through the use of signs, pavement markings, and speed and volume management measures.

Buffer Strip

Area adjacent to curb to be used for planting areas or decorative paving. Also known as a tree lawn.

Building Zone

Area adjacent to the building between the stoop or porch and the building used for seating, outdoor furnishings, or landscaping.

Bump-out

A visual and physical narrowing of the roadway where the sidewalk is extended to shorten the crossing width for pedestrians. Also known as curb extension or bulb-out.

Caliper

The diameter of a tree trunk as measured six inches above the root collar, which is at the base of the tree where the tree's roots join the trunk.

Carriage Walk

Private walkways that connect the public sidewalk and the street curb.

CFA

Consolidated Funding Application

CMAQ

Congestion Mitigation and Air Quality Improvement program

Counter Flow Bicycle Lane

A bicycle lane designed to allow bicyclists to ride in the opposite direction of motor vehicle traffic. This type of bike lane converts a one-way traffic street into one direction for motor vehicles and bikes, and the other for bikes only in the opposite direction.



DEC

New York State Department of Environmental Conservation

DBH

Diameter at breast height is a standard method for measuring the diameter of the trunk of a tree.

Filter Strip

An area with vegetation that removes contaminants.

Genera

Plural of genus. A biology term for the taxonomic groups into which a family is divided and which contains one or more species.

Green Infrastructure

The multifunctional, interconnected network of open space and natural features such as greenways, wetlands, parks, forest preserves, and areas of native plant vegetation, that naturally manages stormwater, reduces flooding risk, and improves water quality.

Hanging Basket

An open container with live plants and flowers typically hung from a light fixture or other pole or structure.

HSIP

Highway Safety Improvement Program

Landscaping

Open areas of the private or public realm which are composed primarily of living vegetation.

Pedestrian Zone

Sidewalk area for pedestrian travel. A “clear” space meeting ADA standards and where two people or more can walk side-by-side.

Pergola

A garden feature that creates a shaded walkway or sitting area with vertical posts or pillars with cross beams and an open lattice which often has climbing plants or vines growing on it.

Permeable/Porous Paving

A paving material that allows the infiltration of surface water into the soil.

Planter

A container where plants or flowers are grown.

Rain Barrel

A storage tank designed to catch runoff typically from a roof.

Rain Garden

A garden designed to collect stormwater runoff from impervious surfaces such as roofs, walkways, and parking lots, allowing water to infiltrate the ground. Also known as a bioretention area.

Raised Bed

A planting area that has been raised above the surface of the ground and framed with timbers or stones.

REDC

Regional Economic Development Council

ROW

Right-of-way

SHPO

New York State Historic Preservation Office

Sidewalk

The paved section of the public frontage dedicated exclusively to pedestrian activity.

Spp.

Abbreviation for several species.

Streetscape

The appearance of a street and the relationship of buildings to the street and pedestrian amenities (including sidewalks, street trees, landscaping, lighting, signage, bicycle racks, and street furniture).

Street Typology

A classification of street types according to its design and context.

Stormwater Planter

A specialized planter installed in the sidewalk area that is designed to manage street and sidewalk stormwater runoff.

TAP

Transportation Alternatives Program

Traffic Calming

Mainly physical measures that alter driver behavior and improve conditions for non-motorized users.

Trellis

A framework of wooden or metal bars to support climbing plants.

Vegetated Swale

Broad, shallow channels designed to convey and infiltrate stormwater runoff that are planted with trees, shrubs, and/or grasses.

Wayfinding

A systematic approach that guides people through a neighborhood or city to their destination using signs, maps, banners or other methods.

Window Box

A long, narrow box in which flowers and other plants are grown and placed on an outside window sill.

Window Sill

A ledge forming the bottom part of a window.

Appendix B

Recommended Stockade Street Tree List

Small Trees: 15 to 30 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar	Description
<i>Acer campestre</i> ²	Hedge maple	Queen Elizabeth™	The shape is a dense round crown, with a spread of 25 to 35 ft. Queen Elizabeth™ has a faster growth rate than other cultivars of this species. Leaves turn yellow in the fall. Prefers full sun to partial shade. \$
<i>Acer griseum</i>	Paperbark maple		Canopy is rounded to oval with a spread of 20 to 25 ft. Noted for its cinnamon to reddish brown exfoliating bark. Leaves turn red in the fall. Prefers full sun to partial shade. \$\$ - \$\$\$
<i>Amelanchier spp.</i> ¹²	Serviceberry	(Numerous exist)	Grown as a small tree or large shrub, with a rounded shape. Spread of this tree is variable, but typically 15-25 ft. In the spring white flowers appear before the leaves. Produces fruit that tastes similar to highbush blueberry. Leaves change to orange or yellow hues in the fall. Prefers full sun to part shade. \$-\$\$\$
<i>Carpinus caroliniana</i> ¹	American hornbeam		Has a spreading round form with a canopy width of 20 - 30 ft. Foliage in the fall turns to yellow, orange, and red. Prefers part shade to full sun. \$
<i>Cercis canadensis</i> ¹²	Eastern redbud	'Forest Pansy'	Forest Pansy has foliage that starts off reddish purple and fades to green in the spring. Before leaf development, the tree is covered with rosy pink flowers. In the fall leaves turn a pale yellow. Has a canopy spread of 25 - 35 ft. Prefers full sun to partial shade. \$\$



Left: Hedge maple Middle: Paperbark maple Right: Serviceberry



Left: American hornbeam Right: Eastern redbud

Small Trees: 15 to 30 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar	Description
<i>Cornus kousa</i>	Kousa dogwood	(Numerous exist)	Starts off vase shaped, and becomes more rounded with age. Has a canopy spread of 15 to 30 ft. Produces white flowers in the spring. Bark is multi-colored with gray, tan, and brown. Prefers full sun to partial shade. \$-\$-\$
<i>Crataegus viridis</i> ¹²	Green Hawthorn	'Winter King'	At maturity 20- 35 tall. With a similar range for canopy spread. A good tree for seasons as it has pretty white flowers in the spring, purplish leaves in the fall, and red berries that develop in September, that will hold on into the winter. 'Winter King' is more disease resistant than other hawthorn species, and tends to have a lesser amount of thorns (typically 1.5"). \$
<i>Halesia tetraptera</i> ²	Carolina silverbell	'Arnold Pink'	'Arnold Pink' has very light pink, bell shaped flowers in the spring. Broad rounded crown with a spread of 20 to 35 ft. Leaves turn yellow in the fall. Prefers full sun to part shade. \$\$-\$-\$-\$
<i>Malus spp</i> ¹	Flowering crabapple	(Disease resistant only)	Rounded spreading tree with a spread of 15-25 ft. Produces flowers in the spring, followed by crabapples (fruit). Prefers full sun to partial shade. \$
<i>Styrax japonicas</i>	Japanese snowbell	'Emerald Pagoda'	Upright oval form with a spread of 20 - 30 ft. Produces white bell shaped flowers. Great as a border shrub. Prefers full sun to part shade. \$\$
<i>Syringa reticulata</i> ¹²	Japanese tree lilac	'Ivory Silk'	'Ivory silk' has an oval to rounded crown with a spread of 15 to 25 ft. Produces white flowers in the spring. Has insufficient fall color. Prefers full sun. \$\$
<i>Acer saccharum</i> ¹	Dwarf sugar maple	'Sugarcone'	Good for planting areas with limited space. Height is 20-30', with a canopy spread of 10-15'. \$



Top & Bottom Left: Kousa dogwood Top Middle: Green hawthorn
Bottom Middle: Carolina silverbell Right: Flowering crabapple



Left: Japanese snowbell Middle: Japanese tree lilac Right: Dwarf sugar maple

Medium Trees: 31 to 45 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar	Description
<i>Aesculus × carnea</i>	Red horsechestnut		The leaves of this tree are composed of five to seven leaflets. In May rose-red flowers cover the tree. The form of this tree is rounded, and can grow to 40 ft. wide. Has a spread of 20 - 35 ft. Prefers full sun to partial shade. *Selective planting, as tree contains nuts. \$\$
<i>Cladrastis kentukea</i>	American yellowwood	'Rosea'	'Rosea' produces pink flowers instead of white in the spring, and has smooth bark. In the fall the leaves turn yellow. Has a rounded crown with a spread of 40 - 55 ft. Prefers full sun. \$\$
<i>Eucommia ulmoides</i>	Hardy rubber tree		Rounded crown when mature with a canopy spread of 40 to 60 ft. The green leaves do not color in the fall. Prefers full sun to partial shade. \$
<i>Koelreuteria paniculata</i>	Goldenraintree		Has an irregular shape when young, becoming more round with age, and a canopy spread of 30 to 40 ft. Produces yellow flowers in the spring, and golden yellow leaves in the fall. Prefers full sun. \$ - \$\$
<i>Ostrya virginiana</i> ¹	American hophornbeam		Shape becomes more rounded with maturity, and a canopy spread of 20 to 40 ft. Has very hard and dense wood. Prefers full sun to part shade. \$
<i>Parrotia persica</i> ¹	Persian parrotia	'Vanessa'	Bark exfoliates showing cream, green, gray, and brown. In the fall the foliage turns to colors of red, yellow, and orange. Has a canopy spread of 15 to 30 ft when mature. Prefers full sun. \$\$



Left: Red horsechestnut Middle: American yellowwood Right: Hardy rubber tree



Left: Goldenraintree Middle: American hophornbeam Top & Bottom Right: Persian parrotia

Medium Trees: 31 to 45 Feet in Height at Maturity

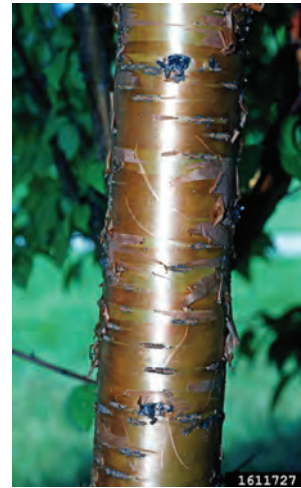
Scientific Name	Common Name	Cultivar	Description
<i>Prunus maackii</i>	Amur choketree	'Amber Beauty'	Shiny cinnamon brown bark, with a rounded canopy at maturity (about 25 – 35 ft.). Has small white flowers in the spring. Prefers full sun to partial shade. \$-\$\$
<i>Prunus sargentii</i> ¹	Sargent cherry		Has pink flowers that open in the spring and shiny reddish brown bark. The leaves turn to a purplish-red in the fall. Once mature the shape becomes rounded with a canopy spread of 20 to 30 ft. Prefers full sun to partial shade. \$-\$\$
<i>Quercus acutissima</i>	Sawtooth oak		Rounded canopy when mature, with a spread of 40 to 60 ft. Leaves turn yellow to brown in the fall. Prefers full sun. \$
<i>Sorbus alnifolia</i> ¹	Korean mountainash		Has a spread of 20 - 25 ft. Can be intolerant of urban pollution. However, have been successfully grown in urban environments. Better pest resistance and form than other mountain-ashes. Prefers full sun. \$\$

¹ City of Schenectady Tree List

² ReTree Schenectady Recommended Tree Species

\$ - under \$250 \$\$ - \$250 - \$350 \$\$\$ - above \$350

*Pricing are general estimates and are subject to change based on availability, nursery location, balled and burlapped (B & B) vs bareroot, and other variables. Pricing categories are based on B & B trees.



Left: Amur choketree - Courtesy of John Ruter, University of Georgia, Bugwood.org
Right: Sargent cherry



Left: Sawtooth oak Right: Korean mountainash

Large Trees: Greater Than 45
Feet in Height at Maturity

Scientific Name	Common Name	Cultivar	Description
<i>Acer rubrum</i> ¹	Red Maple	Red Sunset®	This tree grows at medium to fast rate with good branch structure. The shape of the tree is rounded and can have a canopy spread of 35-40 ft. at maturity. Full sun to partial sun is preferable for this tree. \$
<i>Cercidiphyllum japonicum</i> ¹²	Katsuratree	'Aureum'	The katsuratree is variable in spread and can grow 40-60 ft. wide. Has a spread of 20 - 30 ft. It is grown for its beautiful shape and attractive foliage. In the fall the leaves turn yellow. Prefers full sun to partial shade. \$\$
<i>Ginkgo biloba</i> ¹²	Ginkgo	(Choose male trees only)	The ginkgo has green leaves that turn bright yellow in the fall. The leaves will typically all fall off on the same day. Avoid female trees due to their smelly fruit. The tree has a variable spread (25-30 ft.) and is pyramidal in shape, becoming more spreading with age. Prefers full sun to partial shade. \$\$
<i>Metasequoia glyptostroboides</i> ²	Dawn redwood	'Emerald Feathers'	The shape of this tree is pyramidal and fast growing. Deciduous conifer, with its needles turning orange-brown to reddish brown. Has a spread of about 25 ft. Prefers full sun. \$\$
<i>Nyssa sylvatica</i> ²	Black tupelo		Has beautiful leaves in the fall. Colors range from yellow, orange, and red. Has a pyramidal rounded form, with a spread of 20 to 30 ft. (this is often variable). Prefers full sun to partial shade. \$ - \$\$



Left: Red Maple Middle: Katsuratree Right: Ginkgo



Left: Dawn Redwood Right: Black tupelo

Large Trees: Greater Than 45 Feet in Height at Maturity

Scientific Name	Common Name	Cultivar	Description
<i>Platanus x acerifolia</i> ²	London planetree	'Yarwood'	Good street tree, with strong limbs, but requires a large growth space (8 ft at least). Known for its beautiful peeling bark that is more olive in color than the American Sycamore. Has a spreading rounded crown, 65 to 80 ft. wide (typically not as large of a spread in urban environments due to pruning/maintenance). Prefers full sun. \$-\$\$
<i>Quercus x warei</i>	Regal Prince oak		Good tree for tight spaces, with a spread typically up to 20 ft. wide. Adapts well to various soil conditions. Prefers full sun. Cross between the fastigate form of English oak and swamp white oak. \$
<i>Tilia cordata</i> ¹²	Littleleaf linden	'Greenspire'	'Greenspire' is a popular cultivar due to its central leader and uniform branching. Hence its name, littleleaf linden, the leaves on this tree are smaller than the rest of the lindens. Grows 30-45 ft. wide with a spread of 35 - 40 ft. Leaves turn yellow in the fall. Prefers full sun to part shade. \$-\$\$
<i>Tilia x euchlora</i> ¹²	Crimean linden		Form is rounded pyramidal with a canopy spread of 20- 30 ft. Fall color is pale green to pale yellow. Prefers full sun to part shade. \$-\$\$
<i>Ulmus parvifolia</i>	Chinese elm	Allée®	Allée® is upright and spreading in shape with a spread up to 60ft wide (typically 20-40ft). Noted for its exfoliating bark of gray to orange-brown. Proven to be highly resistant to Dutch elm disease. Leaves may turn yellow to burgundy red in the fall. Prefers full sun. \$\$

¹ City of Schenectady Tree List

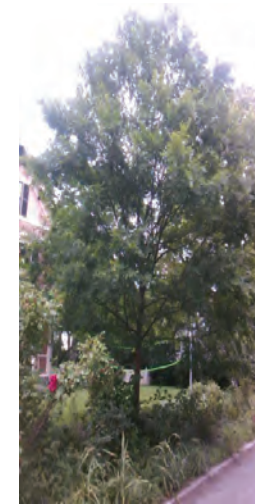
² ReTree Schenectady Recommended Tree Species

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Left: London planetree Right: Regal Prince oak



Left: Littleleaf linden Middle: Crimean linden (source: stock.adobe.com)

Right: Chinese elm

Appendix C

Street Tree Summary



Stockade District Tree Inventory Summary Report



Acknowledgments

Information was gathered specific to the Stockade District from the City of Schenectady's tree inventory conducted in 2018. This data is vital in helping develop the Stockade's Streetscape Plan.

Schenectady is thankful for support from Cornell Cooperative Extension of Schenectady County and the Invasive Species Committee of Schenectady County's Environmental Advisory Council, whose efforts secured grant funding for this project from the New York State Department of Environmental Conservation's Urban Forestry Program. The Urban Forestry grants are part of New York State's ongoing initiatives to address climate change and environmental justice, providing funding to expand the number of trees in areas that often have limited space. An added benefit of the tree inventory will be its usefulness in tracking and dealing with invasive species. The grants are provided to communities through the State's Environmental Protection Fund (EPF). Projects target local environmental needs and will benefit the community and the environment. This grant provided inventory coverage for only part of the city but is a first step in managing the urban forest and will position the city to apply for future funding through the state program.



Cornell University
Cooperative Extension
of Schenectady County



Terms of License Agreement

Planning4Places, Ingalls Planning & Design, Davey Resource Group and the Schenectady Stockade Association (Licensees) have approval for use of tree inventory data compiled within the Stockade Neighborhood of the City of Schenectady by Davey Resource Group in 2018. This data collection was funded by the NYS DEC Urban Forestry Grants Program.

This license permits the above mentioned Licensees the right to utilize and reproduce information and data from the data set for use in, and for development of, the Comprehensive Streetscape Plan. The information is only to be used for the Streetscape Plan and this license is provided for use on said plan only.

The license agreement shall remain in effect until completion of Licensees' contracted work.

Notice of Disclaimer

Inventory data provided by Davey Resource Group, Inc. "DRG" are based on visual recording at the time of inspection. Visual records do not include individual testing or analysis and do not include aerial or subterranean inspection. DRG is not responsible for the discovery or identification of hidden or otherwise non-observable hazards. Records may not remain accurate after inspection due to the variable deterioration of inventoried material. DRG provides no warranty with respect to the fitness of the urban forest for any use or purpose whatsoever. Clients may choose to accept or disregard DRG's recommendations, or to seek additional advice. Important: know and understand that visual inspection is confined to the designated subject tree(s) and that the inspections for this project are performed in the interest of facts of the tree(s) without prejudice to or for any other service or any interested party.

Executive Summary

In 2018 the City of Schenectady commissioned an inventory and assessment of the trees, stumps, and planting sites located in the street rights-of-way (ROW). DRG collected and analyzed the inventory data to understand species composition and tree condition and to generate maintenance recommendations. This summary report is specific for the Stockade District Street Plan, and does not include the other areas inventoried in Schenectady.

Species Diversity

Throughout the Stockade's ROW, 383 sites were inventoried, including 355 trees, 9 stumps, and 19 proposed planting sites. Figure 1 shows the composition of the most populous species compared to all inventoried species. The composition of a tree population should follow the 10-20-30 Rule for species diversity: a single species should represent no more than 10% of the urban forest, a single genus no more than 20%, and a single family no more than 30%.

Currently the Stockade District has one species, Norway maple (comprising 19% of the inventoried population), that surpasses the 10% rule for an individual species. Cherry/Plum spp. is made up several species and is therefore excluded from this rule. Red maple is at the 10% threshold.

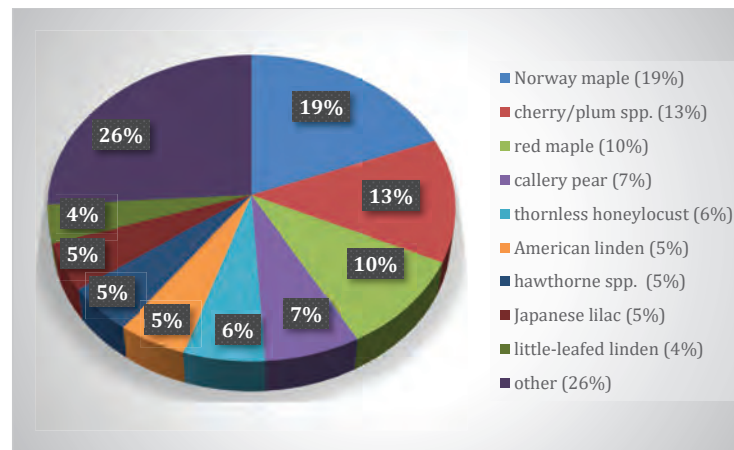


Figure 1. Tree species composition in the Stockade District of Schenectady, NY

Figure 2 represents the top five most common genera identified in the Stockade District in comparison to the 20% Rule. The top five genera are maple, cherry, linden, pear, and honeylocust.

One genera, *Acer* (maple), exceeds the recommended 20% threshold. Maples make up 35% of the street ROW tree population in the Stockade District. What comprises a majority of the maple population is Norway, an invasive species.

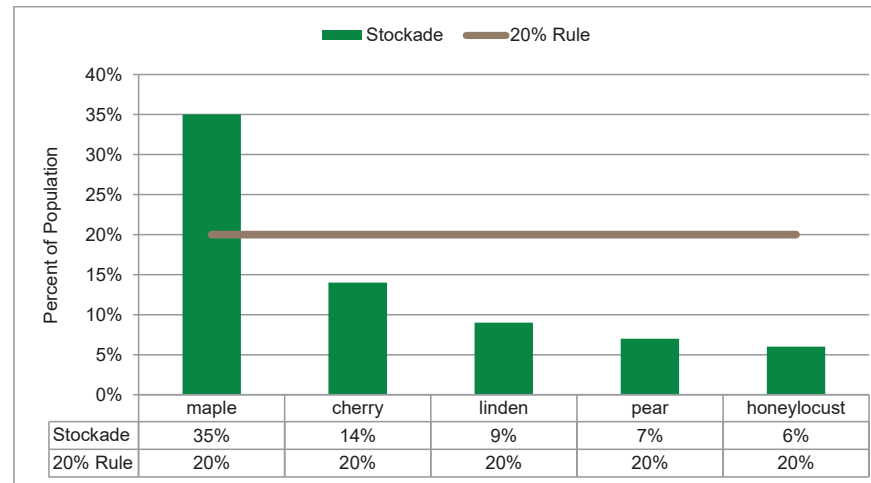


Figure 2. Top five genera in the Stockade District of Schenectady NY, in relation to the 20% Rule.

Diameter Size Class Distribution

Analyzing the diameter size class distribution (measured as diameter at breast height [DBH]) provides an estimate of the relative age of a tree population and insight into maintenance practices and needs.

The inventoried trees were categorized into the following diameter size classes: young trees (0–8 inches DBH), established (9–17 inches DBH), maturing (18–24 inches DBH), and mature trees (>24 inches DBH). These categories were chosen so that the population could be analyzed following Richards' ideal distribution (1983). Richards proposed an ideal diameter size class distribution for street trees based on observations of well-adapted trees in Syracuse, New York. Richards' ideal distribution suggests that the largest fraction of trees (approximately 40% of the population) should be young (<8 inches DBH) with a smaller fraction (approximately 10%) in the large-diameter size class (>24 inches DBH). A tree population with the ideal distribution would have an abundance of newly planted and young trees, with established, maturing, and mature trees present in lower numbers.

Figure 3 compares the Stockade’s inventoried street ROW tree diameter size class distribution to the ideal proposed by Richards (1983). The Stockade’s distribution trends toward the ideal; however, as the urban forest ages, the number of mature trees will rise above the ideal number. Therefore, it is important to continually plant new trees each year.

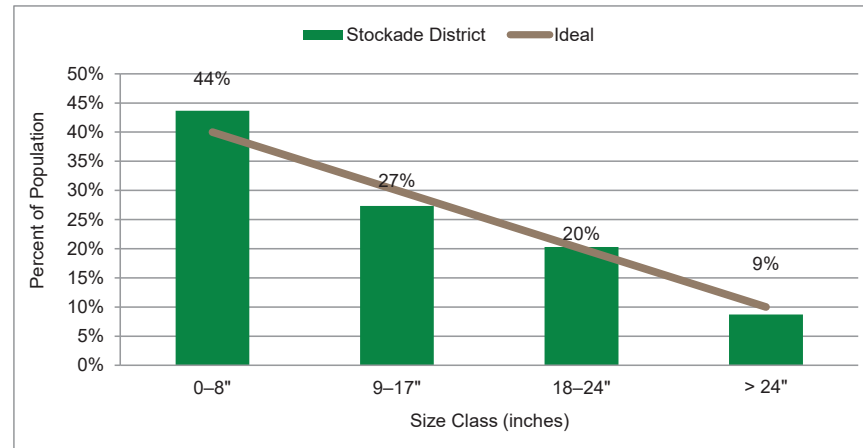


Figure 3. Age class distribution compared to Richards’ (1983) ideal.

Condition

Several factors were considered for the condition of each tree, including root characteristics; branch structure; trunk, canopy, and foliage condition; as well as the presence of pests. The condition of each inventoried tree was rated Good, Fair, Poor, or Dead.

Most of the inventoried ROW trees were recorded to be in Fair condition, 77% (Figure 4). Based on these data, the general health of the overall inventoried tree population is rated Fair. In an urban settings it is often difficult to grow trees that are in Good condition when they were originally not placed in the right location (growing space too small, tree growing into the powerlines and aggressively pruned, etc.). Therefore, it is important to place the “right tree in the right place”, which helps insure better growing conditions that can influence the health of a tree.

Recommendations

Dead trees should be removed because of their failed health.

Younger trees rated in Fair or Poor condition may benefit from improvements in structure that may improve their health over time. Pruning should follow ANSI A300 (Part 1) (ANSI 2008). Stressed young trees could also benefit from more frequent watering.

Poor condition ratings among mature trees were generally due to visible signs of decline and stress, including decay, dead limbs, sparse branching, or poor structure. These trees will require corrective pruning, regular inspections, and possible intensive plant health care to improve their vigor. The Stockade District may want to focus on these Poor condition trees after priory pruning and removals have occurred. If their conditions continue to deteriorate, the tree should be re-inspected by a certified arborist to see if removal is warranted.

Proper tree care practices are needed for the long-term general health of the Stockade District's urban forest. Following guidelines developed by ISA and those recommended by *ANSI A300 (Part 6)* (ANSI 2012) will ensure that tree maintenance practices ultimately improve the health of the urban forest.

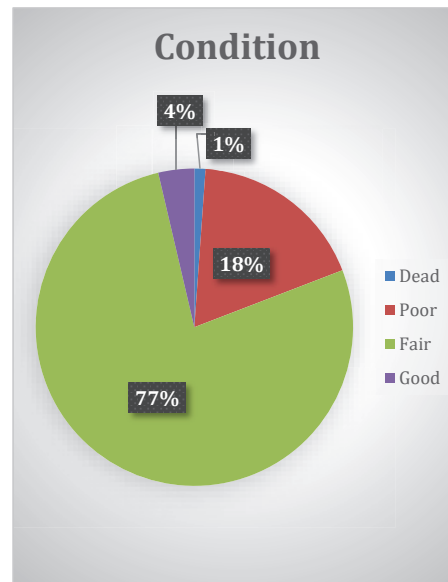


Figure 4. Overall condition ratings.

Tree Management

While implementing a tree care program is an ongoing process, tree work must always be prioritized to reduce public safety risks. DRG recommends completing the work identified during the inventory based on the assigned risk rating; however, routinely monitoring the tree population is essential so that other Extreme or High Risk trees can be identified and systematically addressed. While regular pruning cycles and tree planting are important, priority work (especially for Extreme or High Risk trees) must sometimes take precedence to ensure that risk is expediently managed. Keep in mind these maintenance and budget recommendations are only for the Stockade District, and that city arborists are currently working outside of this area a majority of the time.

Priority and Proactive Maintenance

The recommended tree maintenance work was divided into either priority or proactive maintenance for the Stockade District. Priority maintenance includes tree removals and pruning of trees with an assessed risk rating of High and Moderate Risk (no Extreme Risk trees were found at the time of inspection). Proactive tree maintenance includes pruning of trees with an assessed risk of Low and trees that are young. Tree planting, inspections, and community outreach are also considered proactive maintenance.

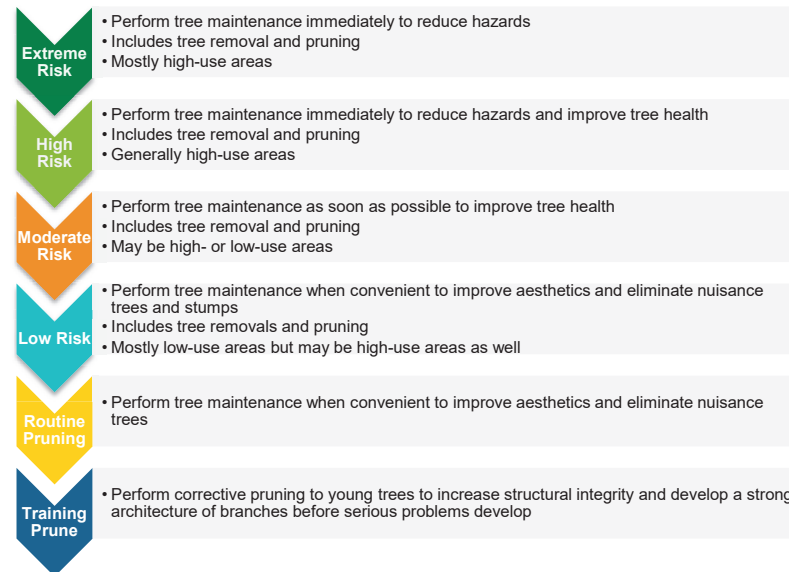


Figure 5: How tree maintenance needs are prioritized

Tree and Stump Removal

Although tree removal is usually considered a last resort and may sometimes create a reaction from the community, there are circumstances in which removal is necessary. Trees fail from natural causes, such as diseases, insects, and weather conditions, and from physical injury due to vehicles, vandalism, and root disturbances. DRG recommends that trees be removed when corrective pruning will not adequately eliminate the hazard or when correcting problems would be cost-prohibitive. Trees that cause obstructions or interfere with power lines or other infrastructure should be removed when their defects cannot be corrected through pruning or other maintenance practices. Diseased and nuisance trees also warrant removal.

Even though large short-term expenditures may be required, it is important to secure the funding needed to complete priority tree removals. Expedient removal reduces risk and promotes public safety.

Conclusion and Recommendations

Managing trees in urban areas is often complicated. Dealing with the recommendations of experts, the needs of residents, the pressures of local economics and politics, the concerns for public safety and liability issues, the physical aspects of trees, the forces of nature and severe weather events, and the expectation for all of these issues to be resolved simultaneously is a considerable challenge. The Stockade District must carefully consider each specific issue and balance these pressures with a knowledgeable understanding of trees and their needs. By completing a tree inventory, the City of Schenectady has shown interest in not only preserving the urban forest, but also maintaining it for future generations. Maintaining an established planting program, routine pruning operation, and public outreach program will aid in maintaining the many benefits the urban forest provides to the community. With continued dedication to the urban forest resource, the Stockade District in partnership with the City, can increase diversity, condition, and the annual benefits these trees provide.

References

- Richards, N.A. 1983. "Diversity and Stability in a Street Tree Population." *Urban Ecology* 7(2):159–171.
- Stamen, R.S. "Understanding and Preventing Arboriculture Lawsuits." Presented at the Georgia Urban Forest Council Annual Meeting, Madison, Georgia, November 2–3, 2011.

APPENDIX 1

DATA COLLECTION METHODS

Data Collection Methods

Davey Resource Group, Inc. “DRG” collected tree inventory data using a system that utilizes a customized Rover program loaded onto pen-based field computers equipped with geographic information system (GIS) and global positioning system (GPS) receivers. The knowledge and professional judgment of DRG’s arborists ensure the high quality of inventory data.

Data fields are defined in the glossary of the management plan. At each site, the following data fields were collected:

- address / location
- species
- tree size*
- multi-stem tree
- condition
- primary maintenance
- defects
- risk rating
- risk assessment complete
- residual risk
- further inspection
- overhead utilities
- date of inventory

* tree size is measured in inches in diameter at 4.5 feet above ground (or diameter at breast height [DBH])

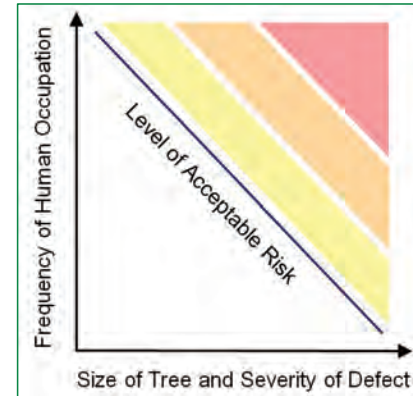
Maintenance needs are based on *Best Management Practices: Tree Risk Assessment* (International Society of Arboriculture [ISA] 2011).

APPENDIX 2

RISK ASSESSMENT/PRIORITY AND PROACTIVE MAINTENANCE

Risk Assessment

Every tree has an inherent risk of tree failure or defective tree part failure. During the inventory, Davey Resource Group, Inc. “DRG” performed a Level 2 qualitative risk assessment for each tree and assigned a risk rating based on the ANSI A300 (Part 9), and the companion publication *Best Management Practices: Tree Risk Assessment* (ISA 2011). Trees can have multiple failure modes with various risk ratings. One risk rating per tree will be assigned during the inventory. The failure mode having the greatest risk will serve as the overall tree risk rating. The specified time period for the risk assessment is one year.



- **Likelihood of Failure**—Identifies the most likely failure and rates the likelihood that the structural defect(s) will result in failure based on observed, current conditions.
 - Improbable—The tree or branch is not likely to fail during normal weather conditions and may not fail in many severe weather conditions within the specified time period.
 - Possible—Failure could occur but is unlikely during normal weather conditions within the specified time period.
 - Probable—Failure may be expected under normal weather conditions within the specified time period.
- **Likelihood of Impacting a Target**—The rate of occupancy of targets within the target zone and any factors that could affect the failed tree as it falls towards the target.
 - Very low—The chance of the failed tree or branch impacting the target is remote.
 - Rarely used sites
 - Examples include rarely used trails or trailheads
 - Instances where target areas provide protection
 - Low—It is not likely that the failed tree or branch will impact the target.
 - Occasional use area fully exposed to tree
 - Frequently used area partially exposed to tree
 - Constant use area that is well protected
 - Medium—The failed tree or branch may or may not impact the target.
 - Frequently used areas that are partially exposed to the tree on one side

- Constantly occupied area partially protected from the tree
 - High—The failed tree or branch will most likely impact the target.
 - Fixed target is fully exposed to the tree or tree part
- **Categorizing Likelihood of Tree Failure Impacting a Target**—The likelihood for failure and the likelihood of impacting a target are combined in the matrix below to determine the likelihood of tree failure impacting a target.

Likelihood of Failure	Likelihood of Impacting Target			
	Very Low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very Likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

- **Consequence of Failure**—The consequences of tree failure are based on the categorization of target and potential harm that may occur. Consequences can vary depending upon size of defect, distance of fall for tree or limb, and any other factors that may protect a target from harm. Target values are subjective and should be assessed from the client’s perspective.
 - Negligible—Consequences involve low value damage and do not involve personal injury.
 - Small branch striking a fence
 - Medium-sized branch striking a shrub bed
 - Large tree part striking structure and causing monetary damage
 - Disruption of power to landscape lights
 - Minor—Consequences involve low to moderate property damage, small disruptions to traffic or communication utility, or very minor injury.
 - Small branch striking a house roof from a high height
 - Medium-sized branch striking a deck from a moderate height
 - Large tree part striking a structure, causing moderate monetary damage
 - Short-term disruption of power at service drop to house
 - Temporary disruption of traffic on neighborhood street
 - Significant—Consequences involve property damage of moderate to high value, considerable disruption, or personal injury.
 - Medium-sized part striking a vehicle from a moderate or high height
 - Large tree part striking a structure resulting in high monetary damage
 - Disruption of distribution of primary or secondary voltage power lines, including individual services and street-lighting circuits
 - Disruption of traffic on a secondary street
 - Severe—Consequences involve serious potential injury or death, damage to high-value property, or disruption of important activities.

- Injury to a person that may result in hospitalization
- Medium-sized part striking an occupied vehicle
- Large tree part striking an occupied house
- Serious disruption of high-voltage distribution and transmission power line
- disruption of arterial traffic or motorways

- **Risk Rating**—The overall risk rating of the tree will be determined based on combining the likelihood of tree failure impacting a target and the consequence of failure in the matrix below.

Likelihood of Failure	Consequences			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Trees have the potential to fail in more than one way and can affect multiple targets.

Tree risk assessors will identify the tree failure mode having the greatest risk, and report that as the tree risk rating. Generally, trees with the highest qualitative risk ratings should receive corrective treatment first. The following risk ratings will be assigned:

- None—Used for planting and stump sites only.
- Low—The Low Risk category applies when consequences are “negligible” and likelihood is “unlikely”; or consequences are “minor” and likelihood is “somewhat likely.” Some trees with this level of risk may benefit from mitigation or maintenance measures, but immediate action is not usually required.
- Moderate—The Moderate Risk category applies when consequences are “minor” and likelihood is “very likely” or “likely”; or likelihood is “somewhat likely” and consequences are “significant” or “severe.” In populations of trees, Moderate Risk trees represent a lower priority than High or Extreme Risk trees.
- High—The High Risk category applies when consequences are “significant” and likelihood is “very likely” or “likely,” or consequences are “severe” and likelihood is “likely.” In a population of trees, the priority of High Risk trees is second only to Extreme Risk trees.

- Extreme—The Extreme Risk category applies in situations where tree failure is imminent and there is a high likelihood of impacting the target, and the consequences of the failure are “severe.” In some cases, this may mean immediate restriction of access to the target zone area to avoid injury to people.

Trees with elevated (Extreme or High) risk levels are usually recommended for removal or pruning to eliminate the defects that warranted their risk rating. However, in some situations, risk may be reduced by adding support (cabling or bracing) or by moving the target away from the tree. DRG recommends only removal or pruning to alleviate risk. But in special situations, such as a memorial tree or a tree in a historic area, Manchester may decide that cabling, bracing, or moving the target may be the best option for reducing risk.



Determination of acceptable risk ultimately lies with city managers. Since there are inherent risks associated with trees, the location of a tree is an important factor in the determination and acceptability of risk for any given tree. The level of risk associated with a tree increases as the frequency of human occupation increases in the vicinity of the tree. For example, a tree located next to a heavily traveled street will have a higher level of risk than a similar tree in an open field.

Priority Maintenance

Identifying and ranking the maintenance needs of a tree population enables tree work to be assigned priority based on observed risk. Once prioritized, tree work can be systematically addressed to eliminate the greatest risk and liability first (Stamen 2011).

Risk is a graduated scale that measures potential tree-related hazardous conditions. A tree is considered hazardous when its potential risks exceed an acceptable level. Managing trees for risk reduction provides many benefits, including:

- Lower frequency and severity of accidents, damage, and injury
- Less expenditure for claims and legal expenses
- Healthier, long-lived trees
- Fewer tree removals over time
- Lower tree maintenance costs over time

Regularly inspecting trees and establishing tree maintenance cycles generally reduce the risk of failure, as problems can be found and addressed before they escalate.

In this plan, all tree removals and Extreme and High Risk prunes are included in the priority maintenance program.

Appendix D

City Code Sections

Chapter 228

STREETS AND SIDEWALKS

GENERAL REFERENCES

Department of Engineering and Public Works — See Ch. 42.	Poles and wires — See Ch. 201.
Building, plumbing and electrical standards — See Ch. 137 and Ch. 138.	Sewers — See Ch. 220.
Numbering of buildings and lots — See Ch. 140.	Vehicles and traffic — See Ch. 248.
Peddlers and vendors — See Ch. 194.	Water — See Ch. 255.
	Wireless telecommunications facilities — See Ch. 257.

ARTICLE I

General Use of Streets and Sidewalks**§ 228-1. Use of streets and sidewalks in front of places of business.
[Amended 5-26-1992 by Ord. No. 92-27]**

- A. Except in formal action of the Council of the City as hereinafter stated or the Signage and Sidewalk Merchandise Review Committee as set forth in Chapter 223, no owner or occupant of any premises in the City shall erect or suffer to remain in or upon the street or sidewalk in front of or on any side of such premises any sign poles, bootblack stand, bicycle rack, stepping block or canopy, nor shall anyone be permitted to carry on any business or trade upon any sidewalk, stoop or porch in said City, nor shall any sign or advertisement be inserted in or placed on the surface of any sidewalk.
- B. An owner or operator of a business may apply for a permit to temporarily operate their business in the street or sidewalk for the purpose of selling alcohol or for a purpose related to the sale of alcohol. Permits under this subsection require compliance with all the applicable rules and regulations of the New York State Liquor Authority, evidence of adequate insurance, and such other conditions as may be required as to protect the health, welfare and safety of the public, as determined by the Corporation Counsel. The fee for a permit under this subsection shall be set from time to time by resolution. **[Added 11-25-2013 by Ord. No. 2013-29]**

§ 228-2. Signs and fixture size restrictions.

Except by formal action of the Council of the City as hereinafter stated, no such owner or occupant shall put up or suffer to remain upon or over the street or sidewalk in front of or alongside of such premises any sign or fixture more than 20 inches wide and not less than eight feet in the clear above the sidewalk, nor the outer edge of which shall be more than two feet from said building, except in the case of electric signs which may extend or project 10 feet in front or alongside of such premises, provided that the same shall in no case be hung so that the lower edge shall be at a lesser height than 10 feet from the surface of any sidewalk, passageway, driveway or alley, and provided, also, that such sign shall in no case extend beyond the curbline of any sidewalk. All electric signs erected or constructed within the provisions of this §§ 228-1 through 228-5 shall be under the supervision and subject to the approval of the City Engineer.

§ 228-3. Responsibility and liability for electric signs.

The owner or occupant of any premises in front of or alongside of which any electric sign shall have been erected or constructed as herein provided shall be liable and responsible to any party, persons or property which may in any way be damaged or injured because of the erection or construction of such sign.

§ 228-4. Stoops, steps and other protrusions.

Except by formal action of the Council of the City, no stoop, step or porch shall project into or occupy more than two feet of any sidewalk from the building line, nor shall any canopy, awning or window hood be hereafter put up unless the same is of linen or cotton goods and shall be at least 7 1/2 feet in the clear above the sidewalk, nor shall any goods or articles be hung or placed over any sidewalk more than four feet out from the building line and at least 7 1/2 feet in the clear above the sidewalk.

§ 228-5. Variations to restrictions.

The Council of the City shall have the authority to grant a variation to stated prohibitions when a property owner can show that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of §§ 228-1 through 228-5; provided, however, that the safety and general welfare may be secured and substantial justice done.

§ 228-6. Obstructions in streets: permission required.

No person shall leave, place or deposit in any of the streets in this City any building materials or any obstructions to the free use thereof without the written permission of the City Engineer.

§ 228-7. Deposits incident to building construction.

It shall be unlawful for any person to deposit any earth or rubbish taken from any lot preparatory to building without first obtaining the written permission of the City Engineer, and such permission shall not be given so that such deposits shall occupy more than 1/4 of the street in front of and on the same side with the lot upon which such building is to be erected, and also provided that such person shall keep the sidewalk clear at all times for the safe and convenient use of the public, and the gutters shall remain unobstructed. When no longer necessary for the construction of the building, all such earth and rubbish shall be promptly removed and the carriageway and sidewalk carefully cleaned. Lighted lanterns shall be placed and maintained so as to give sufficient notice of the obstruction. Every such permission shall be given subject to police control and may be revoked at any time by the official granting it, the Chief of Police or the Council.

§ 228-8. Articles encumbering streets and sidewalks. [Amended 6-26-1972 by Ord. No. 15813; 5-24-1982 by Ord. No. 82-55; 5-26-1992 by Ord. No. 92-21; 11-8-1993 by Ord. No. 93-37]

It shall be unlawful for any persons to encumber the sidewalks or streets of the City with merchandise, casks, boxes, tables, chairs, displays, portable signs or any other articles, except that the Office of Consumer Protection of the City shall have authority to grant a special permit for so-called "sidewalk sales" by merchants in the City, provided that review and approval by the Signage and Sidewalk Merchandise Review Committee as set forth in

Chapter 223, Signs, is obtained, where applicable, and also provided that the applicant takes out and maintains at his expense the following amounts of insurance in which the City of Schenectady is named as an additional insured. This section shall not apply to Article VII, Sidewalk and Outdoor Cafes.

- A. One million dollars for personal injuries or wrongful death for each person.
- B. One million dollars for any one accident.
- C. Two hundred fifty thousand dollars for property damage for each accident and an aggregate amount of not less than \$500,000.

**§ 228-9. Occupying streets or squares; merchandise display.
[Amended 9-15-1980 by Ord. No. 80-128; 6-2-1986 by L.L. No. 3-1986]**

No person shall occupy or use any street or any public square of the City or erect any booth or platform therein for the purpose of laying, opening or exposing for sale provisions or goods of any kind or that which is provided by Chapter 194, Peddlers and Vendors.

§ 228-10. Encroaching structures and articles.

- A. No person shall erect or maintain or cause to be erected or maintained any box, board or other article or thing or use any tree box in any street of the City for the purpose of signs or advertising nor swing nor hang or cause to be swung or hung any flag or awning across any of the streets or sidewalks of the City for a like purpose.
- B. The Chief of Police is hereby authorized to remove any box, board, flag, awning or other article maintained contrary hereto and to enter upon or in any building or premises for that purpose.
- C. Fees. For any revocable permit granted as an exception to the provisions of §§ 228-1 to 228-10 for any fixture, structure or thing in the public right-of-way, there shall be paid to the City a fee of \$100, which shall be tendered to the City at the time of application for said revocable permit. For the issuance of any contractor's work permit for operations to take place in the public way, there shall be paid a fee of \$750 per permit. **[Added 1-13-2003 by Ord. No. 2003-1; amended 12-27-2010 by Ord. No. 2010-20]**
- D. In the event the work affecting any public facility and subject to a permit issued by the City Engineer is not completed prior to the expiration of the permit, the permit shall be automatically extended weekly, without application, for a period not to exceed four weeks (28 days) from the expiration date of the original permit. In the event of such an extension, there shall be payable to the City an additional permit fee equal to 1/4 (25%) of the original permit fee payable for each week the work remains incomplete. If the work is not complete within

four additional weeks (28 days) following the expiration of the original permit, a further permit extension must be requested in writing, with payment of the full fee as if a new permit were issued. **[Added 4-11-2005 by Ord. No 2005-4]**

§ 228-11. Expecterating; unhealthy substances; vehicles scattering loads.

No person shall spit upon any sidewalk or the platform of any railroad station or upon the floors of public buildings and places. It shall not be lawful for any person to throw or deposit any filthy or dirty water upon their own lots or buildings in such manner that the same may flow or be discharged into any street of this City. It shall not be lawful for any person to carry or transport any of the substances over or through the streets of the City except in a vehicle with a tight box or compartment so loaded as not to be scattered along said streets.

**§ 228-12. Removing barricades; violation of flood-warning signs.
[Amended 7-20-1992 by Ord. No. 92-29; 8-1-1994 by Ord. No. 94-25]**

- A. No person shall take down or remove any barricade, obstruction, light or posted sign indicating such obstruction on a street or part of a street put up for the purpose of preventing travel while a pavement, drain, sewer or other improvement in the street is under construction.
- B. Driving through standing water where flood signs are posted is strictly prohibited.

§ 228-13. Injury or damage to streets, sidewalks or appurtenances thereto.

No person shall, in any manner, interfere with, disturb, dig, take up or deface, mutilate or in any manner injure any of the drains, streets, sidewalks or the appurtenances thereto without the written consent of the City Engineer.

§ 228-14. Utilities to be laid before paving.

All sewers, water or gas mains or conduits shall be laid in the street before the paving or repaving thereof.

§ 228-15. Utility connections.

No person shall be permitted to make, construct or lay any drain, sewer, gas or water pipe from his lot to connect with or enter in any drain, sewer, gas or water pipe which has been made or constructed unless the permission of such person directly abutting upon and in front of any drain, sewer, gas or water pipe laid in such street for any use is obtained and unless a permit therefor has been granted by the Council and the payment of such sum of money to the City Treasurer as shall be required by the City Engineer for

the purpose of defraying the cost and expense of making such connection has been made.

§ 228-16. Use of uncompleted pavement. [Amended 6-2-1986 by L.L. No. 3-1986]

No person shall, with a vehicle, pass over any pavement which has not been completed and opened to public use when a railing or other obstruction has been placed about such pavement to secure the same against use. If there is no such railing or obstruction, a notice by the City Engineer or his employees against using such pavement must be posted.

§ 228-17. Snow, ice and dirt removal responsibility. [Amended 12-30-1985 by Ord. No. 85-100A]

- A. It shall be the duty of every owner of any building or lot of land within the City fronting or abutting on a paved sidewalk or fire hydrant to remove and clear away or cause to be removed and cleared away snow, ice and debris from so much of said sidewalk and/or fire hydrant as abuts on said building or lot of land for the whole width thereof and from the gutters for the space of 18 inches from the curbstone line. In the case of snow and ice, said sidewalks, fire hydrants and gutters shall be cleared of snow, sleet or freezing rain within 24 hours of cessation of precipitation. In the event that snow and ice on a sidewalk and fire hydrant has become so congealed that it cannot be removed without injury to the pavement and/or fire hydrants, the person or entities charged with its removal shall, within the time listed above, cause enough sand or other abrasive to be put on the sidewalk, fire hydrants and gutters to make travel thereon reasonably safe and shall, as soon thereafter as weather permits, cause said sidewalks, fire hydrants and gutters to be thoroughly cleared. At all times, such sidewalks, fire hydrants and gutters shall be free and clear from all dirt, filth and other obstructions or encumbrances so as to allow the citizens to use the sidewalks and crosswalks. In no case, may a dangerous condition be permitted. **[Amended 2-12-1996 by Ord. No. 96-09]**
- B. It shall be the duty of the police of the City to see that the requirements of this section are complied with and obeyed. In addition to the Police Department's powers in relation to the enforcement of City ordinances, the police may serve or cause to be served a written notice upon the owner specifying the alleged violation of this section, and such notice may provide a reasonable time for compliance. In cases where the police are unable for any reason to compel compliance with the provisions of this section, such fact, with the reasons thereof and the location of the premises, shall be reported immediately in writing to the City Engineer.
- C. In addition to the provisions of Subsection E, if the owner shall not comply with the provisions of this section and keep the sidewalks and gutters free from ice, snow, dirt, filth and other obstructions and

encumbrances, as required by this section, the City Engineer may cause such work to be done and may cause such ice, snow, dirt, filth or other obstruction or encumbrances to be removed, and the expense of so doing, including administrative costs, when certified by the City Engineer, shall be paid by the owner of the property abutting on the sidewalk or gutter so cleaned. The cost and expense of doing such work may be collected in an action at law or may, if not paid within 10 days, be added to the owner's tax bill or otherwise enforced in any manner provided by law.

- D. No person shall sweep any sidewalk or remove dirt or dust therefrom, unless such sidewalk shall first be sprinkled with water so as to prevent dust from arising from such sweeping or removing of such dirt or dust, or unless the sidewalk is swept or such dirt or dust is removed from such sidewalk in such a manner that no appreciable dust shall arise by reason of such sweeping or removal of dirt. No person, partnership or corporation or other entity may deposit or cause to be deposited any snow or ice on or against a fire hydrant or on any sidewalk, roadway, gutter or street curb.
- E. Any person, partnership, corporation or other entity who violates any provisions of this section shall be guilty of a misdemeanor punishable by a fine not exceeding \$150 or by a penalty not exceeding \$500 to be recovered in a civil action.

§ 228-18. Duty of owner to maintain sidewalk; construction, repair or replacement. [Amended 12-11-1989 by Ord. No. 89-80; 11-3-1997 by Ord. No. 96-36]

- A. The owner of lands abutting any street, highway, alley or other public place in the City shall repair and maintain the sidewalks adjoining his lands and shall keep the same in a safe state of repair and free from defects and free and clear of snow, ice and all other obstructions. Such owner shall be liable for any injury or damage by reason of omission, failure or negligence to maintain or repair such sidewalk and keep it free from defects or to remove snow, ice or other obstructions therefrom or for a violation or nonobservance of any ordinance or regulation relating to maintaining and repairing sidewalks and keeping them free from defects and the removal of snow, ice and other obstructions.
- B. There shall be required for the construction, repair or replacement of any sidewalk a permit issued from the Department of Public Works as set forth in § 228-24. Sidewalks shall be constructed and repaired with concrete only, except that in historic districts brick and slate shall be allowed, and unless otherwise permitted by this chapter and allowed by the Department of Public Works. All construction, repair, or replacement shall be to such specifications and standards as the Department of Public Works shall from time to time promulgate. Where a sidewalk may have multiple functions, such as portion of a bike path, the Department of Public Works may authorize in writing the use of

material other than concrete for the construction and repair thereof.
[Amended 7-11-2005 by Ord. No. 2005-12]

§ 228-19. Notice requiring sidewalk repair or correction. [Amended 11-3-1997 by Ord. No. 96-36]

In case any sidewalk in the City shall, at any time, in the judgment of the Commissioner of Public Works or the Assistant City Engineer, require repairing or improving, or shall have been made of improper material, the Commissioner of Public Works or the Assistant City Engineer shall serve or cause to be served a notice upon the owner of the lot or piece of land in front of which such sidewalk is out of repair or in an unsafe condition or constructed of an improper material, requiring the owner or owners thereof, within 10 days from the service of such notice, to repair or improve or correct such sidewalk so as to make the same in good repair and in a safe condition or of the proper material. Such notice shall be served on such owner personally or by leaving the same at the residence of such owner or owners with a person of suitable age and discretion or by posting the same conspicuously on such premises or by mailing the same addressed to such owner or owners at Schenectady, New York. Where there are two or more owners of any such property, service upon one of them shall be sufficient.

§ 228-20. Maintenance of sidewalk by City upon owner refusal or neglect. [Amended 2-10-1997 by Ord. No. 97-01; 11-3-1997 by Ord. No. 96-36]

If any owner or owners shall neglect or refuse to repair or improve or correct a sidewalk within the time limited therefor by the notice given in accordance with § 228-19, the Department of Public Works may forthwith make such repairs or improvements or corrections in such manner as it shall deem proper and suitable and shall file a certificate of the expense thereof, together with a description of the property in front of which such improvement or repairs or corrections were made, with the City Clerk, who shall certify the same to the Council at the next regular meeting thereafter, and the expense of making such improvements or repairs or corrections shall be paid by the owner of the property abutting on the sidewalk so improved or repaired or corrected and may be collected in an action at law or may be determined, assessed and collected in the manner provided by the Charter of the City, or, at the option of the Commissioner of Public Works or the Assistant City Engineer, if the same has not been paid within 10 days of demand therefor, the Department of Public Works shall send an attested bill of said cost or expense to the Director of Finance, and upon such transmission the attested bill shall become a municipal lien for the amount thereof, and the Director of Finance shall add the amount of said attested bill to the next tax bill of the owner.

§ 228-20.1. Public pay phone installation or continuance. [Added 6-19-1995 by Ord. No. 95-17]

- A. No public pay phones shall be permitted on any City street, highway, alley, public grounds, City right-of-way and outdoor location in the City of Schenectady without first obtaining a permit from the Commissioner of Public Works or his designated agent.
- B. Each permit application shall include a sketch showing each proposed location and installation details, including specifications showing that phones will have the following capabilities:
 - (1) Restricting the hours of outgoing calls.
 - (2) Squelching pagers involved in illicit activity by limiting the number of digits that can be entered to 11 or as determined by City Council.
 - (3) Produce listings of numbers dialed from pay phones for a period of at least 33 days from the date requested by the City.
 - (4) Provide access to emergency Area Code 911 during restricted calling hours.
 - (5) Contain toll-fraud tracking.
- C. The Commissioner of Public Works, with the recommendation of the Police Chief, shall approve and issue the permit. The Commissioner of Public Works shall also approve the design for aesthetic compatibility with the area in which the phone is to be placed.
- D. Permit fee and application. An annual permit fee of \$100 per public pay phone shall be paid for all public pay phones by all public pay phone companies. Application for a permit shall be filed with the Commissioner of Public Works not later than March 31, and existing permits can be renewed on or before June 1 with payment of the annual fee of \$100. **[Amended 11-20-1995 by Ord. No. 95-37; 1-13-2003 by Ord. No. 2003-1]**
- E. Liability of permit holder insurance. In consideration of the granting of the permit required in this article by the City, the permit holder shall indemnify and save harmless the City from all claims, suits, actions, damages, judgments and costs of every name and description, in any way arising out of or resulting from the erection or maintenance of telephone booths under the permit and shall defend on behalf of the City all claims, suits, actions or proceedings which may be instituted against the City, provided that the City shall, in the event of any accident or other claim, give the permit holder written notice of all accidents or claims to which this indemnity agreement relates, and the permit holder shall present to the City a certificate of insurance, naming the City of Schenectady as additional insured, prior to the issuance of the permit, in the amounts for liability insurance of not less than \$1,000,000 for each person and \$1,000,000 for each accident and for property damages in an amount not less than \$250,000 with an aggregate of \$500,000 for each injury.

- F. Manner of installation; maintenance. Installation of public telephones, including power connections and site preparations, shall be made by the permit holder in accordance with the City Code and specifications contained therein. Phones shall be maintained and cleaned at the permit holder's expense.
- (1) No phone shall be placed or used on or in any street or public ground in such a manner as to obstruct or interfere with any owner's easement of access to any premises abutting upon or near the location of such booth or the wiring or appurtenances attached thereto, be permitted to become or be a nuisance or hazard to users of the public streets and public grounds or be permitted to obstruct the vision of motorists at street intersections.
 - (2) Owners of phones that present a public safety problem and that require the implementation of the technology outlined in Subsection B(1) through (5) shall be notified by the Police Chief of the requirement of implementing the technology, with a statement giving the reasons for implementation.
- G. Payment of fees to City; records of receipts. The public telephone company shall furnish accurate records of receipts and shall pay commissions to the City on charges collected at each City-owned location after deducting lighting costs in connection with the service, all in accordance with the regulations and the standard rate of commission adopted by the permit holder and/or the Public Service Commission from time to time.
- H. Termination of service.
- (1) The public telephone permit holder may terminate service and remove any or all upon at least 10 days' prior written notice to the Commissioner of Public Works. Upon termination, the permit holder shall restore the site of any removed booth to a safe and proper condition to the satisfaction of the City.
 - (2) Those with existing pay phones whose permit applications are denied and those who have existing pay phones whose permit is revoked for violation of this section and/or whose phones are found to be a public nuisance or public safety hazard shall remove the phone and restore the site to a safe and proper condition to the satisfaction of the City.
- I. Installation or a continuance of a public pay phone in violation of this section, including technology requirements outlined in § 228-20.1B and conditions contained on the permit, shall be a violation punishable by a fine of \$500 and/or a sentence of 15 days of community service.
- J. Appeal. An aggrieved applicant who is denied a permit or an aggrieved permit holder whose permit is revoked may, within 30 days of notice of adverse decision, appeal to the City Council Public Service and Utility Committee for reversal. Said appeal may be in letter form.

- K. Vandalism. Persons intentionally damaging City-owned telephone equipment shall be prosecuted pursuant to Article 145 of the New York State Penal Law entitled "Criminal Mischief and Related Offenses."

§ 228-20.2. Right-of-way permission. [Added 2-11-2002 by Ord. No. 2002-3; amended 5-9-2016 by Ord. No. 2016-10]

- A. No permit to use or open any City right-of-way which would require resurfacing or reconstruction, except for emergency work as determined by the City Engineer, shall be issued to any such person within a five-year period after the completion of the construction of any capital project performed by the City relating to such City right-of-way. Notwithstanding the foregoing, the City Engineer may issue a permit to open the City right-of-way within a five-year period following the construction of any capital project upon a finding that the need for the work could not have reasonably been anticipated prior to or during the construction of any capital project. In the event a permit is issued to open any City right-of-way within five years following the construction of any capital project, all persons, corporations or other entities completing asphalt restoration within the City right-of-way shall make such restorations or repairs in accordance with the standards and details of the Department of Engineering. The permit holder must guarantee such restorations or repairs for a period of five years from the City's date of acceptance.
- B. Right-of-way permission agreement. The City of Schenectady, by nonexclusive right-of-way permission agreement, may hereafter authorize a provider of fiber-optic or similar telecommunications services to enter in or upon the public right-of-way for the purpose of installing, erecting, maintaining or operating fiber-optic or other similar telecommunications equipment within or upon the City of Schenectady's public rights-of-way in accordance with the provisions of this section and all other applicable laws or regulations.
- C. Any provider of fiber-optic or similar telecommunications services seeking a right-of-way permission agreement shall be required to satisfy the following requirements:
- (1) Initial permit fee. An initial permit fee in the amount of \$50,000 shall be payable to the City of Schenectady in connection with any right-of-way permission agreement. The City shall have the right to accept the installation or provision of services or equipment having an equivalent value, as determined by the Department of Engineering and Public Works, in satisfaction of the initial permit fee. The determination as to whether or not to accept such services/equipment shall be in the sole judgment and discretion of the City.
 - (2) Annual permit fee. An annual permit fee equal to the greater of 5% of the grantee's gross revenues attributed to facilities located

within the City of Schenectady, or \$5,000, shall be paid to the City of Schenectady pursuant to the right-of-way permission/agreement.

- (3) Nonexclusive right-of-way permission. In accordance with a right-of-way permission agreement, the Commissioner of Public Works/City Engineer shall, subject to receipt of all approved maps, drawings or other documents or information as shall be required by the Department of Engineering and Public Works, issue any necessary contractor permit(s) authorizing the construction, installation, maintenance, location, upgrading, repair, relocation, operation, reconstruction, removal and replacement of the grantee's facilities in the public right-of-way pursuant to the agreement.
- (4) Standard right-of-way permission agreement. In accordance with the requirements of this section, the Commissioner of Public Works/City Engineer may promulgate and adopt any necessary rules and regulations governing the terms of the right-of-way permission agreement for the City of Schenectady.

§ 228-20.3. Ceremonial naming of streets. [Added 11-17-2016 by Ord. No. 2016-22]

A. Criteria for the ceremonial naming of a portion of a City street.

- (1) Any individual or organization may apply to the City Clerk to ceremonially name a portion of a street that has not already been ceremonially named, but streets may only be ceremonially named after a prominent person who is:
 - (a) A real person; and
 - (b) A person who has achieved prominence as a result of his or her significant, positive contribution to the United States of America, or the City of Schenectady, or a local community.
- (2) The portion of the street proposed for ceremonial naming must begin and terminate in not more than two blocks.
- (3) Names to be avoided:
 - (a) Street names being duplicated from an existing street;
 - (b) Curse words or derogatory terms;
 - (c) Cumbersome, corrupted or modified names;
 - (d) Discriminatory or derogatory names from the point of view of race, sex, color, creed, political affiliation, or any other illegal factor;
 - (e) Reuse of former street names.

B. Application guidelines.

- (1) Applications and official petition formers shall be available in the City Clerk's office and available upon request.
- (2) The cost of ceremonially naming a street shall be set by resolution and will substantially reflect the cost of sign materials and labor.
- (3) An applicant shall, after filing a completed application form and paying any applicable fees:
 - (a) Obtain a minimum of 500 signatures of adults aged 18 years or older in support of the proposal. All signatures must be from legal residents of the City of Schenectady at large, and 75% of which must be from the neighborhood of the street proposed for ceremonial naming.
 - (b) Provide the City Clerk supporting information, including a complete biography of the proposed honoree with references of substantiation, such as honors received and contributions to the national and local community.
- (4) Once an application form is completed and filed with the City Clerk, the party will have 180 days to get the required number of signatures and provide the other required information to the City Clerk, which she or he shall then pass on to the City Council for review.

C. City Council review.

- (1) Once the City Council receives a complete application from the City Clerk, a resolution calling for a public hearing on the application shall be introduced at the next City Council meeting by the Council President.
- (2) At the next City Council meeting after the public hearing, the resolution shall be placed on the agenda by the Council President for a formal vote to approve or deny the ceremonial naming of the street.
- (3) The Council may approve or deny the application for any reason or reasons the members determine to be in the best interest of the City. If the Council denies the application, an application that is the same or substantially similar may not be considered for a period of at least two years from the date of the formal vote.

ARTICLE II
Driveways and Other Structures Within Streets

§ 228-21. Definitions. [Amended 7-30-1979 by Ord. No. 79-76]

For the purpose of Articles II and III, the following terms shall have the meanings indicated:

CORNER — The point of intersection of the lines of two street curb faces extended into the street intersection.

CURB PARKING SPACE — A length of curb equal to 20 feet where an automobile or other vehicle can park.

CURB RETURN — That portion of a curb next to a driveway approach which includes the radius or curvature, or the ramp-type lug on commercial- or industrial-type pavements, and which connects the driveway approach to the street curb.

DRIVEWAY — A place on private property for the operation of automobiles and other vehicles.

DRIVEWAY APPROACH — An area, construction or facility between the roadway of a public street and private property, intended to provide access for vehicles from the roadway of a public street to private property. For clarification, a "driveway approach" must provide access to something definite on private property, such as a parking area, a driveway or a door at least seven feet wide, intended and used for the entrance of vehicles.

INTERSECTION — The area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadway of two highways which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

PARCEL OF LAND — A lot or lots or a tract officially registered under one ownership.

PEDESTRIAN WALKWAY — Any paved section within the sidewalk area designed especially for pedestrian travel.

SIDEWALK — That portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines.

§ 228-22. Preexisting driveways.

All driveways constructed prior to December 14, 1959, which do not conform to requirements of §§ 228-24 and 228-28 through 228-36 which, in the opinion of the City Engineer, are dangerous or which provide insufficient raised curb space for the free use of pedestrians shall be altered to provide such space; and notice shall be served upon the owners or occupants of the land abutting such driveway to make the necessary changes within 30 days, after which time, if the changes have not been made, the City Engineer may proceed with City forces to make all required changes; and the cost of said changes shall be charged against the abutting

owner as a municipal lien, or said cost shall be added to the tax roll as an assessment to be levied as a special tax against the abutting land owner, or said cost may be recovered in a lawsuit against such abutting owner, and the owner or occupant shall pay the cost of such work to the City.

§ 228-23. Variances. [Amended 7-30-1979 by Ord. No. 79-76]

The City Engineer is hereby authorized to grant, in writing, variances from the strict application of the provisions of Articles II and III, provided that he first determines that the following conditions are present:

- A. That the exception or variance desired arises from peculiar physical conditions not ordinarily existing in similar districts in the City or is due to the nature of the business or operation on the abutting property.
- B. That the exception or variance desired is not against the public interest, particularly safety, convenience and general welfare.
- C. That the granting of the permit for the exception or variance will not adversely affect the rights of adjacent property owners or tenants.
- D. That the strict application of the terms of Articles II and III will work unnecessary hardship on the property owner or tenant.

**§ 228-24. Plans required to alter sidewalks, curbs or driveways.
[Amended 6-2-1986 by L.L. No. 3-1986; 11-3-1997 by Ord. No. 96-36]**

- A. Prior to the making of or altering or repair or replacement of any sidewalk, curb, driveway or other structure within a street or other public space, or the paving or repairing of more than 25 square feet, the owner or occupant of the abutting land shall submit to the Department of Public Works plans, in duplicate, showing all the work it is desired to do. The plans shall have all details in conformity with the requirements herein and such other requirements as, in the opinion of the Commissioner of Public Works or the Assistant City Engineer, are necessary. **[Amended 3-25-2013 by Ord. No. 2013-12]**
- B. When the owner or occupant submitting the plans shall agree to execute all the work according to the requirements and has paid the permit fee which shall be set from time to time by resolution, the Department of Public Works shall issue a permit to proceed, which may be revoked at any time when the work is being carried on not in accordance with the terms of the permit or to the dissatisfaction of the Commissioner of Public Works or the Assistant City Engineer. If the work is improperly executed and completed, the Commissioner of Public Works or the Assistant City Engineer may direct that it be rebuilt or may rebuild with City forces, or contract the same to be done, and the cost of said work shall be charged against the abutting owner as a municipal lien, or said cost shall be added to the tax roll as an assessment to be levied as a special tax against the abutting landowner,

or said cost may be recovered in a lawsuit against said abutting owner.
[Amended 1-13-2003 by Ord. No. 2003-1; 3-25-2013 by Ord. No. 2013-12]

- C. All permits granted for the use of public property under the terms of Articles II and III shall be revocable at the discretion of the City Engineer when he feels such revocation would serve the best interest of the City.
- D. Curbs shall be constructed of either granite or concrete.

§ 228-25. Permit application.

An applicant for a permit hereunder shall file with the Department of Engineering and Public Works an application showing:

- A. The name and address of the owner or agent in charge of the property abutting the proposed work area.
- B. The name and address of the party doing the work.
- C. The location of the work area.
- D. Attach plans showing details of the proposed alteration.
- E. Such other information as the Department of Engineering and Public Works shall find reasonably necessary to the determination of whether a permit shall be issued hereunder. **[Amended 6-2-1986 by L.L. No. 3-1986]**

§ 228-26. Standards for permit issuance.

The Department of Engineering and Public Works may approve a permit hereunder when it finds:

- A. The plans for the proposed operation are in conformance with Articles II and III.
- B. The work shall be done according to the standard specification of the City for public work of like character.
- C. The operation will not unreasonably interfere with vehicular and pedestrian traffic, the demand and necessity for curb parking spaces and the means of egress to and from the property affected and adjacent properties.
- D. The health, welfare and safety of the public will not be unreasonably impaired.

§ 228-27. Turning restrictions. [Amended 7-30-1979 by Ord. No. 79-76; 6-2-1986 by L.L. No. 3-1986]

When, in the interest of public safety, the City Engineer finds that a specific turning movement to or from a driveway to a public street unreasonably interferes with pedestrian or vehicular traffic, such turning movement shall be prohibited and signs posted stating such prohibition.

ARTICLE III
Curb Cut Construction Specifications

§ 228-28. Maximum width.

For the purpose of constructing a driveway approach, no curb cut, opening or section broken out or removed shall exceed 40 feet.

§ 228-29. Distance between cuts.

The distance between any two consecutive curb cuts shall be not less than 20 feet.

§ 228-30. Location of driveway approaches.

No portion of a driveway approach, except the curb return, shall be constructed within 18 feet of a corner and in no case closer than two feet to the property line extended.¹

§ 228-31. Interfering with street structure.

No driveway approach shall interfere with municipal facilities, such as streetlighting poles, traffic signal standards, catch basins, hydrants, crosswalks, bus loading platforms, utility poles, fire alarm supports, underground pipes or ducts or other necessary street structures, and the City Traffic Commission is authorized to order and effect the removal or reconstruction of any driveway approach which now conflicts with street structures or which will conflict with street structures in the future or which exceeds the maximum width of curb cut. The cost of removing or reconstructing or relocating such driveway approaches shall be at the expense of the abutting property owner.

§ 228-32. Curb cuts within intersections. [Amended 11-17-1986 by L.L. No. 4-1986]

Curb cuts are prohibited as follows:

- A. No curb cut shall be permitted within an intersection.
- B. No curb cut shall be permitted on the following streets:

Name of Street	Side	Location
Barrett Street	East	From South Avenue to Huron Street
Central Parkway	West	From 875 Central Parkway to 787 Central Parkway
Congress Street	South	From Fourth Avenue to Eighth Avenue

1. Editor's Note: Former Sec. 26-42, which immediately followed this section and provided for curb return radius, was deleted 6-2-1986 by L.L. No. 3-1986.

Name of Street	Side	Location
Cutler Street	Both	From Third Avenue to Fifth Avenue
Davis Terrace	South	From Third Avenue to Fifth Avenue
First Avenue	South	From Sunset Street to Orchard Street
Glenwood Boulevard	Both	From Nott Street to Union Street
Hugh Street	South	From Helderberg Avenue to 2210 Hugh Street
Lowell Road	East	From Rugby Road to Nott Street
Maryland Avenue	East	From Oxford Place to Union Street
Park Place	West	From South Avenue to Huron Street
Parkwood Boulevard	Both	From Nott Street to Union Street
Second Avenue	Both	From Sunset Street to Orchard Street
Third Avenue	North	From Congress Street to Orchard Street
Williams Street	North	From Helderberg Avenue to 2227 Williams Street

§ 228-33. Use of driveway approaches limited.

It shall be unlawful for any person to construct, alter or extend or permit or cause to be constructed, altered or extended any driveway approach which can be used only as a parking space or area between the curb and private property.

§ 228-34. Location of service station equipment.

All service station pumps, oil pits, wash racks and islands shall be placed so that vehicles will not be stopped upon the sidewalk or traveled roadway while being serviced.

§ 228-35. Approach buildup for driveway.

It shall be unlawful for the owner, agent or occupant of any property in connection with a driveway thereon to use a wooden or metal approach extending from the street to the top of the curb, regardless of whether the same clamps over the top of the curb or not, and it shall also be unlawful for any person to place dirt, ashes or other material in the gutter next to the curb for the purpose of building up an approach for a driveway.

§ 228-36. Driveway construction across curbs and sidewalks.

When it is desired to construct a driveway across a curb and sidewalk, the curb may be removed, lowered or cut. The remaining curb, or edge of the

driveway approach at the gutter line where the curb has been removed, shall project at least 3/4 inch above the gutter line. The section of driveway across sidewalks shall be constructed so that there shall be no abrupt changes in either longitudinal or transverse grades. This shall not preclude the construction of warped sections of sidewalk with gradual grade changes required to meet existing elevations.

ARTICLE IV
Subsurface Space of Streets

§ 228-37. Definitions; applicability of provisions.

- A. Definitions. As used in this article, the following terms shall have the meanings indicated:

VAULT — Every opening below the surface of the street in front of any shop, store, house or other building, or lot, if covered over.

- B. Applicability. The owner or the person for whom the same shall be made, constructed or continued shall be subject to the provisions, payments and penalties of this article severally and respectively; provided, however, that this section shall not be construed to refer to areas or to openings for gas, electric or water service pipes or conduits.
[Amended 2-10-2014 by Ord. No. 2014-04]

§ 228-38. Licenses authorized.

The City Engineer, on application for that purpose, is empowered, provided that, in the opinion of said City Engineer, no injury or unwarranted inconvenience will accrue to the City or the public thereby, to grant a license for the construction of vaults or covered areas in the streets and to continue the existence of any already constructed or made.

§ 228-39. Licenses required; restoration. [Amended 6-2-1986 by L.L. No. 3-1986; 2-10-2014 by Ord. No. 2014-04]

- A. For new and existing vaults. No person shall cause or procure a vault or covered area to be constructed, made, altered, repaired, or modified in any of the streets, sidewalks or other property of the City without the written license therefor of the City. In addition to being criminally liable and subject to all actions at law or in equity, such property owner shall be responsible for all costs and expenses related to the closure and restoration of the area where the vault is located and shall fill in the space occupied by such vault or covered area and restore the ground to its former condition within 10 business days after the service of written notice so to do; in default whereof, or at its choosing, the City may perform said work, and the cost thereof shall constitute a debt of such person to the City, which shall be reported to the City Clerk. The City Clerk shall certify the same to the City Council, and such debt may be collected in an action at law or may be determined, assessed and collected in a manner provided by the Charter of the City; or, at the option of the City Council, if the same is not paid within 10 business days of demand thereof, an attested bill of said cost shall become a municipal lien for the amount thereof, and the amount of said attested bill shall be added to the next tax bill of the owner. At any time, the City may require proof of adequate insurance coverage, in the City's reasonable opinion, covering any vault.

- B. For existing vaults. The City shall have the right to inspect all vaults at all times. The City may, in its discretion, require all property owners adjacent to any existing vault to execute a written license agreement documenting the terms of its continued use. Such license agreement shall include indemnification of the City and insurance requirements to be determined from time to time. Such license agreement shall also include a reciprocal license allowing the City or its designee to enter upon and work within the property adjacent to a vault for purposes of assessing, repairing, closing, altering, or modifying a vault and the infrastructure or utilities housed therein. All license agreements shall be terminable by the City in its discretion with 30 days' notice to the applicable landowner. Should there be any conflict between the terms of this chapter and any license agreement, the terms of this chapter shall control. In the absence of an express written license agreement, the owner adjacent to any vault shall be deemed to have an implied license, containing the applicable terms contained in this chapter.

§ 228-40. Applications for licenses.

Every application for a license to construct or make a vault or covered area shall be in duplicate and shall be in writing and shall be signed by the owner of the premises, or the lessee thereof, whose lease requires him to erect a building on such premises, with the address of the applicant and the location of such proposed vault or covered area and shall state the number of square feet of ground which is required for such vault or area and the intended length and width of the same. Every such application shall be accompanied by duplicate drawings to scale showing the exact location on the sidewalk of such proposed vault or covered area and specifications for its construction. Every such application shall be kept on file in the office of the City Engineer as a public record, and the reference thereto, with the date of filing thereof, shall appear on every license issued on every such application.

§ 228-41. Issuance of licenses.

Upon the presentation of an application to the City Engineer, if, in his opinion, no injury or unwarranted inconvenience will accrue to the City or to the public by the granting of such application, and if the plan and specifications for the vault or area shall, in all respects, comply with the provisions of this article, he shall sign and deliver a license therefor in such form as shall be approved by the Corporation Counsel and shall deliver the same to the applicant, together with one of the duplicates of such application and plan.

§ 228-42. License fees; countersigning.

The applicant for a license hereunder shall, upon issuance, pay to the City Treasurer the fee of \$1 and shall thereupon present to the Building Inspector such receipt, together with the license signed by the City Engineer, the duplicate application for the license with the plans and

specifications attached thereto and also the bond or insurance policy hereinafter provided. Said Building Inspector shall thereupon countersign said license and deliver the same to the applicant and make an entry of such license in his records and shall file said duplicate application in his office and shall thereupon deliver such bond to the Comptroller of the City and take a receipt therefor.

§ 228-43. Bonds or insurance.

The bond or insurance to be presented to the Building Inspector, as provided in § 228-42, shall run to the people of the City and shall be executed by the applicant, together with one or more sureties, and shall be conditioned to hold the City harmless from all claims for damages to the extent of \$100,000 and \$300,000 arising from the construction of said vault or its maintenance or anything connected therewith; and both the City and any person having a claim for damages arising from construction of said vault or its maintenance may maintain an action thereon to recover the amount of any unsatisfied judgment recovered against the applicant or his successor in interest in ownership of said vault or covered area. Said bond or insurance shall be subject to the approval of the Corporation Counsel as to its terms and conditions and as to the sufficiency of its sureties.

§ 228-44. Survey before coverings. [Amended 6-2-1986 by L.L. No. 3-1986]

It shall be the duty of every person for whom any vault or covered area is in the process of construction to procure the same to be measured by a competent surveyor of the City and to deliver to the Building Inspector a certificate of the measurement, signed by said surveyor, before the arching of such vault or covered area shall be commenced. The enlargement or increase in size of any vault or covered area shall be construed to be an original, new and independent and separate construction and shall be governed by the provisions of this article as in the case of an original, new and independent and separate construction thereof.

§ 228-45. Denial of license.

No application for the construction or making of any vault or covered area in the City of Schenectady, New York, shall be granted if, in the opinion of the City Engineer, the public interest requires its denial.

§ 228-46. Maintenance of vaults; repair. [Added 2-10-2014 by Ord. No. 2014-04²]

- A. The holder of a license (written or implied) pursuant to the provisions of this article, or the owner or person for whom a vault is made, constructed, or continued, shall repair and maintain said vault and shall keep the same in a safe state of repair and free from defects and

2. Editor's Note: This ordinance also provided for the renumbering of former §§ 228-46 through 228-86 as §§ 228-50 through 228-90, respectively.

dangerous conditions. Such licensee, owner, or person shall be liable for any injury or damage by reason of omission, failure or negligence to maintain and repair such vault and keep it from defects or other obstructions therefrom or for a violation or nonobservance of any ordinance or regulation relating to maintaining and repairing vaults and keeping them free from defects and obstructions.

- B. For the repair or replacement of any vault by any licensee, owner or person other than the City or its designee, there shall be required for the repair or replacement of any vault a valid building permit in accordance with the provisions of this article, and said repair or replacement shall be subject to the provisions set forth in §§ 228-54 through 228-59.

**§ 228-47. Notice requiring vault maintenance, repair, or correction.
[Added 2-10-2014 by Ord. No. 2014-04]**

- A. In case any vault in the City shall, at any time, in the judgment of the City, require maintenance, repair, or correction, or shall have been made of improper material, a written notice shall be served upon the vault licensee or owner of the parcel or premises benefited by said vault either:
- (1) Requiring the owner or licensee to, within 10 business days of service of such notice, maintain, repair, or correct such vault so as to make the same in good repair and in safe condition or of the proper material; or
 - (2) In the event of an emergency or public safety concern, notifying the owner or licensee that said work will be done by the City or its designee.
- B. Such notice shall be served upon such owner or licensee personally, or by leaving the same at the residence of such owner or licensee with a person of suitable age and discretion, or by posting the same conspicuously upon the premises, or by mailing the same to the premises addressed to the owner or owners of said premises. Where there are two or more owners or licensees, service upon one of them shall be sufficient.

**§ 228-48. Maintenance of vault by City upon refusal or neglect.
[Added 2-10-2014 by Ord. No. 2014-04]**

If any vault licensee or owner of the parcel or premises benefited by said vault shall neglect or refuse to maintain, repair, or correct a vault within the time limited therefor by the notice given in accordance with § 228-47, the City may forthwith make such repairs or corrections in such manner as it shall deem proper and suitable or fill in the vault space, and shall file a certificate of the expense thereof, together with a description of the premises adjoining said vault, with the City Clerk, who shall certify the same to the City Council, and the expense of making such repairs,

corrections, or fills shall be paid by the vault licensee or owner of the adjoining parcel or parcels of real property which the vault benefits and may be collected in an action at law or may be determined, assessed and collected in a manner provided by the Charter of the City; or, at the option of the City Council, if the same is not paid within 10 business days of demand thereof, an attested bill of said cost or expense shall become a municipal lien for the amount thereof, and the amount of said attested bill shall be added to the next tax bill of the owner.

§ 228-49. Unsafe vaults. [Added 2-10-2014 by Ord. No. 2014-04]

All vaults shall constitute structures for purposes of Article VI of Chapter 138 of the Schenectady Code (Unsafe Buildings and Structures), and as such the provisions of Article VI of Chapter 138 and the powers and duties of the Building Inspector conferred thereunder with respect to structures shall apply with equal force and effect to vaults, owners and persons subject to the provisions of this article.

§ 228-50. Revocation of license.

The City Engineer may revoke any and all licenses for any vaults or covered areas if, in his opinion, the public interest so requires.

§ 228-51. Notices of license denial or revocation.

In case of the denial of any application for a license under this article or the revocation of any such license by the City Engineer as permitted by this article, he shall notify such applicant or the licensee whose license shall have been so revoked of the denial of said application or revocation of such license, as the case may be, in writing, giving his reasons for such denial or revocation.

§ 228-52. Appeals from denial or revocation.

- A. In case of the denial by the City Engineer of an application for any license hereunder or its revocation by him be herein provided, the applicant therefor or the holder of the license which may have been so revoked may appeal from the decision of said City Engineer to the Council.
- B. Such appeal shall be in writing, giving the address of and verified by the oath of the appellant, and one original copy thereof shall be served personally upon each of the following: the City Clerk, the City Engineer and the Corporation Counsel.
- C. At the same time the appellant shall pay to the City Clerk the sum of \$10.
- D. Such appeal shall include a copy of the application for such license, with its date of filing in the office of the City Engineer, and a copy of such license, in case a license shall have been issued, and a copy of the

reasons relied on by the City Engineer in denying the application or in revoking such license, as the case may be.

- E. Such service, with the payment of said sum of \$10 shall act as a stay in preventing the City Engineer from filling in and restoring the space occupied by any such vault or covered area which shall have been constructed or made pursuant to any such license or which may have been theretofore constructed or made pursuant to any ordinance heretofore enacted or otherwise in accordance with law until the decision of the Council on said appeal.
- F. The decision of said Council shall be entered on the minutes thereof and a copy thereof, over the signature of its Clerk, mailed to each of the following: the City Engineer, the Corporation Counsel and the appellant at his address given in his appeal papers, and a majority vote of the Council shall decide the appeal.
- G. In case the decision of the Council shall be in favor of the applicant, the sum of \$10 paid by him to the City Clerk shall forthwith be returned to him.
- H. The decision of the Council shall be final, and if in favor of the appellant, the City Engineer shall forthwith issue the license or reinstate the license revoked, as the case may be; provided, however, that if previous to such appeal the City Engineer shall have had any work performed or material supplied toward the filling in of any such vault or covered area and restoring of the ground, the cost thereof and of any action which may have been taken for the recovery thereof must be paid to the City Engineer with interest.

§ 228-53. Forms and records.

The City Engineer shall provide the necessary blank forms or licenses for issuance under the provisions of this article. Each license form shall be in triplicate and numbered consecutively, two of which shall be for delivery to the licensee and the other to remain in stub form in the license book. Each form shall provide space for the insertion thereon, in addition to the other matters required by this article, of the date of its issuance, name of the licensee with his address, the location of the proposed vault or other covered area, the actual or intended number of square feet of the vault or covered area or of any enlargement thereof with the actual or intended length and width thereof, the kind of material of which said vault or covered area is or shall be constructed and the location of the outward side of the opening and the material of which the covering thereof shall be made; at the top of each license and duplicate thereof shall appear the words "Office of the City Engineer, City of Schenectady, New York, Vault License"; and each duplicate of every license issued shall be a true copy thereof. Every such book of duplicate licenses shall be carefully preserved in the office of the City Engineer and shall constitute a public record.

§ 228-54. Extension beyond curbline.

No person shall construct or make or cause or permit to be constructed or made any vault or covered area which shall extend further than the line of the sidewalk or curbstone of any street under a penalty of a fine of \$100 and the cost of filling in of such excessive space, in accordance with the provisions of this article, at his expense, and, in addition, the City Engineer may revoke his license.

§ 228-55. General construction specifications.

- A. All vaults or covered areas shall be constructed of brick, stone or concrete, and the outward side of any opening in the street shall be placed at a point to be designated by the City Engineer, and openings through the sidewalk shall be placed as near the curb as possible. Openings for the admission of light may be placed between the street line and a point four feet outwardly therefrom and parallel to said street line. Area covers for light shall be of iron grating, not to exceed a one-inch space, or suitable glass and securely fastened to prevent removal. Vault doors or coverings shall be of strong iron or glass and shall be flush with the sidewalk and have concealed hinges on the under side, and where rivets are used to roughen the top, they shall be spaced at least two inches. Centers and doors shall be supplied with protection bars on exposed sides. At the junction of a door where a center rib for strength or to shed water is desired, the same shall be placed on the under side of the doors. The grips to pull up doors shall, in all cases, be depressed in the doors so as not to protrude above the top surface of the doors.
- B. All openings in the roofs of vaults shall be covered with glass set in iron frames, each unit of glass to measure not more than 16 square inches, or with iron covers having a smooth surface and babbitting into or made flush with the sidewalk.
- C. Coal holes shall not be greater than 24 inches in diameter and must be placed as near to the vault wall at the curb as is practicable and, in all cases, shall be flush with the sidewalk. The covers shall be flat and of roughened top, of incombustible material. The covers may be of concrete if the same are roughened from time to time as they wear smooth.

§ 228-56. Maximum size of openings.

No opening in the sidewalk shall occupy more than 1/2 the width of the sidewalk at the place of opening.

§ 228-57. Storing certain materials restricted.

No flammable or combustible material shall be placed or kept in a vault or area, nor shall any material be placed or kept therein which will or may

cause or permit odors or smoke to escape through said vault or area to the surface of the sidewalk.

§ 228-58. Guarding openings.

Every owner or leaseholder of any house or lot or ground within the City before which any vault or covered area shall be constructed or made and every person making or having charge of any such vault or covered area shall, during the whole of the time while any such vault or covered area shall be opened or uncovered, cause the same to be guarded and enclosed with a strong box, curb or railing at least three feet high and in addition thereto shall at night cause a lighted lamp or lantern to be placed and kept thereon so as to cast a red light upon such vault or covered area during the whole of every night.

**§ 228-59. Time limit on construction and notice of closure.
[Amended 2-10-2014 by Ord. No. 2014-04]**

- A. All vaults and other covered areas shall be completed and the ground closed over them within three weeks after their construction has been commenced, unless an extension of time shall be granted by the City, which, unless such extension is granted, is hereby empowered to fill in and restore the space occupied by said vaults or areas in the manner prescribed in § 228-39 if the public interest so requires.
- B. Notice for closure (with notice of license revocation) shall be in the judgment of the City, and the City shall serve or cause to be served a notice upon the owner or owners of the vault requiring the owner or owners thereof, within 10 business days from the service of such notice, to close the vault or provide a plan for closure acceptable to the City, all as required and directed by the City, including, without limitation, the restoration of the sidewalk and other disturbed area to a safe condition allowing pedestrian and/or other traffic and in a manner consistent with surrounding surface areas.

ARTICLE V
Moving Buildings on Public Streets

§ 228-60. Permit required.

No dwelling house, building, shed or other structure shall be moved along or across the public streets or highways of the City except under written permit granted by the Building Inspector.

§ 228-61. Conditions for the issuance of permits.

No moving permit shall be granted except under the conditions herein set forth.

§ 228-62. Denial of permit.

The Building Inspector shall have full power and discretion to refuse a moving permit should he deem the granting thereof injurious to the interests of the public. Any person to whom such permit is refused by the Building Inspector may appeal to the Mayor, and the decision of the Mayor will be final and binding as to the issuance of such permit.

§ 228-63. Application for permit; contents.

Any person desiring to move any dwelling house, building, shed or other structure along or across any of the public streets of the City may make application to the Building Inspector for a permit therefor. Said application shall be in writing and shall state the location by street and number of the structure to be moved, the location to which it is desired to be moved and the street or streets through or across which the structure is to be moved, together with the distance in feet between said points. The application shall also be accompanied by a diagram of the building to be moved with the dimensions thereof written thereon.

§ 228-64. Deposit required.

The applicant for a moving permit shall also, previous to making the application, deposit with the City Treasurer the sum of \$25, together with an additional \$10 for each 1,000 feet or fraction thereof the building is to be moved, and shall attach the receipt thereof to the application.

§ 228-65. Survey required.

The Building Inspector shall, upon receiving an application for a moving permit, direct the City Engineer to make or cause to be made a survey of the proposed route over which the building is to be moved, said survey taking into consideration the width of the carriageway and the condition of the street or streets as regards traffic, wires, trees, railroad tracks or other fixtures liable to be interfered with by the moving of the building. Upon the completion of said survey, the City Engineer shall report the results thereof to the Building Inspector, together with an estimate of the amount

of the probable damage to shade trees as well as an estimate of the cost of removing poles, crossarms, telegraph, telephone, electric light, police or fire alarm wires. The cost of making such survey and estimate shall be paid by the City Treasurer out of the moneys received with the application for permit, on the written order of the Building Inspector, and the unexpended balance of such moneys, if any, shall, after the building shall have been moved or the application of a permit refused, be returned to the applicant on the written order of the Building Inspector.

§ 228-66. Bond requirements.

Before the delivery of a permit required by this article, the Building Inspector shall require from the applicant a bond to be approved in all particulars by the Corporation Counsel with two or more sureties who shall justify, in double, the amount of payable costs and damages as estimated by the City Engineer as set forth, conditioned that the party to whom such permit is issued shall strictly observe the terms of the permit and reason of the removal of said building or structure. The ownership of shade trees along the line of the street is, for the purpose of this article only, declared to be vested in the owner of the lot in front of which they stand, subject to the right of control on the part of the City.

§ 228-67. Issuance of permits; form.

Should the Building Inspector, in his discretion, grant the permit for which application is made, said permit shall be made out in duplicate and shall be signed by the Building Inspector and endorsed as accepted by the applicant. The Building Inspector shall retain an original copy. The permit shall be substantially in the following form:

Schenectady, N.Y. 19

Permission is hereby given to to remove the Building No. Street to Street, along Streets, in the City of Schenectady, N. Y., and the same is not to blockade the traffic of said street along which said building is being moved.

This permission is given with the distinct understanding that whatever damage, if any, done or occasioned to any electric light, telephone, telegraph or other wires strung in said street or to any poles or standards in said streets or to the street pavement, sidewalk or curb in the streets or to any other appurtenance or thing in said street, by reason of the moving of said building or structure, shall be borne by the person to whom this permission is given, or the owners of the said building or structure, or either of them.

It is further hereby expressly agreed by the party soliciting and obtaining this permission or the owner of said buildings or structure, or either of them, that all claims of every name, nature and kind that may arise or accrue by the removal of said building or structure shall be borne by and liquidated by them, or either of them, and that they, or either of them, will save the City of Schenectady harmless from any claim or damage occasioned by such removal.

All rubbish and material shall be promptly removed and the carriageway and sidewalks carefully cleaned.

At night one or more lighted lanterns are to be placed and maintained so as to give sufficient notice of the obstruction. The work of the moving of said building shall be pushed forward with as great a speed as possible.

This permit is given subject to police control and revocation, at any time, by the Building Inspector.

.....

Building Inspector

§ 228-68. Cutting limbs; removing or raising utility fixtures.

No person to whom a permit for moving a building has been granted shall have the right to break or cut the branches of any tree along the line of the street without the written permission of the owner or to remove or lift any pole or wire except in the presence of the owner thereof, who may, should he see fit, cause the same to be removed or lifted by his own employees at the expense of the party to whom said permit is issued. Should the owner of said shade trees above referred to refuse to grant such permission to cut or remove limbs or branches, the Building Inspector shall examine or cause to be examined the trees in question, and should he decide that the cutting of the branches is both expedient and necessary, he may fix the amount of compensation to be paid to the owner and, after said amount of compensation shall have been paid by the party to whom said permit is issued, grant a written permit to remove the limbs or branches in question.

ARTICLE VI
Penalties

§ 228-69. Penalties for offenses. [Added 6-2-1986 by L.L. No. 3-1986; amended 7-20-1992 by Ord. No. 92-30; 8-15-1994 by Ord. No. 94-27]

- A. Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment for a term not to exceed 15 days or a period of community service not to exceed 15 days, or both a fine and imprisonment, or a fine and community service, or by a penalty not exceeding \$500 to be recovered in a civil action. Each day any violation of this chapter shall continue shall constitute a separate offense.
- B. Any person issued a notice of violation pursuant to any provision of this chapter, where the same has not been withdrawn by administrative appeal or dismissed by a court of competent jurisdiction, shall be subject to an administrative fee of \$50, and such administrative fee shall be charged against the land upon which the notice of violation was issued as a municipal lien and, if unpaid, such administrative fee shall be added to the tax rolls as an assessment or levied as a special tax against said property or recovered in a civil suit against the person to which the notice of violation was issued. **[Added 7-1-1996 by Ord. No. 96-37]**

ARTICLE VII
Sidewalk and Outdoor Cafes
[Added 11-8-1993 by Ord. No. 93-37]

§ 228-69.1. Purpose and intent.

The sidewalk and outdoor cafe regulations as set forth in this article are designed to permit those cafes in areas where they are appropriate and to promote and protect the public health, safety and general welfare. Specific purposes of this legislation are:

- A. To ensure adequate space for pedestrians on the sidewalk adjacent to sidewalk and outdoor cafes.
- B. To preserve and enhance the character of neighborhoods through the City and to protect the adjacent residential areas.
- C. To simplify administrative and strengthen enforcement procedures for sidewalk and outdoor cafes that are effective, efficient and enforceable.
- D. To promote the most desirable use of land and to provide compensation to the City of use of City-owned land for sidewalk cafe purposes.

§ 228-70. Definitions.

For the purposes of this article, the following terms shall include each of the meanings set forth:

NONRESIDENTIAL DISTRICTS — Those areas of the City of Schenectady designated by the Zoning Map, § 264-4 of Chapter 264, Zoning, as E, F, G and H Districts which do not abut a Residential District A, A-2, B, B-2 or C.

OUTDOOR CAFE — Those exterior facilities adjacent to and part of establishments selling food and/or drink, entirely located on private property, open to the elements except for awnings and/or low walls or fences, temporary or permanent in nature, such as rooftop cafes or decks and those at street level not using any City-owned property.

PERMIT — Written authorization issued by the Office of Consumer Protection pursuant to this article, permitting the operation of either a sidewalk or outdoor cafe.

RESIDENTIAL/MIXED-USE DISTRICTS — Those areas of the City of Schenectady designated by the Zoning Map, § 264-4 of Chapter 264, Zoning, as those E, F, G and H Districts where the outdoor cafe abuts a Residential District A, A-2, B, B-2 or C.

SIDEWALK CAFE — Those exterior facilities adjacent to and a part of establishments selling food and/or drink that require the use of some City-owned property for operation, are temporary in nature and are open to the elements except for original awnings and/or temporary low walls or fences.

§ 228-71. Permit required; restrictions.

- A. No sidewalk or outdoor cafe shall be allowed to operate in any outdoor area unless a permit has been obtained from the Office of Consumer Protection.
- B. Any request for the use of such an area for such purpose shall be made in writing to the Office of Consumer Protection in the form of a permit application.

§ 228-72. Rules and regulations.

The Office of Consumer Protection shall establish rules and regulations necessary to carry out the purposes of this article.

§ 228-73. Application for permit.

- A. Any request or application for a permit to operate a sidewalk or outdoor cafe shall be made to the Office of Consumer Protection, in writing, on the application form provided by the Office of Consumer Protection.
- B. The request/application may, in the Office of Consumer Protection's discretion, contain the following information:
 - (1) The name, address and telephone number of the applicant.
 - (2) The name, address and telephone number of the restaurant to be the subject of the application.
 - (3) The days and hours for which the permit is requested.
 - (4) Whether alcoholic beverages are to be served.
 - (5) The number of tables and chairs desired for this area and a rendering of positions of tables relative to entrances, exits and the sidewalk.
 - (6) A description of facilities and equipment to be used, including whether live or mechanically reproduced music is to be played, and other devices needed for amplification of sound, when applicable.
 - (7) A site plan and building plans drawn to scale showing proper clearance around the ingress and egress to buildings and to fire safeguards; also the proper amount of clearance on sidewalk for pedestrian traffic.
 - (8) Proof of insurance in amounts required by § 228-73.
 - (9) An indication of all fixtures such as fencing, decking or planters to be used, and an indication of whether or not they will be removed when the cafe is closed.
 - (10) A survey map indicating property lines and that property which is owned by the applicant and that which is City-owned.

- (11) Any other information that the Office of Consumer Protection may find reasonably necessary for the fair determination as to whether a permit should be issued.

§ 228-74. Standards for issuance of permit.

The following standards shall apply:

- A. The proposed sidewalk or outdoor cafe will not unreasonably interfere with the pedestrian traffic or use of the City-owned portion of property to be used.
- B. The applicant has met all other applicable provisions in this article and those in the Building Code, the Zoning Ordinance and, if located in an historic district, the historic district's ordinance. Article VII of the Zoning Code Plans shall be circulated to the Commissioner of Public Works, Building Inspector, Zoning Officer and Police Commissioner for their review and comment.

§ 228-75. Effect of permit.

A permit holder shall be bound by all applicable rules, regulations, ordinances, local laws and statutes. The permit may be conditioned on modifications or restrictions intended to ensure compliance with the provisions of § 228-68 and the general protection of the health, safety and welfare of the citizenry.

§ 228-76. Fees. [Amended 1-13-2003 by Ord. No. 2003-1; 4-11-2011 by Ord. No. 2011-09]

The annual fee for processing the application for a sidewalk or outdoor cafe permit shall be \$250.

§ 228-77. Liability of permit holder; insurance. [Amended 5-9-1994 by Ord. No. 94-15]

The person or persons to whom a permit for a sidewalk cafe is issued shall be liable and shall indemnify the City for any loss, damage or injury sustained by any person or persons to whom the permit shall have been issued. The applicant for a permit shall present to the City a certificate of insurance, naming the City of Schenectady as additional insured, prior to the issuance of the permit, in the amounts for liability insurance of not less than \$1,000,000 for each person, and \$1,000,000 for each accident and for property damages in an amount not less than \$250,000 with an aggregate of \$500,000 for each injury.

§ 228-78. Revocation or suspension of permit.

The Building Inspector's Office and the Police Department shall be responsible for monitoring compliance with the terms of this article and applicable rules and regulations. The Office of Consumer Protection shall

have the authority to revoke or suspend a permit upon the finding of a violation of any applicable rule, regulation, ordinance, local law or statute or upon good cause shown.

§ 228-79. Appeal from denial, revocation or issuance of permit.

Appeals from the issuance, denial, revocation or other condition of a permit may be taken to the Board of Zoning Appeals (BZA) by any aggrieved person within 30 days from the date of the issuance, denial or revocation by filing a written notice with the Office of Consumer Protection on forms prescribed by the Board. The BZA shall publish a legal advertisement and mail notice to property owners located within 100 feet of the proposed cafe. The BZA appeal fee shall be \$50 to cover these costs. Each appeal shall refer to the specific relevant provision of the article, explain the aggrieved person's position with respect to the determination being appealed and state the relief requested. If the appeal is from a denial or revocation, it shall also state the reasons given for said denial or revocation.

§ 228-80. Procedures for Office of Consumer Protection and Board.

Upon receipt of an appeal of a permit denial, revocation or issuance, the Office of Consumer Protection shall transmit the appeal and all pertinent data and records to the Board, including his or her recommendations. The Board shall establish a reasonable time for the hearing of each appeal and give proper notice thereof. The Board shall decide the appeal within 30 days of the hearing. At the hearing, any party may appear in person or be represented by an agent or attorney. The Board's decision shall be filed in writing with the Office of Consumer Protection and the Corporation Counsel. A copy shall be sent to the appellant.

§ 228-81. Notification of permit application; issuance/posting.

Upon receipt of a permit application, the Office of Consumer Protection shall send a copy of the application to the Building Inspector, City Engineer, Zoning Officer and Police Commissioner. Comments and recommendations shall be accepted for a period of 14 days from the date of distribution. Notice of permit issuance, with any conditions or restrictions attached, will be similarly distributed. The permit holder shall post the permit upon issuance on the establishment so that it is visible from the street and shall keep the same posted for the term of the permit.

§ 228-82. Trash; maintenance of premises.

Property shall be cleaned and kept refuse-free, and no large containers for trash shall be placed on the cafe premises. At the expiration of the term of the permit, all City-owned property shall be delivered to the City in good condition, damage by elements excepted. Public property shall not be altered in any way during the term of the permit.

§ 228-83. Hours of operation.

- A. Residential/mixed-use districts. Cafes located in residential/mixed-use districts shall be open for business not before 8:00 a.m. and shall close by 9:00 p.m.
- B. Nonresidential districts. Cafes located in nonresidential zoning districts shall be open for business not before 8:00 a.m. and shall close by 2:00 a.m.

§ 228-84. Music, lighting and outdoor cooking.

- A. Residential/mixed-use districts. Cafes located in residential/mixed-use districts shall not use music or noise amplification devices, and no music or entertainment of any type is permitted outdoors. Lighting shall be minimal and shall be installed so that direct or indirect illumination from the source of light shall not cause illumination in excess of 0.5 footcandles on any abutting property. No outdoor cooking of any type is permitted in sidewalk or outdoor cafes.
- B. Nonresidential districts. Cafes located in nonresidential zoning districts shall be allowed to provide music, so long as it is not of type or volume as to violate any applicable law or ordinance, such as the City's Noise Ordinance,³ or create a nuisance to surrounding residents or property owners. Lighting shall be minimal and shall be installed so that direct or indirect illumination from the source of light shall not cause illumination in excess of 0.5 footcandles on any abutting property. No outdoor cooking of any type is permitted in sidewalk or outdoor cafes.

§ 228-85. Fixtures, furnishings and signage.

In sidewalk cafes, all fixtures and furnishings must be of a temporary nature, capable of being brought in at closing time, and must be brought in and stored during nonoperational hours. No objects except a retractable awning and lighting fixtures may be permanently attached to the exterior. All planters, railings and fences must be temporary and not exceed a height of four feet. No additional signage shall be permitted to be affixed to a cafe's temporary structure or accessories. Outdoor cafes and those cafes operating entirely on private property, are excepted from the above requirements of this section; however, if either type of cafe is located in an historic district, additional requirements relative to signage and other exterior elements that are set forth in the historic district's ordinance are applicable.

§ 228-86. Clear and safe path.

For sidewalk cafes using City property for operation, there shall be a minimum of five feet or 50% of the total sidewalk width for clearance, whichever is greater, to provide adequate and unobstructed pedestrian movement, such measurement being made from the outermost point of

3. Editor's Note: See Ch. 182, Noise.

the cafe to the unobstructed inner edge of the curb, excluding brick or grass carpets, United States mailboxes, fire hydrants, bus shelters, street trees, etc. The actual amount of clearance space needed will be based upon two factors: the location and the volume of pedestrian traffic. A larger pedestrian right-of-way may be required based on the proposed location and the volume of pedestrian traffic experienced there.

§ 228-87. Penalties for offenses. [Amended 8-29-1994 by Ord. No. 94-29]

- A. Any person violating the provisions of this article may be issued a notice of violation by the Office of Consumer Protection, the City Building Inspector or the Schenectady Police, and if such violation continues beyond the time stated in the notice of violation for its abatement, it shall constitute an offense against the provisions of this article. **[Amended 7-1-1996 by Ord. No. 96-37]**
- B. An offense against the provisions of this article shall constitute a violation and shall be punished by a fine not to exceed \$1,000, immediate revocation or suspension of permit privileges and/or a jail term not to exceed 15 days or a term of community service not to exceed 15 days or by a civil compromise after a hearing on the violation.
- C. Any person issued a notice of violation pursuant to any provision of this article, where the same has not been withdrawn by administrative appeal or dismissed by a court of competent jurisdiction, shall be subject to an administrative fee of \$50, and such administrative fee shall be charged against the land upon which the notice of violation was issued as a municipal lien and, if unpaid, such administrative fee shall be added to the tax rolls as an assessment or levied as a special tax against said property or recovered in a civil suit against the person to which the notice of violation was issued. **[Added 7-1-1996 by Ord. No. 96-37]**

§ 228-88. Permits; term; renewals.

Permits shall be issued on or after May 1 of each year. All permits, regardless of when issued, shall expire on April 30. Applications for renewal of permits shall be made in the same manner as original applications. Permits are not assignable.

§ 228-89. Severability.

If any section, paragraph, subdivision, clause or provision of this article shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this article shall be deemed valid and effective.

§ 228-90. Environmental review.

Inasmuch as no other agent or agency is involved in the enactment of this legislation, the City Council hereby declares itself lead agency and, upon review of the environmental assessment form (EAF) filed with respect thereto, finds such enactment to be an unlisted action having no adverse impact upon the environment.

Chapter 243

TREES AND SHRUBS

GENERAL REFERENCES

Parks and recreation — See Ch. 186.

§ 243-1. Purpose.

It is for the best interests of the City of Schenectady and of the citizens and public thereof that a comprehensive plan for the planting, maintenance, removal and replacement of park and City street trees and trees which may overhang public streets within said City should be developed and established; and that this ordinance is adopted, therefore, for the purpose of developing and providing for such a plan and program and for the purpose of establishing rules and regulations relating to the planting, maintenance, removal and replacement of such trees.

§ 243-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CITY — The City of Schenectady, situated in the County of Schenectady, New York.

OWNER — Includes the legal owner of real property fronting on any street of the City and any lessee of such owner.

PARK — Includes all public parks.

PERSON — Includes an individual, a firm, an association, a corporation, a copartnership and the lessees, trustees, receivers, agents, servants, heirs, assigns and employees of any such "person."

PUBLIC STREETS or STREETS — Includes all roads, streets, avenues, boulevards, alleys, parkways and public rights-of-way, or any portion thereof, located in the City.

SUPERINTENDENT OF PARKS or SUPERINTENDENT — The Park Superintendent of the City of Schenectady.

§ 243-3. Word usage.

Wherever used in this chapter, the singular number includes the plural, and the plural includes the singular.

§ 243-4. Enforcement.

The Superintendent of Parks, or his duly authorized representative, shall be charged with the enforcement of this chapter.

§ 243-5. Master tree list.

A listing of suitable and desirable types and species of trees able to thrive in an urban setting. The list shall be compiled and kept up-to-date by the Environmental Conservation Commission through consulting with persons such as Cooperative Extensions, arborists, nurserymen and Cornell University. Said report shall be known as the "master tree list," shall be placed on file in the office of the City Clerk and shall, thereafter, be the official determination of the Superintendent. Revisions or changes in said master tree list may be made from time to time by the Superintendent of Parks. All trees hereafter planted in public lands or which may overhang the public streets of the City must be on the master tree list unless a written permit from the Superintendent of Parks shall have first been obtained to plant a tree not on said list.

§ 243-6. Jurisdiction and control.

The Superintendent of Parks shall have jurisdiction and control of the planting, setting out, location and placement of all trees in the public parks of the City and, with the approval of the City Engineer, in the public streets of the City and shall likewise have supervision, direction and control of the care, trimming, removal, relocation and replacement thereof.

§ 243-7. Permit required.

It shall be unlawful and it is hereby prohibited for any person other than the Superintendent of Parks or his duly authorized agent or deputy to cut, trim, prune, spray, brace, plant, move, remove or replace any tree in any public street or public park within the City, or to cause the same to be done, unless and until a written permit to do so shall have been first obtained from the Superintendent of Parks. The applicant must obtain a permit, and the suggested worker must be approved by the Superintendent. The Superintendent of Parks may require the worker to follow street and park tree specifications, as updated by the Environmental Conservation Commission, as a term of the permit. Any such permit may be declared void and a fine imposed by the Superintendent if its terms are violated.

§ 243-8. Work by unauthorized persons prohibited.

No person other than an owner or public utility may do any act for which a permit is required under § 243-7 hereof, except a person whose principal business is tree surgery, trimming or maintenance and who, in the opinion of the Superintendent of Parks, is qualified for such business and who has obtained a permit to carry on such business in the City from the Superintendent of Parks. Permits issued pursuant to this section may be granted for a period of one year from the date of issuance.

§ 243-9. Public utilities.

Any person doing business as a public utility subject to the jurisdiction of the Public Utilities Commission of the State of New York and any constituted

public agency authorized to provide and providing utility service shall be given a permit from the Superintendent, valid for one year from the date of issuance, permitting such person to trim, brace, remove or perform such other acts with respect to trees growing adjacent to the public streets of the City, or which grow upon private property to the extent that they encroach upon such public streets, as may be necessary to comply with the safety regulations of said Commission and as may be necessary to maintain the safe operation of its business.

§ 243-10. Injury and damage prohibited.

It shall be unlawful for any person to break, injure, deface, mutilate, kill or destroy any tree or set fire or permit any fire to burn where such fire or the heat thereof will injure any portion of any tree in any public street or park in the City, nor shall any person place, apply, attach or keep attached to any such tree or to the guard or stake intended for the protection thereof any wire, rope (other than one used to support a young or broken tree), sign, paint or any other substance, structure, thing or device of any kind or nature whatsoever, without having first obtained a written permit from the Superintendent of Parks to do so.

§ 243-11. Removal of trees overhanging streets.

The Superintendent of Parks may inspect any tree upon, or which overhangs, any City street to determine whether the same or any portion thereof is in such a condition as to constitute a hazard or impediment to the progress or vision of anyone traveling on such City street. Any tree or part thereof growing upon private property but overhanging or interfering with the use of any street that, in the opinion of the Superintendent of Parks, endangers the life, health, safety or property of the public shall be declared a public nuisance. If the owner of such private property does not correct or remove such nuisance within 10 days after receipt of written notice thereof from the Superintendent of Parks, the Superintendent of Parks shall cause the nuisance to be corrected or removed, and the cost shall be assessed to such owner.

§ 243-12. Annual review of provisions.

This chapter shall be reviewed annually by the Environmental Conservation Commission and specific amendments and revisions recommended to the City Council as conditions and technology change.

§ 243-13. Emergencies.

In the case of emergencies, such as windstorms, ice storms or other disasters, the requirements of this chapter may be waived by the Superintendent of Parks during the emergency period so as not to hamper private or public work to restore order in the City.

§ 243-14. Penalties for offenses.

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding \$500. In addition, any person who removes a tree in any public street or park without a written permit from the Superintendent of Parks, or who damages a tree such that it must be removed, is legally and financially responsible for replacement. The removed tree may be replaced with another of equal DBH (diameter breast height) or with two or more trees such that the sum of the DBH's of the replacement trees equals or exceeds that of the removed tree. The Superintendent of Parks will designate the location of the replacement tree or trees, not necessarily in the same location as the removed tree.

§ 243-15. Appeals.

Any person aggrieved by a decision of the Superintendent of Parks may make a written request to the Environmental Conservation Commission for a hearing on whether or not the decision of the Superintendent of Parks is in accordance with this chapter.

Appendix E

Walk Audit Results

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
1	1A	1	2	3	2	no	dangerous at (illegible)	4 lights, no (illegible)	Nice gingko			Potential beauty, especially river proximity to park. Sidewalks dangerous
1	1B				3			No furniture			low traffic	sidewalk safer or non existent. Not many trees.
1	1C	4		3		yes	bumpy at one end	need more			quiet	sidewalks good & bad. Wires near #10 unsightly
1	1D			2	1		None (exist)		not many	too much blacktop	not attractive	1 light, 1 street tree - no room for sidewalks
1	1E			3		no	1 side bad, 1 side good	2 lights	nice trees			bumpy sidewalks, sidewalks could be bumped out & traffic circle
1	1F	2	2				curb repair/bumpy					nice trash cans. Need more curbs & brickwork. Not too bumpy. Dangerous fire hydrant
1	1A	1						4 lights, no furniture				
1	1B					no	sidewalk considered N/A, blacktop	3 lights	no street trees			City put in decorative crosswalk. Stamped asphalt and then painted. Off-street pics. Just a street
1	1C	2			3			2 lights?				Garbage day is a challenge. Pleasant block
1	1D							1 light	1 street tree			
1	1E						Corner missing	2 lights				Dangerous intersection - crosswalk has no visibility. No stop on Front. Statue in the circle. Bump-outs on Church. Mini traffic circle.
1	1F											
1	1A	1	3	3	2		Very good by park on pump side				Indian - seems fine. @ dead end	Place for flowers, etc. on large/wide sidewalk areas. E - sidewalk ends abruptly
1	1B		4		3		Street seems in good condition. N/A - no sidewalk...bad for walking		seems fine		Dead end block is odd - not very classy. Not in good condition where asphalt meets slate	Very nice, but not so welcoming. Seems safe/well kept.
1	1C	1	1	3	2		Very uneven	can't tell but doesn't seem great			skinny street but ok	Make sidewalks consistent and/or rid bricks of weeds
	1D	2	2	1	1		N/A - no sidewalks				Difficult to see from road due to alley state	Dark
	1E	2	2	3	3		Could smooth out and/or make consistent				Unsure, but doesn't seem great. Not speeding but narrow. Very difficult to see int @ cucumber alley, also weird shape @ other intersection	Large asphalt parking area is not ideal
	1F	2	3	2	2		Loose slate. Bricks in better condition	bench is nice. Cans are nice. Lighting ok.	no shade (small trees)		Safety concerns at corner. Not adequate parking. Intersection is very difficult to understand, very large.	Consistency with sidewalks/bricks, etc.
4	1A	1	2	1	2	unsure						
	1B		3		1	no					Granite/ concrete curbs	
	1C	3	2	3	3	unsure						
	1D				2	no						
	1E		2	3	3	unsure						
	1F	2	2	2	3	yes						

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
5	1A	1	2	3	2	unsure		Lighting good, no furniture			Seems like enough at end of street	
	1B		3		4		N/A, but curbs and blacktop are in great shape	no furniture or cans	no trees, but pleasant anyway			
	1C	2	3		3				Maybe need some trimming		Adequate parking	
	1D		3	3	3	unsure	no sidewalks	1 light	1 tree	(fun?) discovery		
	1E	2	3	3	3	unsure	Some good, uneven	some planters, horse hitching post, etc.				Dangerous & confusing intersection
	1F		3	3	3		better than most	some overgrown plantings	kind of scruffy			
6	1A	1	2	1	1	yes		no furniture or cans			yes- speeding, yes - adequate parking	missing curbing.. East sidewalk ends abruptly
	1B	2			2	Yes & Yes	no curbs or sidewalk in areas.	ok lighting. No furniture or cans				
	1C	1		3		Yes & unsure						Concerns about questionable activities at turn-arounds near river
	1D			3	3	No & unsure	no sidewalk	no furniture, to little (lighting)			No speeding or safety concerns. Unsure about parking	
	1E	1		3	3	unsure		dark. Love Stockade cans			too wide. Sidewalks - broken slate, no curbs, blacktop, broken curbs	problems with trucks damaging sidewalks
	1F	2		2	3	Yes & no		lighting ok, no furniture			Speeding is an issue. Parking is not adequate. Poor curb condition and drainage	some problems with illegal parking. Driver confusion at there's a roundabout @ Indian. Need to consider maintenance & weed control.
7	1A	1	1	2	2	Unsure & no					Unsure about safety concerns. Not adequate parking	
	1B	1	1	1	1	no						
	1C	1	2	3	2	Yes & no					Safety concerns. Not adequate parking	Sidewalks are up rooted due to trees
	1D		1	2	2	no & yes						Sidewalk - non-existent
	1E	2	2	3	3	no						
	1F	2	2	2	2	Yes & no					Safety concerns. Not adequate parking	Front Street is a mix-up of one way and two way blocks.
25	1 (all)	2	2	2	3	Yes						Sidewalks on Front, especially at Governors Lake, needs work. Trees in park need attention

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture &Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
27	1F	1	1	1	2	Yes & no	Poor sidewalks	Dark	Trees never trimmed. Causing problems on windows & roofs. Dead branches never removed.		High speed traffic and stop sign not observed. Parking very limited and people park badly. Arthur's does nothing to control illegal parking preventing EMS from getting through. Yet normal parkers can be ticketed unfairly. Also some residents park long-term cars not in use.	Poor maintenance by landlords or rental property.
30	1F	1	1	1	1	Yes	Not possible for anyone with mobility issues. The sidewalks are several different materials & designs. The brick portions were dug up repeatedly by National Grid & the city when there were water & gas issues, & never repaired., plus tree roots have grown.	Dark, and streetlights hidden by tree leaves most of the year	Trees provide shade, but have some dead limb. No maintenance ever. The branches grow scraping the house & windows which is frightening in the wind, & the branches continually drop leaves onto our flat roof, clogging the drain & causing maintenance issues. The city doesn't provide any care for the trees ever.	Many people walking despite issues. Of course there are problems with animal cleanup, always. There are rental house issues with people congregating for no good purpose too!	Terrible speeding is prevalent plus often the stop sign on Front at Ferry is disregarded. Parking is inadequate. Some neighbors park long-term without moving their cars, ever, & some people park badly the parking space isn't maximized. Arthur's attracts people who have no idea of parking regulations, disregard signs, park illegally & generally block traffic. Emergency vehicles could not travel on Front St. with the illegal parking. Very little parking enforcement...except occasionally when people park near the crosswalk, which isn't clearly marked & is not fair. No one is ever ticketed for parking illegally down Front St. when a fire truck needs to get thru it's terrifying.	Stop the Pokémon project. With all the issues on Front St. we don't need people walking distractedly on top of everything else.
Average		1.6	2.1	2.4	2.3							

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
8	2A	2	4	2	2	unsure		missing	yes		North side (1), South side (2)	
	2B	3	3	2	2	no						
	2C	2	1		2	no						
	2D	2	1	1	2	unsure						
	2E	2	1	2	2	unsure						
	2F	2	2	2	2	unsure						
9	2A	1	1	2	3	unsure	1 - north side, 2 - south side	1-north side, 2- south side	Average health. 3- north side, 1- south side			
	2B	2	2	1	3	unsure	2- east, 3- west					2 dead trees, 1 dying tree, 1 tree well
	2C	1	2	2	2	unsure	1- east, 2- west					no trash cans
	2D	1	3	2	3	unsure						Sidewalks need repair
	2E	2	2	2	2	unsure	2-east, 3 - west					
	2F	2		3	3	unsure		1 bench				Historic markings. All sidewalks need some repair
10	2A									overhead utilities		South side is better. Ash Tree. Tree raise. Tree lawn better further down. Bench spots by church
	2B											Dead trees (2). 1 property owner - sidewalks in good shape. Cut outs for trees. Leaning trees
	2C						asphalt & water pours down					Branches so low with small trees. Need to be trimmed. 2 mature trees in rough shape. New curb. (Illegible) surfaces.
	2D											
	2E	4										Curbs missing
	2F											Nice wide tree lawns. Historical marker.
11	2A	2	1	1		unsure	Only half is even		Healthy w/ canopy but roots lifting. Need pruning		at Union & N. Ferry - if crossing south cannot see traffic light	
	2B	4		2		unsure		Don't know - don't walk at dark.	2 dead trees	Not appealing	Through traffic	
	2C	3		3			Few exceptions (to score of 3)	Don't know - re- light			Its 2-way - not difficult for 2 to pass. Verizon telephone box! (illegible) across from 25 Washington.	
	2D								No shade & dying.		Too narrow	
	2E	3	3	3	3					(walk is appealing) only as far at Liberty St.	Lots of turning from state to Liberty @ RR. Needs curbs	
	2F	3	3	3				Some uneven on east side			Needs curbs at Front St. on east side	On Front - no drainage from 24 Front to Church St.
12	2A	1	1	2	3	yes			Upheaval of roots. Dead branches			Address sidewalk ASAP - broken slate

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
	2B	3	2	1	2	yes			Dead tree across from Y. (Illegible). Sugar Maple is rough shape.			Tree wells - room for trees to be planted
	2C	2	1	2	2	yes	Sidewalk heave at 25 Washington		Low branches. May Hill House			Blacktop - 19 Washington. Asphalt ices up; runs down to create icy, wet mess
	2D	2	1	2	2	yes	14 Union - broken pavement					8 Union - blacktop. 5 Union - blacktop for sidewalk, girdled tree. Decay @ Union planter. South side trees distressed after National Grid
	2E	3	2	3	2	yes	North side - 7- 11 curb lacking. Wide tree lane. Healthy (illegible) trees. Different pavements.		Wide tree lane			
	2F											1st Reformed - nice sidewalk. Slate - 10 Church. Wide tree lines. Asphalt - 14 N. Church. 16 N. Church. Broken slate - 20 & 22 N. Church
13	2A	1						could use a bench in front of fence at 1st Reformed				
	2B								2 dead trees & 1 dying	East side - lip from slate to sidewalk		
	2C								East - 25 Washington bad. #27 good			
	2D											
	2E	3		3				West side - trees good. Side good. Where are trees. East side - where are curbs? Getting to (illegible) - bad				
	2F						East side - slate a little bumpy. (illegible) corner of Church & Front					
28	2A			2	3	Yes & Yes		Need to be pedestrian level lighting in the trees.	younger trees growing into power lines.	Variation between north and south side	Yes - safety concerns, Yes, adequate parking	(illegible) sidewalk on N. raised-broken. Trees girdled (illegible). Diseased? Older trees?
	2B	2	2	1	2	Yes	Blocks on W. side has evidence of neighbors who planned imp. Together	Lighting at State St. end new. Could be model for rest of block	A few dead or diseased		Stop at Union - with YMCA - drop off activity confusing.	Appears Metroplex/City improved intersection of Washington and State with period lighting and new trees in circular cement beds. Carryover from State Street. Should group some of these.

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
	2C	3	3	2	3	Yes & Yes	Most repaired			Day time - dog walkers	Yes - speeding and safety concerns. Hidden - Front St. - due to speed on Rt. Turn. Parking close to intersection (fire plug) w. Cucumber. Difficult to exit Cucumber - speed on Washington contributing factor.	Mature trees - w/ dead branches need replacing - girdled roots. Other younger trees form nice canopy.
	2D	1		1			Asphalt at Norstar 5. Sidewalks at 5 & 7.		Low (illegible). Small trees interfere with walking.			South side - Mature tree butchered by N.G. needs to come down. SS younger trees - growing into Power lines. NS - two diseased mature trees. Sidewalk at
	2E	2	3	3	1	Yes	Looks like asphalt but one of section sidewalk front of #5	Part of block should include attention by DSIG - trash.	Canopy incomplete. Space for younger trees. Trees hide buildings	Many spaces not well maintained. Too much concrete.	Well marked - but still cars compete with pedestrians at all three intersections.	Lacks curbs where removed during roadwork? Part of DSIC that maintains planters area near State St. should be assigned for more attractive crossing - traffic challenges.
	2F	2		2			One property on E. State (illegible)		trees appear diseased. 1 dead tree at State.			Two areas w/ asphalt over sidewalk need repair as out of Code.
Average		2.2	2.0	2.0	2.3							

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
14	3A	2	2	2	2	unsure	Narrow areas on sidewalks - difficult for wheelchair/walker	Trash cans @ the park end, by River.	like the pines in planters	No -just us	Truck parked on curb b/c narrow street. Hart to turn around in parking lot	
	3B	2	2	1	1	unsure	Decent width	Flags	No trees	just us	On one side. Weird one-way, encourages breaking street rules	Planters on sidewalk
	3C	2	2	3	2	unsure	Isn't emptied regularly	New bridge lights - good!		One person + us		Better trash collection & stockade signage on bridge
	3D			2		unsure			Dead tree by school	Vacant buildings. Yes - activity.	One side. Public/private? Lot at North & Front. Bad street for bicycles - condition	Grass coming through brick sidewalk
	3E					unsure	Sections of stone sidewalk		Stumps	Flags	Decent? Hidden stop sign?	Anchored by market/bakery/coffee
15	3A	2	2	3	3	unsure					No trees	
	3B	3	3	3	2	unsure						
	3C											
	3D	3		3	3	yes					Traffic AWFUL	Terrible corner at Front. 1-way street - many go left.
	3E	2	1	3	1	yes	Poor sidewalks				Terrible traffic	
16	3A	2	1	2	1	yes						Wires on street. Houses need sidewalks, greenery. Sidewalks too wide
	3B	2	1	1	1	yes						Speed bumps. Needs trees, greenery & lighting. Different power poles. Add planters
	3C	1	1	2	1	yes						Poor sidewalks. Inconsistent street trees. Cars take left off Ingalls
	3D	1	1	2	1	yes						Cars travel too fast
	3E											
17	3A	1	2	3	3	yes & no					Dangerous with speed on Front	
	3B	3			2	yes & no						No trees or furniture
	3C	1		3	2	yes & no			Couple need trimming		Dangerous, wrong-way drivers	
	3D	2	3	2	2	yes & no	Both - south side is bad. North side good.					
	3E	1	3	2	3	yes & no						
18	3A	3	3	2	2	yes						
	3B	3	3	1	3	yes						
	3C	1	1	1	1	no						Very unsafe area
	3D	2	2	2	2	yes						
	3E	1	1	2	2	no						
19	3A	3	2	3	3	yes			Tree at Front St. intersection is in bad shape			
	3B	4	3		2	unsure			No street trees		One way on front ignored often	

	3C	4	3	4	2						One-way between college and Ingersoll ignored often by those exiting Ingersoll	
	3D	3	3	3	3	no	North side better				Speeding on Front St. Problematic	
	3E	3		3	3	unsure	North side better					
26	3 (all)	2	2	3	2	yes					Front St. is one way so intersections (2) are simple, but cars do speed down Front St.	The abandoned tennis court is weedy and unsightly at the east end of the park. The lot at the top end of North St. near Front St. is unmowed and unsightly.

Average

2.22.02.32.0

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
20	4A	1	1	1	3		Rough sidewalk				No opinion	Sections of trees on north side of Green Street obscure a whole row of houses, they're overgrown. The street is not well lit at night.
	4B	4	1	2	3						Don't care	Everywhere - lower historic-looking lamps would be preferable to the sodium lamp. The place for big columnar trees (oaks, elks) would be in front of the window factory lofts
	4C											South side with trees overgrown in wires. North side - nice bricks by sidewalk, good trees
	4D	1	1	1								Horrible asphalt sidewalks patches, bad lighting
	4E											Bad row of dark Norway Maples on the south side of Union. Great new elms in front of the Presbyterian building.
	4F											Short trees make a tunnel
	4G											
21	4A	1	1	2	2	yes						Need better street lighting
	4B	2	2	1	1	yes						Places for small trees in sidewalk
	4C	1	2	1	1	yes						Car cut through- noisy
	4D	1	1	1	1	yes						New curbs, new trees. Cracked asphalt, patches crumbling (4D)
	4E	1	1	1	1	yes						Why are trees on side of road where there are electrical wires and no sun only shade
	4F	1	1	1	1	yes						
	4G	2	2	2	2	no						Need smaller trees
22	4A	1	1	1	2	yes	1 - north side, 2 - south side				Dangerous stop sign at Green & College. Stop often ignored.	Better lighting, healthier trees, weeds
	4B	2	1	1	2	yes					Narrow, crooked street slows traffic	Lots of trash cans...5 days before pickup date
	4C	2	3	3	2	yes		SA Trash can				We like the granite trim around trees on Green. Brick - like pavers
	4D	1	1	1	1	yes						Asphalt side walks (frowny face!)
	4E	2	2	1	2	yes	Some good, some awful		Norway Maples		Lots of traffic on Union - speeding!	
	4F	2	1		2	yes					Leave as is	
	4G	3	2	1		no			Too short	Nice (illegible)		Sidewalks redone in last 10 years? Trees not properly maintained.
23	4A	1	2	3	3	yes						
	4B	2	2	2	2	yes						
	4C	1	2	1	1	yes						
	4D	1	2	2	1	Yes & no						Yes - safety concerns. No - adequate parking
	4E	4	3	3	4	yes						
	4F	3	4		2	yes & no			No trees		Yes - speed safety, no - parking	
	4G	4	3	3	3	yes					Safety - yes pretty much	
24	4A	1	1	1	2	unsure						Major Tree/sidewalk issues
	4B	2	1	1	2	unsure						Very specific tree guidance is needed due to very low power lines
	4C	3	2	4	2	unsure						New sidewalk is nice - Any way to keep new functionality but not lose Stockade Character?
	4D	1	1	1	1	no					Asphalt pavement is miserable for sidewalk	Water standpipes are major trip hazard
	4E	1	1	1	1	yes					Dangerous intersection at Ferry	Fix the miserable sidewalks
	4F	2	1	4	1	no			No trees			
	4G	2	2	1	2	no						

Packet #	Street/ Block ID	Sidewalks/ Walkability	Street furniture & Lighting	Street Trees	Overall Experience	Speeding/Safety & Parking	Comments					
							Sidewalks/ Walkability	Street Furniture & Lighting	Street Trees	Overall Experience	Traffic & Parking	Additional Comments ("One possible area for improvement to consider is..."):
29	4 (all)	2	3	4	4	Yes	4A and 4D need some serious sidewalk repair and is treacherous for the blind or nearly blind. 4E needs some repair, these walks do have some trip hazards. A blind person lives on 4E.			Tremendous walking in block	No enough parking!!! Lots of speeding on Union (above 30 especially during lunch and after work hours). Lots of parking on corners and across driveways on Ferry (violations). The college needs to have their students and teachers park in their lots. Large apartments need more parking by their buildings.	The City needs to keep the graffiti off boxes, signals, signs, and other city property.
Average		1.8	1.7	1.7	1.9							

Appendix F

**Final Public Workshop - April 22, 2019
Meeting Comments & Online Comments**

**Historic Stockade
Comprehensive Streetscape Plan**
Final Public Workshop - April 22, 2019
Meeting Comments & Online Comments

The following comments were received during the April 22, 2019 final public community workshop or provided on the Open Online Survey (Survey was open through May 4, 2019). Although the comments received during the public workshop were provided on various display boards and individually submitted comment cards, the comments are presented below according to the issue category. The source of a comment appears at the end of each comment.

Every community comment received is presented in this Appendix and each comment is presented in precisely the language/text received. However, names and addresses, when provided, have been omitted. Where an individual's comment contained reference to more than one issue, comments were divided into the appropriate categories.

Comments below are shown in black text; responses to each comment are provided in dark red text.

Sidewalks

Creation of a manual with proven methods of sidewalk repair and the proper foundation for new sidewalk. (Public Meeting Comment Cards)

This information will be included in the Plan as sidewalk repairs and foundations must be consistent with City codes.

Choices and procedures for tinting concrete to resemble blue stone. (Public Meeting Comment Cards)

This information will be included in the Plan.

Sidewalks: I think as much uniformity as possible is best - ideally reliable material like tinted concrete with (maybe) brick design elements to the side, like on the stretch of N. Ferry St. between the statue and Union Street. Too much variety in the sidewalks feels cluttered. Variety is pretty, but the Stockade's real variety is in the houses, not the sidewalks, which should be functions. (Public Meeting Comment Cards)

Since each property owner is responsible for maintaining the sidewalks adjacent to their property, a certain amount of variety is inevitable within the parameters of City code and the Plan guidelines.

Number one priority - the sidewalks. They are so torn, up. If the sidewalks could all be brick like what is in front of the big old school on Front Street which has since been turned into apartments, that would be lovely. Thank you for all of your hard work on this project!
5/1/2019 1:30 PM (Online Survey Comments)

Since each property owner is responsible for maintaining the sidewalks adjacent to their property, a certain amount of variety is inevitable within the parameters of City code and the Plan guidelines.

Street Trees

Encourage tree planting in interior of blocks where possible i.e. behind row of houses on Washington. (Street Tree Display Board)

Plantings on the interior of blocks could be a discussion worth considering in the future; however, those areas are private and not part of the road right-of-way or public space. This project focused on the streetscape and generally publicly accessible areas.

Is tilia [bass wood] a good candidate? (Street Tree Display Board)

The Tilia (Linden or Basswood) is a City of Schenectady and ReTree Schenectady approved tree. All trees proposed for this project are commonly found street trees and generally acceptable for the potential locations suggested. Though the Tilia is included in the approved street tree list, it may not be suitable for all locations, due to its relatively large trunk and canopy size.

There are several species listed in each tree category (small, medium and large) and homeowners should choose from the species detailed in the Plan. Ultimately, tree selection from the Plan's approved tree list should be based upon individual property, sidewalk and curb conditions. An appropriate street tree will vary by the size of the planting area, distance from buildings and proximity to overhead utility wires.

Trees: As you (we) outline principles for tree planting, let's consider adding the principle that tree canopies should not obscure the facades of our beautiful buildings too much. There are parts of the Stockade right now where pedestrians don't get to see/enjoy those facades. (Public Meeting Comment Cards)

As the Plan is implemented, trees that are too large and block views will be replaced by appropriately sized trees.

As to trees in our streetscape, among other suggestions, it should be the Policy of the Stockade Association that:

(a) Mature Shade Trees along our streets are valuable assets (aesthetically, environmentally, and financially), and all practical measures must be taken to save every mature shade tree that is not dangerous or dead, including the use of alternative sidewalk improvement measures, and consistent maintenance. May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)

(b) Walkability and desire to visit, shop, and walk in the Stockade are often reduced when long stretches of sidewalk have no shade and offer little protection from precipitation. May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)

A primary objective of the Plan is to maintain a long-term healthy street tree canopy throughout the neighborhood. This is to promote a comfortable walking environment for this generation of residents and visitors, and the next. The Plan includes a detailed physical inventory of the existing condition of all trees. The Plan includes standards and criteria for the preservation, maintenance, and when and under what circumstance a tree should be removed. The Plan identifies the proper spacing for trees by size: small, medium and large trees. This will promote perpetual shade canopies along all sidewalks in the Stockade. If a tree is to be removed, the Plan calls for its replacement with a tree selected from the Plan's tree species list.

(c) Any trimming of trees for utility purposes must be done to the minimal extent possible, with attention paid to the attractiveness of any trimming. May 4, 2019 at 4:31:57 PM EDT

(Online Survey Comments)

The Plan acknowledges that tree trimming should be done properly and to the minimal extent possible. The Plan also recognizes that the best long-term solution to maintaining healthy trees in an urban environment is to plant trees that are most appropriate for the conditions into which they are planted. The Plan identifies selections of street trees for the Stockade within three categories, small, medium and large, as guidance for choosing a tree most suited to the locational characteristics within which, it must survive.

The Association should advocate for a far more nuanced approach to the fate of trees whose roots will be or have been cut in the process of sidewalk repair or replacement. As Fred Breglia stated: "It is a case by case situation. It varies greatly based on species, age, time of year, health, root conditions, type of care/finesse used by the company." An arborist should be available "to watch over the process as it occurs." May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)

Using the Plan's detailed physical inventory of the existing condition of all trees, the Plan includes criteria for establishing if, when and under what circumstance a tree should be removed. At times this may need a "nuanced" determination. One of the recommendations included in the Plan is for the Stockade to secure an arborist on retainer to advise on tree trimming issues, and to determine alternatives to tree removal in the event there is a conflict between tree preservation criteria and infrastructure installation.

Pedestrian Safety

ASAP ... SOS - salvage cobblestones on Pine St. off of Erie Blvd. and use them for borders of crosswalks to act as speed bumps. (Public Meeting Comment Cards)

This has been added to the Plan as an opportunity to be coordinated with the City. The City has expressed interest in the use of cut (cobble)* stones at crosswalks. Pine Street cutstones may be a mutual opportunity for the City and the Stockade.

*While 'cobblestone' is often used to describe both round and rectangular paving stones, for this plan 'cobblestone' will refer to the round stones and 'cutstone' will refer to the rectangular stones with rough, but flat, surfaces.

Use cobblestones from Pine Street to design crosswalks. (Public Meeting Comment Cards)

This has been added to the Plan as an opportunity to be coordinated with the City. The City has expressed interest in the use of cut stones at crosswalks. Pine Street cutstones may be a mutual opportunity for the City and the Stockade.

Pedestrian Crossing: No white lines - crosswalks. Cobblestone edges and brick stone walkway borders. (Name, Email and phone provided). (Public Meeting Comment Cards)

There have been several comments regarding white lines not being as desirable as cutstones or other inlaid crosswalk elements; however, it could be some time before physical crosswalk elements can be installed. The Consultant Team will be adding a page to discuss crosswalk options in more detail. The Plan will address the use of painted crosswalks as short-term/interim pedestrian safety elements only.

Painted white lines are relatively cheap, easy to install, common for crosswalk elements to alert motorists to the location of a crossing and can be used to improve pedestrian safety until such time as the funding and opportunity to install a more physical element comes about.

Please reconsider bump-outs. (Traffic Calming Display Board)

There has been a significant amount of discussion regarding pedestrian safety. Bump-outs are one of the traffic calming concepts detailed in the Plan. Overall, this project was focused on pedestrian safety through accepted street design standards and safety improvements. Bump-outs are a common and generally easy and cost effective pedestrian safety feature that can be integrated into the existing streetscape using a context-sensitive design. Appropriately designed bump-outs provide significant pedestrian safety as they:

- a. Shorten the walk distance within street travel lanes. This is especially valuable on higher volume streets like Union and Church Streets;
- b. Provide the pedestrian a better line of sight when attempting a street crossing; the pedestrian is not hidden behind rows of parked cars;
- c. Allow vehicle drivers to more easily see pedestrians, again as the pedestrian is not hidden behind parked cars;
- d. Slow cars moving through an intersection and through turns at an intersection; making it safer for pedestrians; and
- e. Will not displace parking spaces when appropriately designed and installed.

All roadway improvements are required to be designed and engineered so that all vehicles, including service and emergency vehicles can travel safely within the Stockade. The City will require that proposed bump-outs be engineered for pedestrian and traffic safety. The City will not approve a bump-out that cannot be designed for both safety and function.

The proposed design concepts and considerations have generally accounted for the needs of all users, but the details must be confirmed through the design and engineering process. It does appear that the majority of Historic Stockade residents participating in this Comprehensive Streetscape Plan have, after thorough discussion and deliberation, reached the conclusion that bump-outs, if designed properly, will be one of the most effective means of providing pedestrian safety and making the Historic Stockade an even more walkable community for residents and visitors alike.

The traffic calming ideas with bump-outs and well defined crosswalks are important to the well-being of our residents. I would like to see these implemented via a subtle manor as long as they are within code (Public Meeting Comment Cards)

Appropriately designed bump-outs when combined with well-defined crosswalks provide significant pedestrian safety. The City must approve the design of all bump-outs and crosswalks. (Please see the comment directly above.)

I do not like the idea of bump-outs in the Stockade. It will add to congestion and make the parking and mobility problems worse. Same goes for bike lanes. 5/1/2019 8:17 PM
(Online Survey Comments)

The comment is duly noted. A primary focus of this Plan is to improve pedestrian safety on sidewalks and within street crossings. Pedestrian safety is improved by calming/slowing vehicular traffic and discouraging neighborhood cut-through traffic, such as vehicles traveling to and from the I-890, Schenectady Community College, and Scotia areas, and the Mohawk Harbor, Freeman's Bridge, downtown and other Schenectady areas.

It appears that the majority of Historic Stockade residents participating in this

Comprehensive Streetscape Plan have, after thorough discussion and deliberation, reached the conclusion that bump-outs, if designed properly will be one of the most effective means of providing pedestrian safety and making the Historic Stockade an even more walkable community for residents and visitors alike. (Please see additional responses to bump-out safety, design and approval from the comments above.)

Regarding the bicycle lanes, the Plan only reflects the City of Schenectady Bike Infrastructure Plan, adopted in 2017.

I regularly encounter two bump-out curbs and find them a nuisance. Near Civitellos on North Jay the bump-out always eats up at least half a parking space. Near Morettes on Erie, I always hit the bump-out with my tire when turning into Jefferson. I can't seem to learn. And I am not the only one: I see it happening to others in the short time I'm there. Painting lines as guidance for cars looks like a good idea. I like it, especially when they mark off intersections and hydrants. 4/23/2019 12:36 PM (Online Survey Comments)
One of the specific purposes of a bump-out is to enhance pedestrian safety at intersections by reducing the speed of turning vehicles. While it does take some adjustment on the driver's part, once the driver becomes familiar with the new intersection design, the intersection becomes much safer for the pedestrian and the driver of a vehicle.

Ignore folks who feel we will lose that many parking spaces with bump-outs. (Public Meeting Comment Cards)
Appropriately designed bump-outs provide significant pedestrian safety and will not displace parking spaces.

Do a test study of "bump-outs" and distance from curb. (Public Meeting Comment Cards)
This may happen prior to permanent installation of bump-outs, similar to the "test" at the Liberty and Jay Street intersection.

Skeptical how snowplows will interact with bump-outs. (Traffic Calming Display Board)
The City will require that proposed bump-outs be engineered for pedestrian and traffic safety. The City will not approve a bump-out that cannot be designed for both safety and function.

Concern for trucks with bump-outs. (Traffic Calming Display Board)
The City will require that proposed bump-outs be engineered for pedestrian and traffic safety. The City will not approve a bump-out that cannot be designed for both safety and function.

Street Typology

Should we consider that one-way narrow streets like Front and Washington be considered Neighborhood streets not Gateway? (Street Typology Display Board)
The categorization of these two streets, in particular, was contemplated throughout the project development process, noting that there are pluses and minuses to use of the terms "Neighborhood" and "Gateway" to describe streets. Concerning Front and Washington Streets, it was decided that these two streets were best categorized as Gateway due to their function within the Historic Stockade, which is to bring both pedestrians and vehicles into the neighborhood. However, linkage to the perimeter of the

neighborhood also necessitates the need for strategies that discourage cut through traffic.

Street Typology: Slow down traffic - materials cobblestone and Brick or stone as long as we can have our landscaping from our stairs to the house w/a tree in front (flowering crab). (Public Meeting Comment Cards)

The purpose of the street typology is to establish a way to identify appropriate materials and plantings for public street rights-of way. The plan does not address the space between the house or building and the edge of the sidewalk, which is generally not part of the public right-of-way.

Front Street Traffic Calming

We favor the roundabout solution for Front/Church intersection. (Traffic Calming Display Board)

It appears that the round-about concept is the preferred solution, so will be pursued with the City first. If the round-about is not acceptable the other alternative will be pursued. It is good to have options.

Thank you for all the effort! Many ideas are excellent. Some, however, could cause problems. Bump-outs are NOT a good idea for Front Street, for example. Yes, they would slow traffic, but garbage trucks, moving vans, and other large trucks will have difficulty navigating them. The services they are providing could be curtailed ... or at least made more difficult. Please reconsider. (Public Meeting Comment Cards)

The City will require that proposed bump-outs be engineered for pedestrian and traffic safety. The City will not approve a bump-out that cannot be designed for both safety and function.

Emergency vehicles, large trucks must be considered on Front Street. (Traffic Calming Display Board)

The City will require that proposed bump-outs be engineered for pedestrian and traffic safety. The City will not approve a bump-out that cannot be designed for both safety and function.

Neighborhood Appearance and Public Art

Public Art: I propose a yearly competition for display of a sculptural installation in one of the neighborhood's public places. (Public Meeting Comment Cards)

The Plan's recommendation with regard to public art will guide any future plans for public art installations.

I would like to see a gateway or large artistic element announcing the boundaries of the Stockade. This exists at the Union-Erie intersection, but it would be nice on Front, Washington, etc. (Sketch of a gateway over the road provided). (Public Meeting Comment Cards).

The Plan proposes a signage improvement scheme that includes gateway signage at all entrances to the Stockade. The boundaries of the Historic Stockade unfortunately do not align with the main entrance points that people would assume are the beginning of the Stockade (State Street and Erie Boulevard) and there have been comments regarding placing signage at the gateway entrance or actual Historic District boundary. An overhead gateway element was not envisioned, though it could be considered.

The gateway sign shown on the image looks really nice and it will make a nice impression

when entering the neighborhood. 5/1/2019 8:17 PM (Online Survey Comments)
Thank you! The City plans to install it.

I would like more trash cans in the neighborhood. There is often trash around and even if I pick it up there are no cans to put it in. Bike racks at the parking lots at park entrances would be nice. There used to be ugly iron barriers that a bike could be attached to, but those have since been replaced with nice big stones, which are great but can't have bikes attached to them. 5/1/2019 1:30 PM (Online Survey Comments)
The Stockade Association has installed four trash bins and could install more. Specific locations for bike racks will be considered as funds become available.

More receptacles are a good idea. This will reduce litter. More bike racks are a good idea. Albany added more bike racks a few years ago and it was a successful change that enhanced the City. 5/1/2019 8:17 PM (Online Survey Comments)
The Stockade Association has installed four trash bins and could install more. Specific locations for bike racks will be considered as funds become available.

In terms of trash cans ... YES. I cannot stress this enough. I really love the idea of adding trash bins. It is upsetting to see trash thrown about and I do believe that it will make a difference with that. 5/1/2019 9:41 AM (Online Survey Comments)
The Stockade Association will certainly consider adding more trash bins.

I would prefer that permanent art not be installed in the Stockade. It would not add to the historic quality of the neighborhood. Selection would be controversial and who would be the arbiter? See Liberty Park and the installation of three vertical girders! And who would maintain it? Maintenance is a major problem in Schenectady 4/26/2019 12:03 PM (Online Survey Comments)
Permanent art would require considerable review by our community. Temporary displays may be more appropriate in many cases.

Stockade Streetscape Plan should be explicitly trying to reduce or limit as much as possible, rather than support or encourage, increased visual clutter, obstructions, and distractions. May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)
The Plan certainly does not support nor encourage increased visual clutter, obstructions or distractions. While the City dictates the use and location of traffic regulating signs, as a community we will work with the City to reduce sign clutter through more uniform looking and placed signs and surveying existing signs and removing any unnecessary signs. In addition, the Stockade Association has already installed four trash bins in the neighborhood. The Plan calls for a uniform trash bin (and street furniture) design theme which the Association will use at future trash bin locations.

The Stockade streetscape does not need and will not be enhanced by covering "empty" spaces, such as traffic control and utility boxes, with "public art." [e.g., an example at Church and State Streets:] May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)
The suggested recommendation of painting utility boxes as art has been removed from the Plan.

Painted utility boxes: Sounds like a nice idea, but not good in practice. Nobody notices utility boxes under normal circumstances. But decorate/paint them, and they suddenly stick out like sore thumb (drawing attention to themselves). I speak from experience... the Downtown Schenectady painted boxes look like clutter not that they've got art on them. (Public Meeting Comment Cards)

This specific recommendation has been removed from the Plan.

Proper maintenance of wrought iron. (Public Meeting Comment Cards)

We encourage all propriety owners to properly maintain all materials visible to the public, including wrought iron. The public right-of-way is the focus of this Plan. Most wrought iron is not within the public right-of-way. A financial assistance program could be established.

Brick in road is unnecessary. (Traffic Calming Display Board)

While brick may be unnecessary in roadways, use of brick is one of several material options that can be used to simultaneously beautify the street system, delineate pedestrian crossings and slow vehicles. However, if brick is to be used, it should be used strategically, at only appropriate locations.

Too much signage. (Traffic Calming Display Board)

The City is alone responsible for the use and location of traffic regulating signs. As a community we can work with the City to reduce the cluttered look through more uniform looking and placed signs and surveying existing signs and removing any unnecessary signs.

SA should ask that DSIC remove Stockade banners that are not actually serving a useful informational purpose at an entryway corner of the actual Stockade. Right now, they are too much of a good thing. [e.g., 12 in sight on block of Union Street] May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)

The display of banners identifying the significance of special neighborhoods is common throughout this country and others. This comment is duly recognized, noting that the majority of Stockade residents have expressed pride in the banners, which identify our neighborhood as New York's first established historic district.

No Stockade Streetscape Plan should be complete without a protest, and a strategy, concerning the increased density and ugliness of the utility wires that plague our skyward vision. Several suggestions are made. May 4, 2019 at 4:31:57 PM EDT (Online Survey Comments)

The Streetscape Committee, the Association Board and the Association's consultants have publicly recognized the desire to place all utility lines underground and discussed alternatives. The issue has been determined to be prohibitively expensive and complicated. (Dealing with simple underground gas line upgrades, at no direct cost to property owners, has disrupted the Stockade for months.)

I Do not like the idea of mosaics, sculptures and wall art in the Stockade proper, as it clashes with the pre-industrial character of the neighborhood. Maybe if there is a strong desire to support local artists in this way, Riverside Park, John Street, or the area by the tracks, on the outer sections of the Stockade, could be a place for such displays. 5/1/2019 8:17 PM (Online Survey Comments)

This is a suggestion that would require much further consideration regarding appropriate locations and designs using the recommendations in the Plan. Any art, if and when considered, must be determined to complement the historic character of the Stockade.

Bikes, Parking and General Comments

Albany added bike lines to some streets, and it worsened congestion problems. By adding to the congestion problem, these changes will bring unintended consequences and have an adverse effect on safety and overall livability. 5/1/2019 8:17 PM (Online Survey Comments)

The bike lanes and bike routes identified in the Plan merely reflect the City of Schenectady Bike Infrastructure Plan, adopted in 2017.

Identify additional off-street parking so we can work on a plan in securing permission for usage of such spaces. (Public Meeting Comment Cards)

A rough analysis of off-street parking spaces potentially available for shared-parking was undertaken for this Plan, but outreach to property owners was not undertaken. The Stockade Association Comprehensive Streetscape Plan Committee has suggested advancing discussions regarding shared off-street parking with the City and certain Stockade parking lot owners.

Parking has always been an issue in the neighborhood. Anything to increase parking would be great. 5/1/2019 1:30 PM (Online Survey Comments)

Parking will always be a concern in the Stockade. The Association may want to explore creative public/private partnerships that could ease the parking situation. (See response above.)

I am concerned about parking, and I support the Consultant Team's recommendation to paint parking spaces. I think part of the problem now is that people park anywhere and that we aren't utilizing the space to maximum effectiveness. I am interested in creating additional parking, if it can be done. Since I am on a "gateway" street, I do like the proposed signage to get to the park. I also think that the end of North Street near the parking lot could use a bike rack. I think North Street could use a "Dead End" sign as well, since I have noticed a lot of people getting stuck in the parking lot when they don't mean to. 5/1/2019 9:41 AM (Online Survey Comments)

Adding additional parking lines will be pursued once the Plan is adopted. The Association can determine the location for bike racks and signs once the plan is in place.

With any changes in the neighborhood, a few things need to be remembered... Construction can be disruptive in a neighborhood this small and congested. In a small and congested neighborhood with historic preservation issues, construction projects can take longer than expected, be more expensive and produce lingering disruptions. Lack of parking is a real problem even in good times. When streets are cut off to parking due to construction, this is disruptive to Stockade neighborhoods. These things should be considered before embarking on overly ambitious changes. Err on the side of caution. The Stockade is already a beautiful, safe, walkable neighborhood. Before making changes consider the effects and disruptions that may be caused by construction projects. 5/1/2019 8:17 PM (Online Survey Comments)

Construction in most cases is usually inconvenient, but necessary. In any neighborhood gas lines need upgrading, sewer lines need repairs and resizing and sidewalks and streets need improvements. The Stockade will continue to try to make disruptions as bearable as possible.

I really love the streetscape plan. I think that it makes so much more sense to add more historical touches to the neighborhood while adapting to modern needs. I think that the

plan does a really great job of blending these things together. I really love the idea of keeping and maintaining the trees, adding more greenery to the neighborhood. I think that as it stands now, there is too much concrete in a historic neighborhood. Adding more lawn and landscaping, and using more historic materials like brick, river stones and pavers, will really enhance the beauty and add to the historic charm of the neighborhood.

5/1/2019 9:41 AM (Online Survey Comments)

Thank you! This has truly been a community-wide effort and it shows in the results.

Thanks for all the hard work! Name, address, and phone number provided (North Street).

5/1/2019 9:41 AM (Online Survey Comments)

Thank you for your comment and support.

Outstanding work! Thank you all for your hard work, I can't wait to see my neighborhood be treated as it should be. Let's do this! 4/24/2019 9:24 PM (Online Survey Comments)

Thank you!

No questions. Terrific document. Thank you! 4/24/2019 2:08 PM (Online Survey Comments)

Thank you for your support!

Many thanks to all the neighbors of the Stockade who took the time to help develop this Stockade Comprehensive Streetscape Plan. With the Neighborhood design vision, principles and standards established from this community effort, the Stockade now has the blueprint for moving forward to make a beautiful, walkable historic neighborhood even more beautiful and walkable.