

**In Support Of Posted Speed Limit On County Road 49A At Belleayre Mountain Ski Center, Town Of Shandaken, Ulster County, New York**

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) offers the following:

WHEREAS, Belleayre Mountain is owned and operated by New York State Department of Environmental Conservation (hereinafter known as “NYSDEC”), and

WHEREAS, NYSDEC is currently moving forward with a Unit Management Plan (UMP) which explores opportunities to expand the facilities, including additional trails and lifts, equipment improvements and lodge expansions; pursuant to this, NYSDEC and a team of consultants are currently completing a Draft Environmental Impact Statement (DEIS) for the improvements proposed in the UMP, and

WHEREAS, included in the assessment of environmental impacts is an evaluation of the impacts on the transportation system; as part of evaluation, the consulting firm tasked with this work, CHA, collected speed data on CR49A and also conducted a sight distance evaluation for all of the existing and proposed driveways serving Belleayre Mountain, and

WHEREAS, there is currently no speed limit posting on CR49A; speed data collected by CHA and by another consulting firm shows that the 85<sup>th</sup> percentile speeds vary anywhere from 53 mph to 42 mph along the corridor between NY Route 28 and NYSDEC driveway at Overlook Road; and the variation in speeds has much to do with the mountainous terrain and the changing horizontal and vertical alignments of the roadway, and

WHEREAS, NYSDEC has requested that Ulster County consider posting a speed limit on CR49A of 35 mph; a 35 mph posted speed limit would improve public safety and represents the prevailing speed for most of the corridor, and

WHEREAS, pursuant to Consolidated Laws of New York State, Vehicle and Traffic Law Section § 1622. Speed limits on county roads and town highways. The department of transportation upon the request of the county superintendent of highways of a county and the town board of the town or towns affected with respect to county roads and town highways in such town or towns outside of cities or villages, may by order, rule or regulation:

Resolution No. 81 March 16, 2010

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1. Establish maximum speed limits at which vehicles may proceed on or along such highways higher or lower than the fifty-five miles per hour statutory maximum speed limit. No such limit shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance not to exceed one thousand three hundred twenty feet, on a highway passing a school building, entrance or exit of a school abutting on the highway.
2. Establish maximum speed limits at which vehicles may proceed on or along all such highways lying within an area or areas as designated by a description of the boundaries of such area or areas submitted by the county superintendent of highways of a county and the town board of the town or towns affected lower than fifty-five miles per hour statutory maximum speed limit. No such limit shall be established at less than thirty miles per hour.

WHEREAS, the Public Works and Capital Projects has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Ulster County Legislature supports the posting of a speed limit of 35 mph on CR49A (from NY Route 28 to County line) which will benefit both the residents in the area and the patrons of Belleayre Mountain by providing an additional level of safety and by conveying a message of speed consciousness, and, be it further

RESOLVED, that the Ulster County Legislature urges the Commissioner of the Ulster County Department of Public Works and the Shandaken Town Board by order, rule or regulation to support the posting of a speed limit of 35 mph on CR49A (from NY Route 28 to County line) and submit this request to the Department of Transportation,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31                      NOES: 0  
(Absent: Legislators Felicello and Zimet)

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FINANCIAL IMPACT:  
NONE

0321

STATE OF NEW YORK  
ss:  
COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16<sup>th</sup> day of March, 2010, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18<sup>th</sup> Day of March in the year Two Thousand and Ten.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
18<sup>th</sup> Day of March, 2010.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Approved by the County Executive this  
24<sup>th</sup> Day of March, 2010.

/s/ Michael P. Hein  
Michael P. Hein, County Executive