



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MARIE THERESE DOMINGUEZ
Commissioner

FRANK P. CIRILLO, SR/WA
Regional Director

June 25, 2021

Gary A. Dickson, Town Supervisor
Town of West Seneca
Town Hall
1250 Union Road
West Seneca, NY 14224

Dear Supervisor Dickson:

Thank you for your letter expressing concerns of West Seneca residents regarding noise levels originating from Route 219 next to Bernadette Terrace and from Route 400 next to East Center Road. The New York State Department of Transportation (NYSDOT) understands and sympathizes with the noise concerns of residents living adjacent to state highways, however, NYSDOT only installs noise barriers as part of Capital projects that meet specific requirements.

The Federal Noise Regulation 23 CFR 772, by which NYSDOT must abide, states that noise studies and evaluation of noise abatement are conducted only as part of major new construction of highways or bridges, or a reconstruction project that will significantly change the horizontal or vertical alignment or increase the number of through traffic lanes of an existing roadway. Any mitigation measures derived from a noise analysis are a result of project noise impacts and not from pre-existing conditions.

NYSDOT does not have a Capital project scheduled on our Capital program along either US Route 219 or NY Route 400 in the areas of concern that meet these requirements; therefore, we are unable to conduct a noise evaluation at this time.

If you would like to discuss this matter in further detail, please feel free to contact me at (716) 847-3238, or you may contact Ms. Sanjyot Vaidya, Regional Design Engineer, at (716) 847-3215.

Sincerely,

fr Frank P. Cirillo, SR/WA
Regional Director

cc: Richard A. Fontana, Special Assistant
Sanjyot S. Vaidya, P.E. Regional Design Engineer