

The Answer is Zoning Reform

Members of Birchwood Association have been asking and hoping for zoning reform from the town of Schodack for 6 years. After Dollar Tree, Project Red, and now Amazon, neighbors are seeking relief from the uncertainty surrounding the PD-3 zone in which they live. The zoning code is so unclear that the building inspector was not able to answer my simple question about the maximum allowable building height in a PD-3 zone. Indeed, candidates for Supervisor and Town Board campaigned with the position of making the code clearer, so that developers would know what to expect in Schodack. Recently Amazon developers asked to have the Town's zoning code definition of a Sales Distribution Center clarified, and the solution was to consult the Merriam-Webster dictionary!

For over 4 years, the Town-wide zoning code was being updated by the Town's Zoning Working Group. They met in private to prepare a draft of the new code, which would eventually be revealed to the public in a hearing after which a vote would take place. The new code also contains zoning changes in the Town Center area to allow the Town Center Plan to finally become a reality.

In January Planning Director, Nadine Fuda, said that they were "getting close" to revealing the new code. Then Amazon happened, and the process appears to have been completely derailed. After an attempt to FOIL (Freedom of Information Law) any information on the new code, I was told that the Working Group does not take minutes and that I could FOIL the engineering firm, Laberge, which has a copy of the draft code. Private firms are not subject to FOIL. Town-wide zoning change should be an open process, which *engages* the public, and relief to concerned residents is long overdue. An outdated, unclear code cannot protect residents from infringement on their neighborhoods by mega-corporations and results in expensive lawsuits and delayed projects. Write or call Supervisor Harris to demand action. Learn more how to get involved at www.schodackplanning.com.

Barbara Spink, President, Schodack Planning and Development Association

September 27, 2018

Schodack – Here We Go Again!

In 2012, the Dollar Tree Corporation proposed a massive 1-million square foot warehouse for Rt. 150 in Schodack. The project was opposed by the Birchwood Association, the Schodack Planning and Development Association (SPDA) and many area residents because of the constant truck traffic, excessive noise and waste-water runoff it would bring and the potential impact it would have on our aquifer. Fortunately, Dollar Tree went elsewhere. Fast-forward to 2018, in what appears to be Dollar Tree II, Scannell Properties will propose a 1-million square foot warehouse to the Schodack Planning Board at their April 2nd meeting. The warehouse would be located on Rt. 9 between the Rt. 9/Rt. 20 split and Maple Hill Road, between the Birchwood and Hillcrest neighborhoods. The footprint of the structure would be equivalent in area to 17+ football fields. The plan includes 93 loading docks, and parking for 366 trailers and 1266 cars. Open trenches for collection of untreated runoff will be along the properties of Richwood Drive. In a SPDA-sponsored candidate forum held in November, then supervisor candidate, and now Supervisor David Harris and Councilmen Jim Bult and Scott Swartz went on the record as opposing the building of enormous warehouses in Schodack, *positions that helped them get elected*. They agreed this development would destroy the rural nature of our town and have disproportionately negative impacts on adjacent neighborhoods. The Town is currently working on changing its zoning code; we think this is the perfect opportunity to decide what kind of development we want and how large projects are permitted to be. At this critical juncture, we look to the leadership of our Supervisor and Town Board to prohibit unwanted, massive warehouses in Schodack, including the one proposed for Rt. 9.

David and Barbara Spink, SPDA

March 2018

...AND WHAT ABOUT THE PROGRESS OF SCHODACK'S NEW ZONING LAWS?

Before the Town considers any review of a Route 9, 1 million SF warehouse/distribution center facility at the April 2nd meeting of the Planning Board, they should come forward with a draft of their new

zoning laws so that we can be sure that a comprehensive, well-thought out plan has been developed for Schodack's future and be sure that Routes 9 & 20 do not become Rensselaer County's warehouse row. One of our responsibilities as residents is to question the current status of the Town's progress on the new zoning laws. Over the years, we've heard that the current zoning laws are being updated, and as recently as last November's candidate forum, we heard that the new zoning laws are almost complete. Have Schodack residents ever heard about meetings or read any meeting minutes of the Planning Board's Zoning subcommittee? Are those meetings not public meetings which fall under the governance of New York's Open Meetings Law? We should be concerned that zoning law revisions are happening behind closed doors. Precisely, what is being considered? Will the new zoning only benefit a few Schodack landowners and support the imposition of more and more mega-warehouses in town? Or are they considering long term solutions that encourage a mixed variety of development opportunities? What about the stagnant Town Center Plan? Is this a purposeful oversight by the Town to disregard that collaborative community effort that started years ago on the Town Center Plan?

Do we want Schodack to be a "drive-through" town? Or do we want Schodack to have a town center in which to stop, stay a while, enjoy, and bring income into the town?

-- Stephen Van Hoose, RA – SPDA, East Schodack
March 2018

Ethics in Schodack

Several years ago, we observed activity within the Town of Schodack government that we perceived to be of questionable ethics. Our plan was to discretely refer our concerns to the Schodack Board of Ethics (BoE). We therefore sent letters to

the last known members of the BoE. While we did not receive a reply from anyone associated with the BoE, we did receive a dismissive letter from a previous Town attorney, indicating that the BoE "shall render opinions to town employees on written request" and that "the law does not provide a mechanism for disgruntled individuals to file purported ethics complaints against town employees..." Through FOIL, we determined that there has been no Schodack BoE activity within the past ten years. Of the five who were listed as BoE members in 2008, one has died, one moved to another state, and a third recently retired from Town service. In any case, the terms of the previous BoE members have long expired. We urge our new administration in Schodack to reestablish a BoE that is ready to respond if important ethical issues arise. We also recommend our new administration codify a provision that allows town residents to refer questions of ethics directly to the BoE, as has been done in other towns. In the Town of Bethlehem, "if you believe that a town officer or employee has violated the Town's Code of Ethics, you are encouraged to file an ethics complaint." Likewise, our neighboring Town of East Greenbush provides a mechanism for citizens to file ethics complaints. We believe that the reestablishment of a BoE in the Town of Schodack should be a priority, as it will help ensure honest and open town government.

David and Barbara Spink, *Schodack Planning and Development Association*

February 2018

Open Letter to Supervisor Harris and the Schodack Town Board

A Local Waterfront Revitalization Program (LWRP) was adopted by the Town of Schodack in 1991, by the Village of Castleton in 1993, and was incorporated into the States Coastal Management Program in 1995. Schodack's LWRP document can be accessed from the Documents page of our website (www.schodackplanning.com). It presents a comprehensive description of the waterfront areas in Schodack and Castleton, existing policies and objectives for waterfront development, and proposed public and private projects. Among the proposed projects were a riverfront walk, a trail system along the Vlockie and Muitzes Kill, scenic overlooks, and business district revitalization, all of which, according to a survey in the document, had popular support. These projects are still relevant today and

would go a long way in revitalizing Main Street in Castleton. Unfortunately, the LWRP Committee stopped meeting. For the past two years there has been a popular push to reactivate the LWRP and form a new Committee; however, negotiations between Schodack and Castleton faltered. With a new administration in Schodack, it is time to put political differences aside and agree on the composition of the LWRP Committee. With so much time, money, and effort expended in creating a comprehensive LWRP document and in obtaining approval by the State, it would be unfortunate if work did not continue. An active LWRP could be an asset in obtaining grant money to make waterfront development a reality. The revitalization of our Hudson River waterfront would provide access to the public, increase interest in the waterfront and business opportunities, and invigorate a beautiful area that has so much potential.

Barbara Spink, President, Schodack Planning and Development Association

January 2018

A GOOD FACE TO EXPEDITE BAD DEVELOPMENT?

The Schodack Planning Board is reviewing the planned development of the Valente property near the intersection of 150 and 9&20. Part of the review package includes the new BOCES Rensselaer Academy, and a **new Distribution Center**, whose tenant is currently unknown, as well as a variance to mine 60,000 cubic yards of gravel, which in and of itself presents environmental concerns for the town aquifer and nearby residents. Considering the site's history of the Dollar General and the Project Red development plans, it seems that a distribution center is not smart and sustainable development for that area, and I would expect strong pushback from town residents. Do we want Schodack to become known as the warehouse district of Rensselaer County?

As an architect, I support the Rensselaer Academy's construction and its vocational education opportunities, but, my immediate concern is the lack of transparency as to what it will even look like. A brick box or a bent frame metal building is a lost opportunity for good design. How does it fit with the development strategies of the Town's Comprehensive Plan and the recently adopted Town Center Plan? No elevations, renderings, plans, etc. have been made available by BOCES or Schodack for public viewing. Town residents do care about the finished product. I encourage them to attend the **May 15th public hearing** to hopefully see more. The BOCES project should not be an opportunity for the Board to put a good face on bad development so they can push through a distribution center project. Rather, I encourage

them to view the Academy's design as a catalyst influencing new Route 9&20 development, and be one piece for the start of, let's say, a Schodack Renaissance.

Stephen Van Hoose, RA - East Schodack, NY

April 2017, *The Advertiser*

Good and Bad Development Proposed for Schodack

At the corner of Routes 9/20 and 150, near the Senior Center, new projects are being proposed by Roderick Valente. One project on 10-acres will be a new vocational education center for Questar III BOCES and will house programs such as automotive repair, culinary arts, cosmetology, and construction. The other project will be a warehouse, which is based on the design that McLane Foods had proposed, but later withdrew. Although developers want the BOCES project approved quickly, very little on the design of the school has been submitted. We at the Schodack Planning and Development Association think this is a perfect opportunity to have design standards be considered for our town as opposed to the usual box-like structures that have been built in Schodack. For example, compare our rectangular Rite Aid to the attractive Rite Aid in Sand Lake. Many are wondering why we can't have that kind of construction here. Schodack does have a Commercial Design Guidelines Manuel, but it is not codified into our zoning laws, therefore few adhere to it.

Another concern we have is that Mr. Valente is asking for a construction exemption to gravel-mine the area for the future warehouse prior to construction with the justification that the warehouse will be lower and less visible to the neighbors. Neighbors from the Richwood Drive area have been fighting mining proposals from Mr. Valente for years and do not want gravel mining. The concern is that this area is over the Schodack Aquifer and near the Moordenerkill, an area is not zoned for gravel-mining. Mr. Valente has previous DEC violations while gravel-mining at other sites. There will soon be a public hearing on the combined projects, possibly in April. Updates are at www.schodackplanning.com.

Barbara Spink, Schodack Planning and Development Association

March 2017, *The Advertiser*