



January 30, 2024

Hon. Dustin Howard
Administrative Law Judge
Office of Proceedings
NYSDOT Main Office
50 Wolf Road, Albany, NY 12232

RE: Case #7026 RR Grade Crossing at Scott Avenue / Village of Castleton-on-Hudson, Hudson River Sloop Clearwater's support for the restoration of Castleton-on-Hudson's Grade Crossing at Scott Avenue.

Dear Honorable Judge Howard:

I am writing on behalf of Hudson River Sloop Clearwater in support of the Village of Castleton-on-Hudson's request for the restoration of the at-grade crossing across Scott Avenue. The greater Village of Castleton-on-Hudson community deserves safe, public, and equitable access to its municipal Hudson Riverfront Park.

Clearwater is a member-supported organization working to preserve and protect the Hudson River and its tributaries. For over five decades, Clearwater has educated the next generation of environmental stewards, providing river-based education programs to hundreds of thousands of students, and engaging the public in celebration of and advocacy for the Hudson River.

The New York State Department of Transportation stated values include integrity, partnership, teamwork, and customer service. NYDOT's continued prevention of the Village of Castleton-on-Hudson's ability to access their municipal park and the Hudson River is inconsistent both with the stated values of NYSDOT, but is also inconsistent with the public access policies of the New York State's Department of State's Coastal Management Program, the Town of Schodack/Village of Castleton's Local Waterfront Revitalization Program, and Scenic Hudson's *Hudson River Access Plan*.

Each day, the local community continues to experience the repercussions of their lack of access to their municipal riverfront park: lost years of water-related recreation, reduced quality of life, and the ability to steward their river.

This moment presents not only an opportunity to meet the terms of a three-decade-old agreement but also a chance to make a Hudson community a true river town once more - a community with safe, public, and equitable access to their Hudson River shoreline park. In closing, Hudson River Sloop Clearwater stands with the Village of Castleton-on-Hudson and urges the NYSDOT to restore community access to the Hudson River by providing a safe crossing at Scott Avenue.

Nearly 30 years ago, the Village of Castleton-on-Hudson entered into an agreement with the New York State Department of Transportation, agreeing to install a fence at the Scott Avenue Grade Crossing with the understanding that NYSDOT would install a grade-separated pedestrian crossing to allow safe access to the municipal park on the Hudson River shoreline. Although the Village constructed the agreed-upon fence in good faith, the NYSDOT never provided the promised grade-separated crossing. Almost three decades later, the community remains without access to their Hudson Riverfront.

Sincerely,

A handwritten signature in black ink, appearing to read "Jen Benson". The signature is fluid and cursive, with the first name "Jen" and last name "Benson" clearly distinguishable.

Jen Benson
Environmental Action Director
Hudson River Sloop Clearwater
724 Wolcott Avenue
Beacon, NY 12508