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July 20, 2021

302755

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-001

ENTERED
Office of Proceedings
July 20, 2021
Part of
Public Record

RE: STB Docket No. FD 36472
CSX Corporation and CSX Transportation, Inc., et. al.
Control and Merger—Pan Am Systems, Inc., et. al.

Dear Ms. Brown:

These comments, protests, requests for conditions and arguments in opposition to the above-referenced “Application” are submitted on behalf of the Village of Voorheesville, New York (the “Village”) in connection with the proposed acquisition of Pan-Am Systems, Inc. by CSX Corporation and CSX Transportation, Inc. (collectively “CSX”). For the reasons set forth below, we urge you to reject the proposed transaction as currently formulated; or, if the transaction is approved, to impose appropriate conditions that address the concerns expressed herein, and the significant impact this potential transaction will have on our community.

Located in Albany County, New York, where the Applicants apparently propose to construct a new “level junction” connection between an existing CSX rail line and an unused Norfolk Southern Corporation rail line (see enclosed overlays), the Village will be significantly impacted by the proposed transaction. Of particular concern to the Village is that aspect of the transaction that calls for the construction of the new rail connection; and the use of that connection to allow 1.7 mile-long, double stacked specialty trains to pass through the community.

For nearly a decade, both the County of Albany and the Village have been advancing a safety improvements project for two existing at-grade road crossings over the CSX line. Specifically, the parties have been working to implement a “Quiet Zone” in the Village—with 4-quadrant gate systems at both the Voorheesville Avenue and Main Street CSX crossings. This Quiet Zone is specifically called for in the Village’s 2018 Comprehensive Plan. And the

improvements are expected to result in both enhanced quality of life for Village residents; and safer crossings for vehicular, pedestrian and bicycle traffic.

Unfortunately, the new CSX / Norfolk Southern level junction that is proposed with this Application would directly impact the configuration of, and improvements required for, the Quiet Zone project. Specifically, the rail connection would require a more complex and extensive gate system at the Main Street crossing—where an additional rail line would now cross the roadway. In addition, because the connection between the CSX line and the unused Norfolk Southern line would allow for “through” traffic to resume, it would necessitate an additional gate system at the Norfolk Southern / School Road crossing to the northwest.

All of the changes necessitated by the new level junction would require substantially greater funding than is currently available—and significantly delay the current project.

Further exacerbating the negative safety implications of the proposed junction between the CSX / Norfolk Southern rail lines is the intended use of that connection to allow 1.7 mile-long, double-stacked specialty trains to travel through the Village. It is our understanding that those trains would be proposed to merge from the Norfolk Southern line to the CSX line between the at-grade crossings at Voorheesville Avenue and Main Street. And that because of the track connection and transition; as well as the increased risks of derailments associated with level junctions, generally, the trains would likely be traveling at a slower rate speed through the Village.

The proposed connection and additional high intensity traffic, if approved, appear highly likely to result in a total of three at-grade crossings in the Village being closed at the same time—on a regular basis. Such closings would clearly result in additional traffic backups at intersections. They would also cut off a substantial portion of the Community from public safety services, all located on the opposite side of the tracks and hinder timely emergency vehicle access. (Residents and traffic on Foundry Road would seemingly be completely trapped.) This is an obvious safety problem for our residents. As are uncertainties about what potentially hazardous or dangerous materials—in addition to the automobiles we already have heard about—would be transported via the new specialty trains (or even stored on the Norfolk Southern line).

Finally, the Village notes that it has been notified by multiple residents over the years of falling debris and rocks from the existing CSX railroad overpass at Maple Avenue (New York State Route 85A)—including recently. The deteriorating condition of this existing overpass is also a major safety concern for the community. And we believe that the condition of this structure (including the clearly deteriorating concrete) would only be worsened by the addition of new, double-stacked trains passing through the Village.

The Village respectfully urges that the Application as it is currently constituted be rejected in its entirety—because the significant, negative impacts on the Village that are likely to occur are not justified by the Applicants’ commercial interests. And to the extent any version of the Application (that provides for the new level junction connection and increased traffic) is approved

RCR Ltr
Surface Transportation Board
Dated: July 20, 2021
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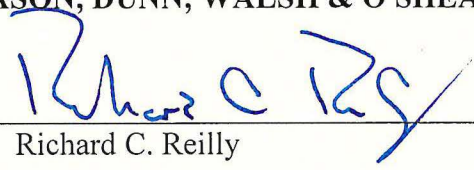
in the future, the Village respectfully requests that appropriate conditions be imposed such that the Village's significant public safety and quality of life concerns for its residents be addressed—at the Applicants' expense.

Thank you in advance for your attention to this matter. If there is any additional material or information we can provide to you regarding our concerns, please just let us know.

Respectfully submitted,

GLEASON, DUNN, WALSH & O'SHEA

By:


Richard C. Reilly

RCR/aa

Encs. Overlays

cc: Richard Straut, Mayor, Village of Voorheesville, New York
Board of Trustees, Village of Voorheesville, New York

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Existing Conditions in the Village of Voorheesville, NY

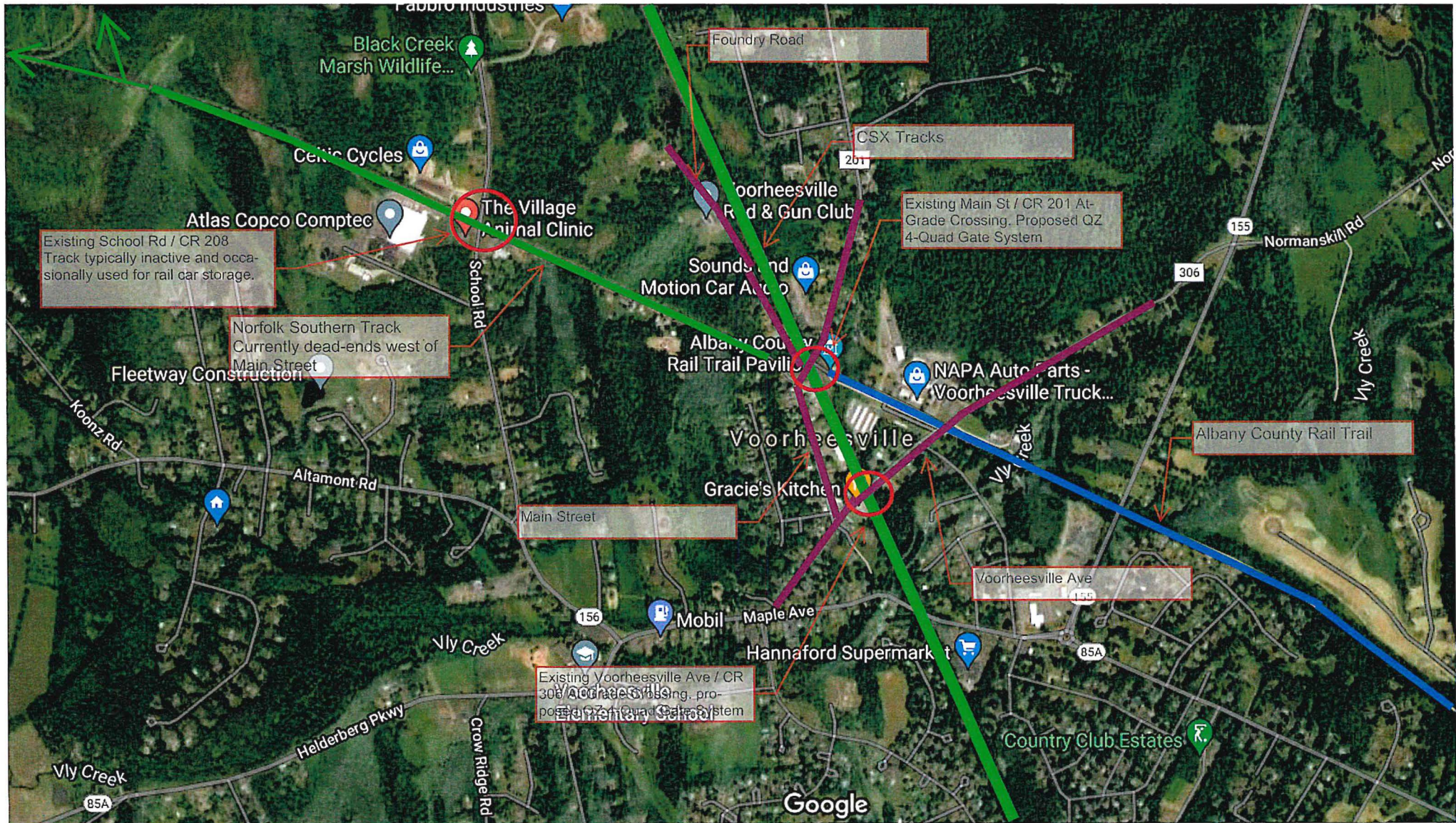
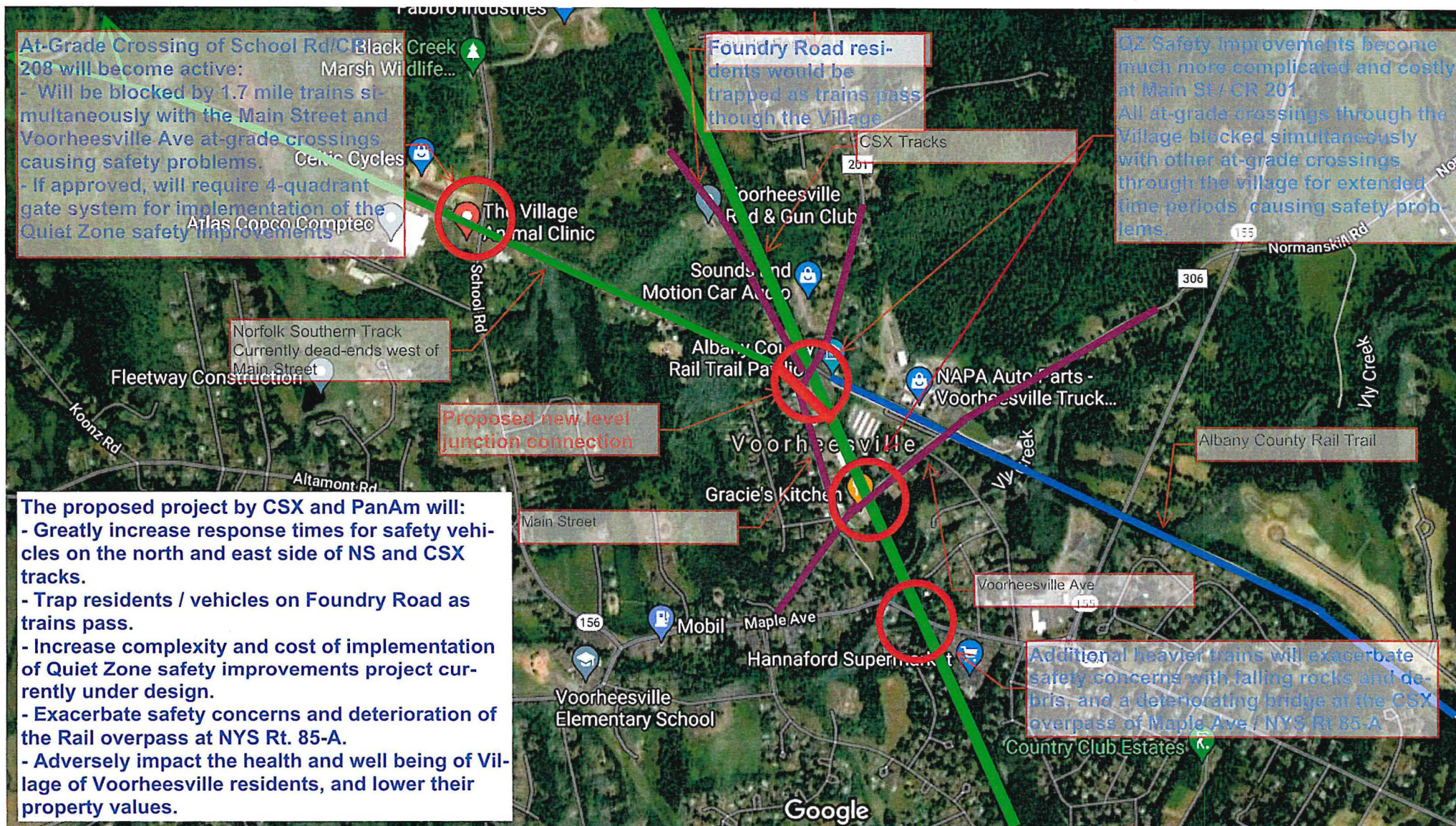


Illustration of Impacts on the Village of Voorheesville, NY



SERVICE LIST VIA E-MAIL

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 36472

CSX CORPORATION AND SCX TRANSPORTATION, INC., ET AL.
– CONTROL AND MERGER –
PAN AM SYSTEMS, INC., ET AL.

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SERVICE LIST VIA 1ST CLASS MAIL

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 36472

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