

INDUSTRIALIZING THE HUDSON RIVER IN COEYMANS

26 October 2016

Call for an independent environmental review of current & future industrial development in Coeymans, New York.



Coeymans Falls, April 2015, ½ mile downstream of the Port of Coeymans



Cement dust from a ship docked at the Port of Coeymans, April 2016

This paper was written by concerned residents and property owners in Coeymans with help from the Hudson River Sloop Clearwater

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See the full report on the Clearwater website:

<http://www.clearwater.org/ea/>

SUMMARY

New Heavy Industry along the Hudson River in Coeymans, NY

Full Environmental Impact Study Needed

Twelve miles south of Albany is the Hamlet of Coeymans, one of the earliest Dutch settlements on the Hudson River. It faces Schodack Island which held the last Council fire of the Mahican Indians and is now a State Park with [nesting bald eagles](#). The Hamlet is bracketed by two Hudson tributaries, the Coeymans and Hannacroix Creeks. Together they are a '[significant coastal habitat](#)' bordering an important stretch of the Hudson River where endangered sturgeon are found.

In 2006, Carver Laraway opened the Port of Coeymans just north of the Hamlet. His businesses have expanded with unseemly haste. They include staging for the Tappan Zee Bridge project, the Coeymans Recycling Company, Coeymans Industrial Park, and a number of tenant industries. To achieve this growth, local Town and Village authorities were pressured to rezone residential and agricultural land along the Coeymans Creek for heavy industrial use. More than 500 acres - close to the Hudson River, the local primary school and local houses - is now becoming a major industrial complex and is expected to grow. The Capital Region's [2015 Upstate Revitalization Initiative Plan](#) wants to create a regional "Gateway" by expanding the ports of Albany and Coeymans and their links to road, river and rail. In 2015, \$2 million was given to the Port of Coeymans to build a new rail link.

The Port has proven to be a bad neighbor. Local residents complain of extreme noise at night while heavy trucks are cracking the windows of homes along Route 144. While the Port claims to have invested [\\$30 million](#), its assessed value is less than \$3 million, placing the financial burden of local government on local residents. The Port has frequently avoided environmental impact studies, asked for site plans to be waived, or conducted only segmented impact assessment of particular projects in small areas. Harmful consequences of this industrialization for the Hudson River, its tributaries and the local community have been ignored.

Because of this 15-year history of expanding industrial development without any assessment of the cumulative impact on the environment, community, historic resources or local quality of life ...

***We are asking New York State and the Environmental Protection Agency
to commission an independent comprehensive environmental study of the cumulative impact
of current and future industrialization in Coeymans.***

***The Hudson River has been recovering for fifty years.
New industry without environmental care could destroy that recovery.***

If you agree with us, please contact to:

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Geography & biodiversity of Coeymans

The Town of Coeymans runs from the Helderberg Escarpment to the Hudson River, covering roughly 50 square miles in the southeast corner of Albany County. The Helderberg Escarpment is an area of high biodiversity that runs in a wide strip through the Town of Coeymans, from the Alcove Reservoir to the Village of Ravena and Hudson River (Figure 1).

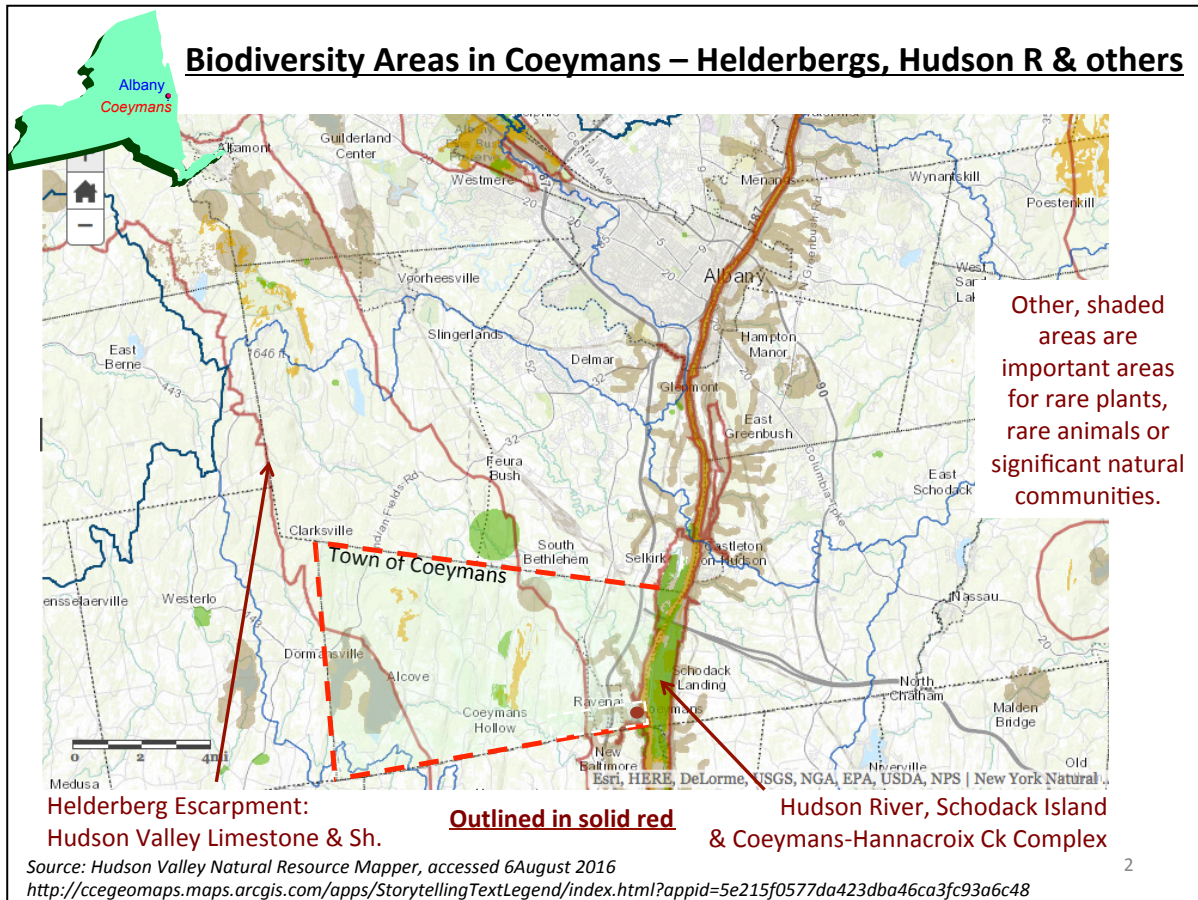
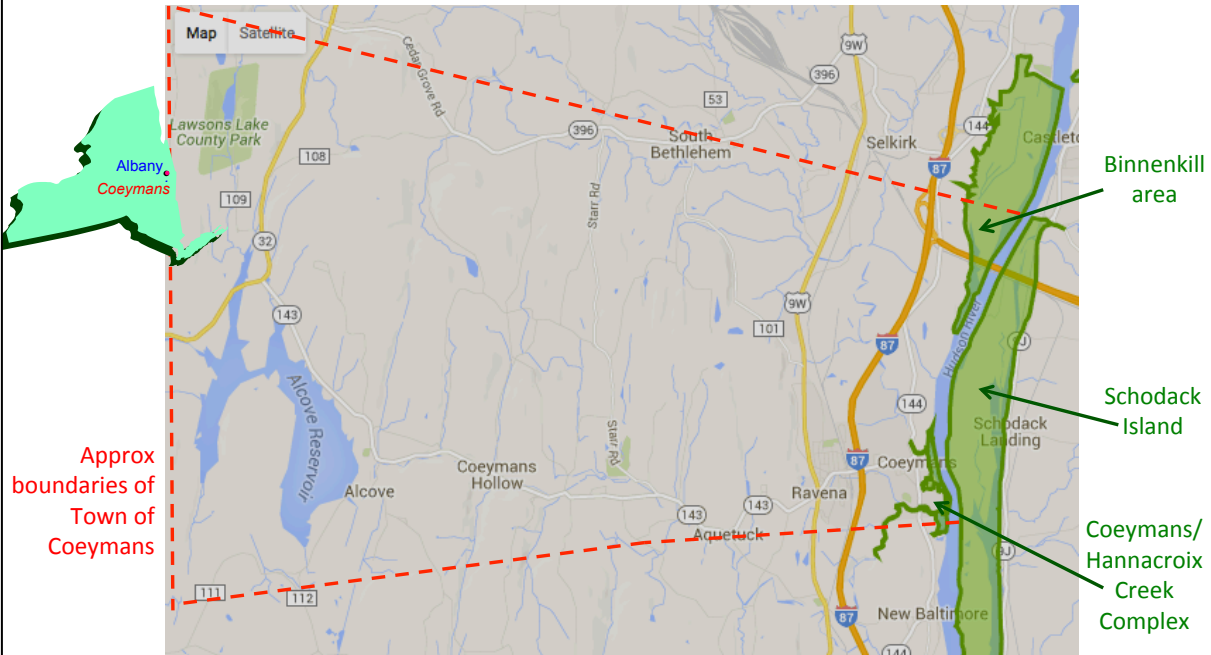


Figure 1: Helderberg Escarpment, Hudson River & other biodiversity areas in Coeymans

The escarpment feeds two of the three tributaries of the Hudson River (the Hannacroix Creek, the Onesquethaw/Coeymans Creek) that pass through the Town before entering the Hudson River directly opposite the New York State Park on Schodack Island. Schodack Island is [a bird conservation area](#) with a growing number of nesting bald eagles, woodcock and other species, while all three of Coeymans' west bank tributaries, including the Binnenkill and the Hudson River, are migratory fish runs.

In 2008, the Onesquethaw-Coeymans Watershed Council and Capital District Regional Planning Commission published the *Onesquethaw Coeymans Watershed Study*. The study noted on page 173 that the Federally Endangered short-nose sturgeon uses the Hudson River off the mouth of the Coeymans Creek to spawn and may use the tidal portion of the creek as a refuge during spring floods. The Hannacroix Creek offers similar habitat downstream, but has a longer tidal stretch and a larger protected bay at the mouth of the creek. Migratory birds use both creeks. In 2012, The NY Department of State designated the Coeymans/Hannacroix Creek Complex as a [“Significant Coastal Habitat”](#), a designation already held by the Binnenkill area and Schodack Island (Figure 2).

Significant Coastal Habitats in Coeymans



The Binnenkill and the Coeymans/Hannacroix Creek Complex are important biodiversity areas in Coeymans. Migratory fish (herring, shad, eel, striped bass) as well as sturgeon are all supported in this area of the Hudson.

Source of base map: https://appext20.dos.ny.gov/coastal_map_public/map.aspx ; Town Boundaries approx, from Comp Plan, 2006

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Figure 2: Significant coastal habitats in, and bordering, Coeymans

Taken as a whole, the Town of Coeymans, and especially its waterfront and tributaries along the Hudson River, are an important area for Hudson River biodiversity (Figures 3 and 4). With the growing recognition that a healthy environment supports healthy economies and societies, Coeymans' environmental assets are worthy of more focused protection.

Significant Areas of Biodiversity in Coeymans

Hudson Valley Natural Resource Mapper

A tool for communities in the Hudson River Estuary Watershed

Hudson River Estuary

Streams

Wetlands

Forests

Biodiversity

habitats. The NY Nature Explorer can be used to obtain a list of rare species and significant natural communities documented by municipality, excluding restricted plants and animals. To obtain a complete list of records for municipal planning purposes or project review, contact NYNHP. Hudson River Estuary Program Conservation and Land Use staff can

LEGEND

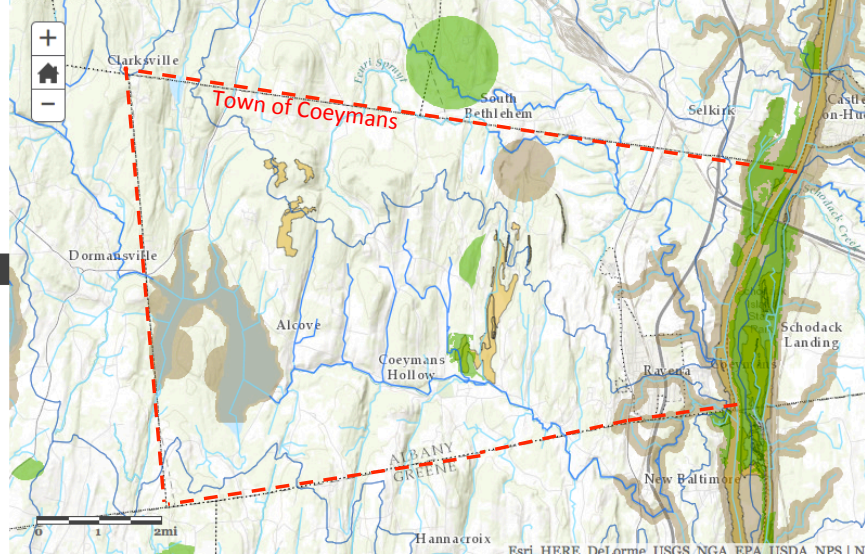
Significant Natural Communities



Important Areas for rare animals



Village, Town, and City Boundaries



Source: <http://ccegeomaps.maps.arcgis.com/apps/StorytellingTextLegend/index.html?appid=5e215f0577da423dba46ca3fc93a6c48>

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Figure 3: Important natural communities and areas for rare animals in Coeymans

Valuable Environmental Areas along the Hudson River near Coeymans

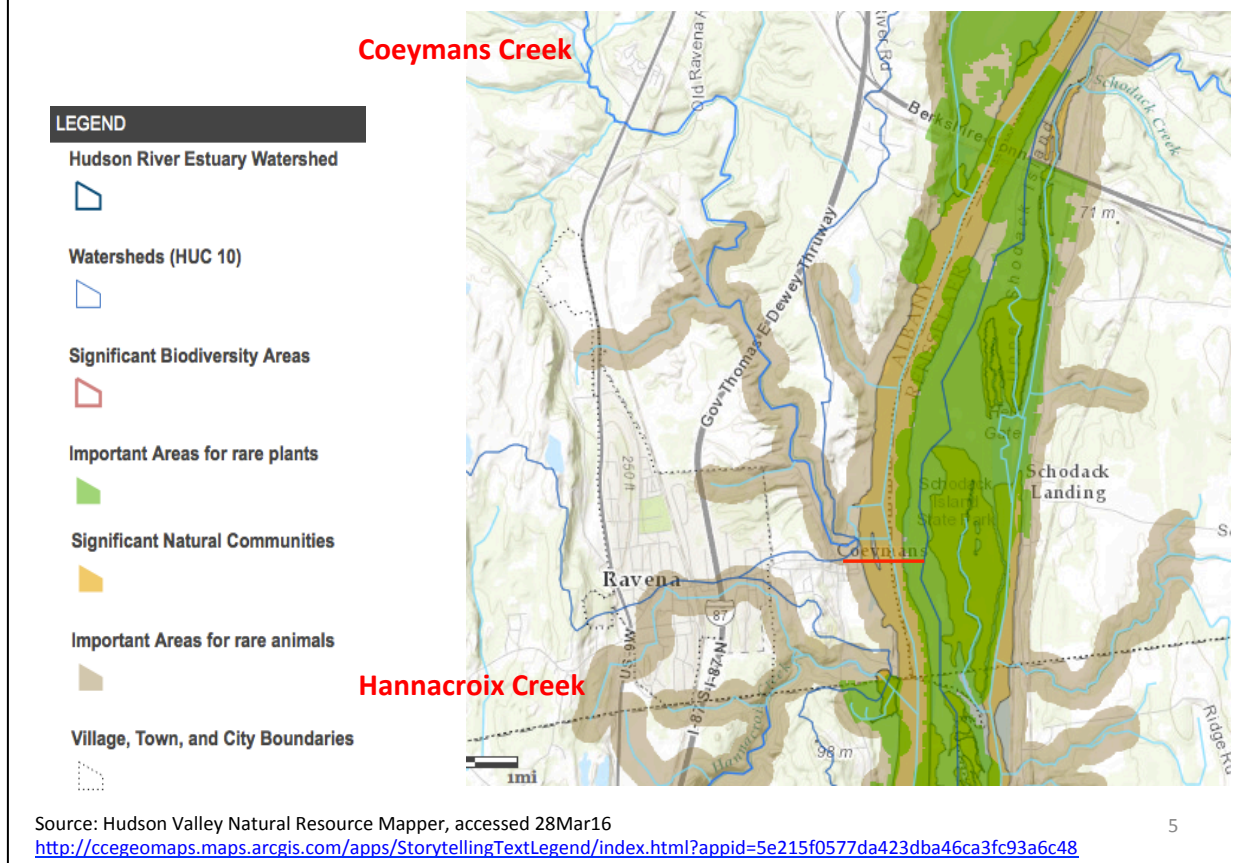


Figure 4: Tributaries are used by migratory fish while the beige areas are important for rare animals

Social & economic history

Before Europeans arrived, this area was the territory of the Catskill Mohicans whose artifacts can be found throughout the Town and especially near the Hudson River and its tributaries, the Hannacroix, Coeymans and Binnemkill. The last Council Fire of the Mohicans was on Schodack Island (now a NYS Park), while Barren Island, at the Hannacroix Creek, was another important Mohican site, making this stretch of the river an important part of the history of the Hudson River Indians.

Around 1672, the Catskills Mohicans sold land to Barent Koijemans, a Dutchman who had arrived in the 1630s. The Town of Coeymans (first known as Coeymans Landing) was incorporated in 1792, having grown up around the mouth of the Onesquethaw/Coeymans Creek. It is one of the earliest Dutch settlements on the Hudson River. Barent Koijemans built three mills above the mouth of the Coeymans Creek, and built the [Coeymans House](#) by 1700 (Figure 5). Now restored and listed in the National Register of Historic Places, it is one of the finest early Dutch stone houses surviving in the Hudson Valley.

Ariaantje Coeymans House



The recently restored [Coeymans House](#) was built by 1700 and is listed in the National Register of Historic Places. It is one of the finest early Dutch stone houses surviving in the Hudson Valley.

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Figure 5: Ariaantje Coeymans House, built by 1700

Trading, fishing and farming were among the earliest economic activities of the Town. Water mills in both the Coeymans and Hannacroix Creeks have supported farming, papermaking, timber, bluestone shipping and shipbuilding. Ice harvesting in the 19th and early 20th centuries gave way to mushroom growing in the 20th century, but the main activities in Coeymans were farming and brickmaking. Between 1850 and 2001, there were [twenty-two brickyards in Coeymans](#). The historic Adamo's Tavern, which served many of the brickyard workers, was an important meeting place for early trade unions.

The brickyards attracted African American labor from the American south as well as other migrants. In 2016, the Riverview Missionary Baptist Church celebrated its 90th anniversary and the [church's role](#) in the Great Migration of African Americans in the early 20th century. St. Patrick's Church, nearby, is an example of late 19th century rural neo-Gothic architecture and welcomed hundreds of Italian immigrants in the early 20th century who arrived to work in both the brickyards and New York Central Railroad yard in Ravenna.

In 1883, the New York West Shore Buffalo Line [brought the railroad to Coeymans](#), stopping west of Coeymans Landing. First known as Coeymans Junction, the area was incorporated in 1914 as the Village of Ravenna within the Town of Coeymans. With the arrival of the railroad, the economic importance of Coeymans Landing declined, but overall the Town's population grew (Figure 6).

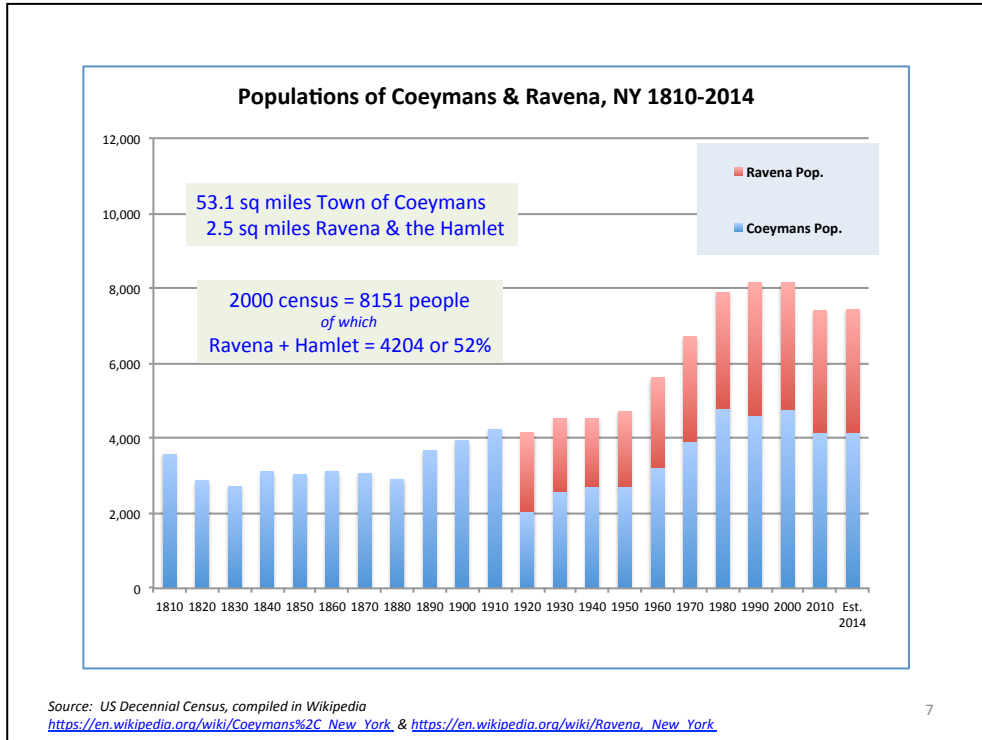


Figure 6: Population of Coeymans & Ravena, 1810-2014

The population peaked at 8,158 people in 1990, nearly doubling after the arrival in the early 1960s of the Blue Circle cement company (now known as LaFarge/Holcim). This business was based on mining the Helderberg Escarpment, processing the limestone into cement, and shipping the cement down river from a dock on the Hudson. Helderberg stone had been mined as early as the 1880s when Peter Callanan supplied railroad ballast to the Buffalo and Weehawken Railroad from his property in south Bethlehem along Coeymans’ north border. With the arrival of the cement business, limestone mining expanded dramatically (Figure 7), but most of the land remained agricultural and residential.

Mining & industrialization in Coeymans, 2016

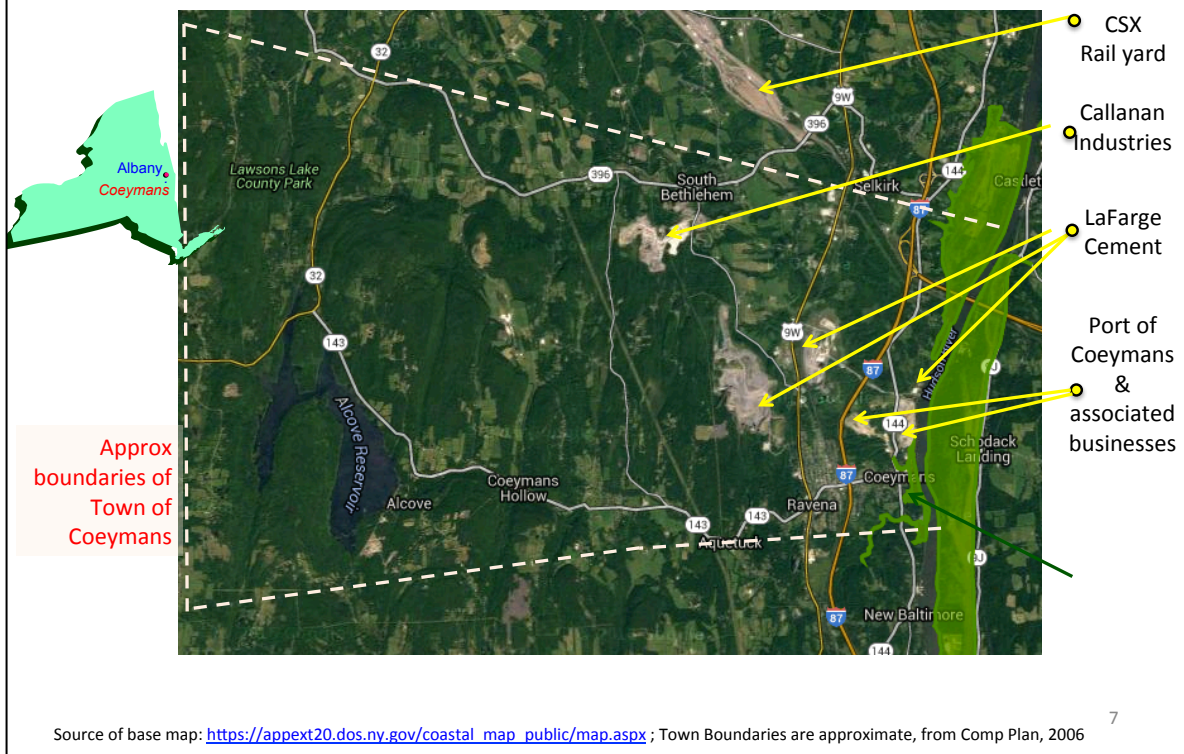


Figure 7: Areas of mining and industrial development in Coeymans, 2016

Town of Coeymans Comprehensive Plan, 2006

The population of Coeymans started falling after 2000. The last of the brickyards had closed, many businesses on Main Street in both Coeymans and Ravena had shut down, and people were leaving. A series of major grants from the Kellogg Foundation (2000-2009) helped to stabilize many of the historic houses on Main Street in the Hamlet of Coeymans, but deterioration in the Hamlet escalated again after the economic crash of 2008. Many properties were abandoned by owners and absentee landlords ceased to maintain their properties. Code enforcement was non-existent.

During the first decade of the 21st century, the Town undertook a major consultative exercise to develop a [Comprehensive Plan](#). Approved by the Town Board in 2006, the first goal of the plan, on page viii, was to “preserve and enhance Coeymans existing rural, small town character while accommodating a balanced mix of agricultural, recreational, residential, commercial and industrial uses”. During the consultation, there was widespread agreement that the Hudson River was the Town’s greatest asset, as Coeymans is one of the few river towns with direct access to the river. When combined with the historic architecture and open spaces from the Helderbergs to the River, many residents involved in the Comp Plan imagined Coeymans could become a prosperous residential town, about fifteen miles from State Street in Albany, with easy access to the NYS Thruway.

With that possibility in mind, the Comp Plan text included proposals to develop a new riverfront community in the derelict P&M Brickyards north of the Hamlet of Coeymans, while limiting the growth of heavy industry and developing a stronger economy based on tourism and light industry.

That, however, is not the way matters developed. Instead, from 2006 onwards, industrialization along the Hudson River and Coeymans Creek accelerated.

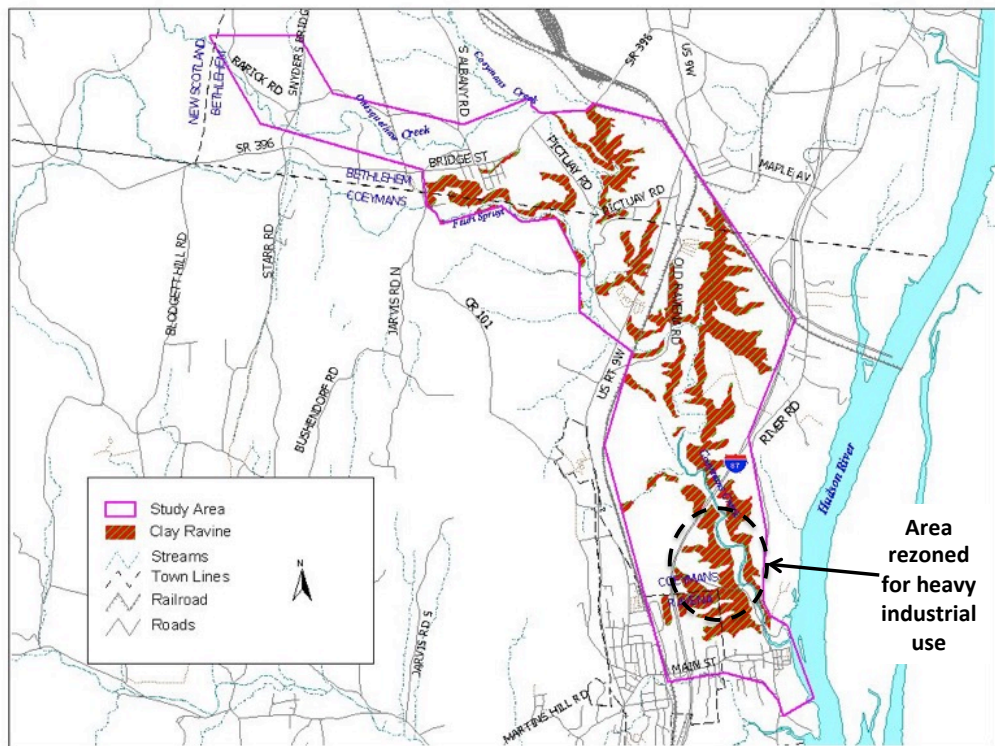
INDUSTRIALIZATION ALONG THE HUDSON RIVER & COEYMANS CREEK

In 2006, the same year that the Comp Plan was approved by the Town Board, the Port of Coeymans opened for business at the former P&M Brickyard. Although the 125-acre site had been unused and unoccupied for several years, the Planning Board was wrongly advised by Larry Conrad (employed by the Port of Coeymans as of 2016), that no site plan review was required. This industrial redevelopment effectively eliminated the possibility of a riverfront housing community on the site, but many in the Town were pleased to see the site active again.

In 2007, the Port's barge slip was dredged, deepening the water from 12 feet to 31 feet to allow ocean-going vessels to dock at the Port of Coeymans. In 2008, 80,000 tons of salt, scrap metal, bauxite and other materials were shipped in and out of the Port (source: Bizjournals.com). In 2009, there were a [dozen companies](#) at the Port while the DEC issued the Port with a Construction and Debris permit. In January 2012, the Coeymans Recycling Center was [registered](#) as a limited liability company in New York State (ID# 4185607). That same year, TCI of New York, a business that recycles electrical transformers and their hazardous PCBs, moved to the Port of Coeymans. TCI's previous plant in Ghent, New York, had [exploded in August 2012](#), raising [many questions](#) about the plant's management and oversight.

In March 2013, Carver Laraway came to an agreement with Donald Trickey for the purchase/use of his land west of NY Route 144, close to the Port of Coeymans. This land surrounds both sides of the Coeymans Creek and is an area of steep clay ravines (Figure 8), as well as an important area for rare animals (see Figure 4, above).

Coeyman Creek's Clay Ravines & Heavy Industry Zoning



Source of clay ravine map: [Onesquethaw-Coeymans Watershed Study](#), 2008

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Figure 8: Clay ravines along Coeymans Creek where heavy industry has been growing since 2013.

Donald Trickey had run a junkyard on small portion of his property under a special use permit for some years, but the yard had been closed and inactive for over a decade when Carver Laraway moved in, making the special use permit invalid. Nonetheless, Mr. Laraway used Mr. Trickey's special use permit to establish the Coeymans Recycling Center on the Trickey property. Because Mr. Trickey's junkyard had been shut for a long time, as had the nearby Frangella Mushroom factory, the property was dominated by wooded areas surrounding the clay ravines of the Coeymans Creek and known locally as 'the Ponderosa'¹.

After the Town of Coeymans rezoned the Trickey land and adjoining parcels for heavy industry, the business of the [Port of Coeymans expanded rapidly](#). In May 2014, TCI and the Town of Coeymans held a ground-breaking ceremony for a new TCI plant above the Coeymans Creek and the New York Department of Conservation (DEC) approved construction of a new private bridge over the Creek to connect the Port to the rezoned area. In spite of local objections, the DEC refused to review the environmental impact of the industrial expansion the bridge would allow.

¹ The Ponderosa was named after a 1960s television series set on a heavily wooded ranch in the Rockies.

In addition to shipping raw materials and various forms of recycling, the Port of Coeymans also developed businesses to [assemble and move large structures](#) down the Hudson River. In 2014, the Port of Coeymans was [awarded contracts](#) through Tappan Zee Constructors (TZC) to provide property leasing, steel fabrication and mechanicals, and stevedoring contracts for precast work on the new Tappan Zee bridge. To fulfill this contract, the Port was given temporary permission to expand its Hudson River docks under a combined permit with the Tappan Zee Bridge project itself (See DEC Environmental Notice Bulletin, July 30, 2014). These temporary docks were then available to support other businesses at the Port.

As of mid-2016, the [Port of Coeymans](#) and the [Coeymans Industrial Park](#) are hosting many more companies and building new warehouses along the Coeymans Creek to accommodate them. To date none of these projects has undergone a responsible site plan review or a full environmental impact assessment of their cumulative effects. Coeymans Recycling are also planning to expand into 70 acres of newly rezoned land in Ravena, which includes land purchased by Coeymans Recycling Center (CRC) on both sides of the New York Thruway. CRC has also bought property next to the CSX line leading to the Castleton Rail Bridge over the Hudson River and parallel to the NYS Thruway access to the Berkshire Spur of the Massachusetts Turnpike (see [Albany County Interactive Mapper](#), parcel 145.-1-6). With these purchases, it is very likely that the Port of Coeymans hopes to make their temporary docks, constructed for the Tappan Zee Bridge project, a permanent feature in the Hudson River. With the potential to combine deep-water river access with direct access to the rail lines running west of the Hudson River and east to Massachusetts, plus proximity to the New York Thruway, the Port would be able to provide multimodal freight transport to any business that reaches them.

If this is Mr. Laraway's plan, it has high-level support in Albany. In December 2015, the Port of Coeymans was awarded a \$2 million grant by the Capital District Economic Development Council to build a rail link to the Port of Coeymans. This link was a component of the October 2015 [Capital Region Revitalization Plan](#) to turn the Capital District into a gateway shipping center by expanding the Ports of Albany and Coeymans. While the Gateway plan did not win full support in the December Upstate Revitalization awards of 2015, the ambition to turn this stretch of the Hudson River into a major shipping hub remains. In March 2016, the [Capital District Transport Committee](#) endorsed the proposed rail link to the Port.

A FAILURE OF DUE PROCESS AT THE LOCAL LEVEL

Normally, any business that succeeds this quickly is worthy of our respect and admiration. However, this history looks very different from the perspective of many residents of the Hamlet of Coeymans and of the current Town Board. The Port's success has reduced the quality of life for people living in the Hamlet of Coeymans, the Village of Ravena and the neighboring Hamlet of New Baltimore. There is increased 24-hour noise, as well as dust and debris of unspecified origin and toxicity coming from the Port and moving onto the roads. The roads are further affected by the volume of heavy industrial trucking, especially in residential areas along NY routes 143 and 144 (Figure 9). The Port's development has also badly undermined good governance and respect for the rule of law, starting at least as early as 2006.

Industrial Traffic on NY Route 144



NY Route 144 is a narrow 2-lane road. This stretch is through the New Baltimore Conservancy land, between the hamlets of New Baltimore and Coeymans. Historic home in Coeymans have been damaged by this type of traffic.

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Figure 9: Segment of the Tappan Zee Bridge travelling on Route 144 between the historic hamlets of New Baltimore and Coeymans.

2006: No Site Plan Review for the Port of Coeymans

Normally, after a business site has been unoccupied for a number of years, a new business on that site must go to the Town Planning Board and submit an application for a site plan review. This was not done when the Port of Coeymans took over the P&M Brickyard after Mr. Larry Conrad, Building Inspector for the Town of Coeymans, advised that a site plan was not needed. His advice was not questioned by Town officials or the Planning Board, but Mrs. Sylvia Lawler was later told during a meeting at the New York State DEC, that Mr. Conrad's advice was wrong; site plan review should have been done.

2006-2015: No enforcement of local laws at the Coeymans Recycling Center

A more serious failure of honest governance has a longer history. In the 1990s, after a ten-year citizen's campaign, the Town Board agreed that land sold to the city of Albany for a new landfill should not be used for that purpose and passed [a law prohibiting the importation of solid waste](#) (Code 138-17) into the Town of Coeymans. Because much of the business of the Port of Coeymans was and still is involved in the movement of solid waste, Mr. Larry Conrad's unilateral decision that this local law was "unenforceable" gave the Port of Coeymans and the Coeymans Recycling Centre implicit license to conduct any business it desired. Mr. Larry Conrad has also argued that 'recycling' did not violate the importation of solid waste as most material was only passing through Coeymans before being sent elsewhere.

The decision to allow Coeymans Recycling Center to conduct business was taken in spite of the fact that much of the solid waste coming through the Port of Coeymans was of unspecified quality, character or toxicity and was never tested by the Town. Local residents report seeing large truckloads of material going into the Coeymans Industrial Park where it was used as fill to level the land along the clay ravines of the Coeymans Creek. It was also used in February 2016 to construct a new parking lot along the

Creek with inadequate setbacks from the Creek and in violation of the 50-foot setback required by Town law (figure 10).



Figure 10: In violation of laws requiring a 50-foot setback, this parking lot was constructed with unidentified fill from the Port of Coeymans

Debris downstream from Coeymans Recycling is routinely found at the mouth of the Coeymans Creek between the waterfalls and the Hudson River (see Figure 11). Any environmental impact this debris has on the Creek will also impact the river, as will any spillovers during loading and unloading at the Port.

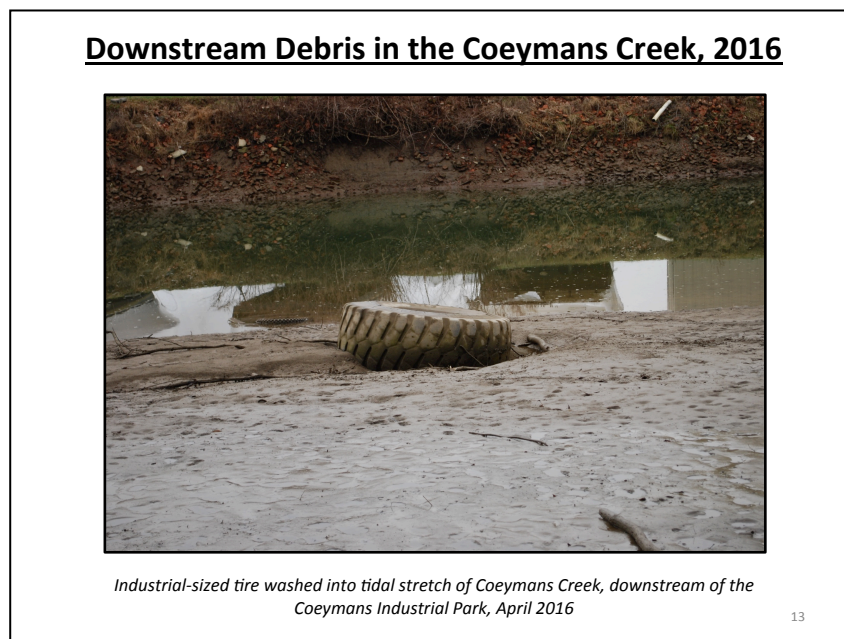


Figure 11: Scrap metal and other debris, typical of waste handled by Coeymans Recycling, routinely washes into the tidal portions of the Coeymans Creek.

It is also likely that Mr. Laraway knew his recycling businesses did not comply with the Coeymans' statute on solid waste. Mr. Laraway heavily backed Stephen Flach for Town Supervisor during the elections. During his four years in office, Mr. Flach made three failed attempts to rewrite the solid waste law. The third attempt took place in the last two weeks of his second term, in late December 2015.

Despite the local law, the Port of Coeymans continues to import solid waste into the Town of Coeymans. In 2012, Mr. Laraway welcomed TCI, another business handling solid waste, when it took up residence at the Port of Coeymans in 2012. TCI is now a tenant of the Coeymans Industrial Park, a subject covered in more detail below.

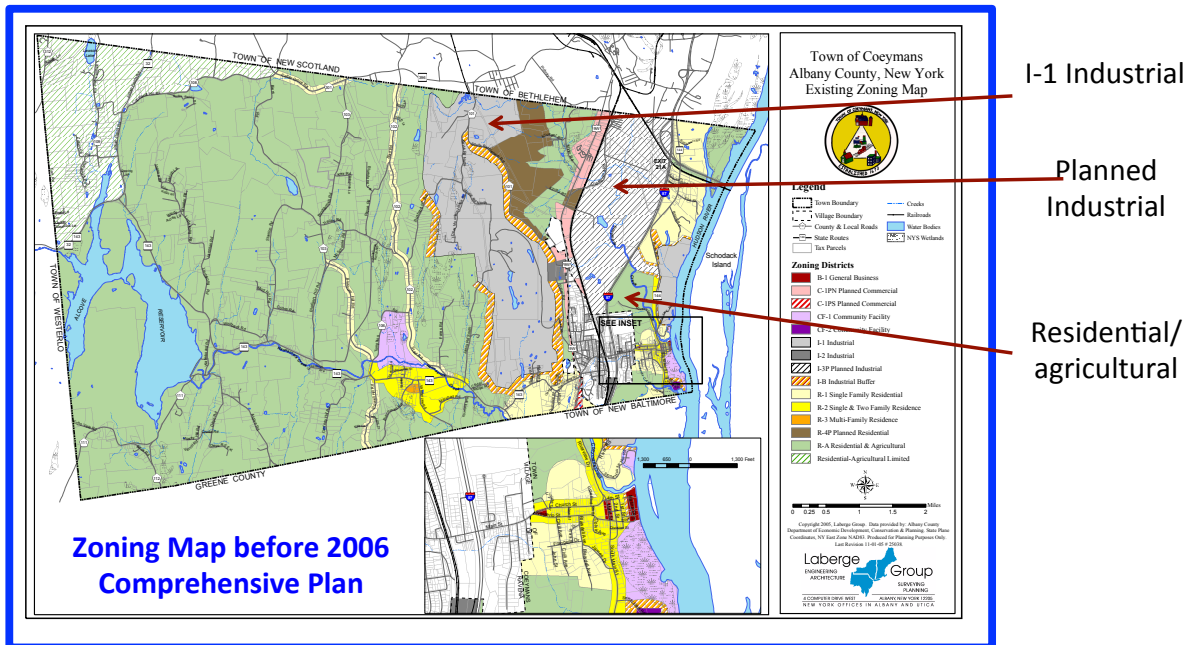
The current Town Board is looking for ways to strengthen the enforcement of local laws.

2013-2014: No respect for laws governing rezoning

The most egregious failures to respect the law concerned the 2013/14 rezoning for heavy industry of roughly 350 acres of residential/agricultural land between the New York Thruway (I-87) and NY Route 144 , as well as a similar rezoning in June 2016 of 70 acres of largely residential land in the Village of Ravena.

Some of the confusion around zoning is illustrated by comparing the 2005 map showing existing zoning (Figure 12) to a draft zoning map by LaBerge, dated 2007.

2005 Map of Existing Zoning in Coeymans

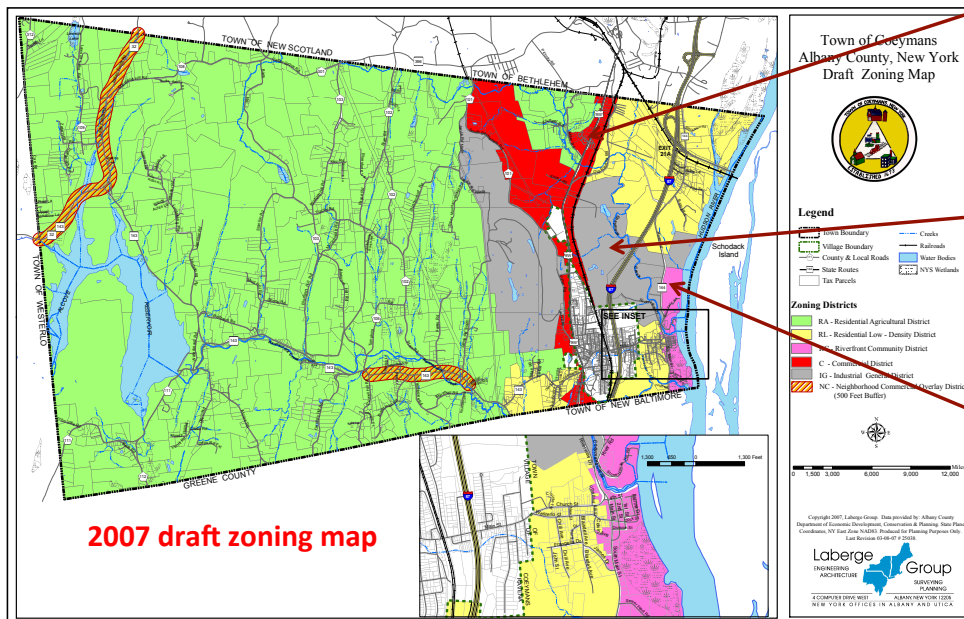


The zoning map above reflects existing zoning in 2005. The gray industrial areas cover the LaFarge cement works, and the P&M Brickyard along the Hudson River. The Planned industrial area (hatched lines) includes land that had been bought to become a new Albany city dump site, but was largely undeveloped woods or agricultural land in 2005. The Albany dump plan was defeated in the 1990s. The green areas were zoned for residential & agricultural use. The 2006 Coeymans Comp Plan called for the Town to retain its rural and residential character.

Figure 12: Coeymans Zoning as of 2005, largely showing existing uses.

The 2007 map (Figure 13) was produced under the guidance of Larry Conrad, Coeymans Building Inspector. Contrary to the text of the 2006 Comprehensive Plan, the 2007 draft map increased industrial zoning while still inexplicably designating an area along the Hudson River as a 'Waterfront Community', even though the Port of Coeymans was already functioning there in 2006.

2007 Draft Zoning Map for Coeymans



Commercial district

Expanded I-1 Industrial; eliminating green buffer between industry & local neighborhoods

Riverfront community – but surrounded by industrial development

This draft zoning map is dated 2007, a year after the Port of Coeymans had begun operating where the Riverfront Community (pink area) was to have been built. This pink area is surrounded by an enlarged zone of I-1 Industrial use, eliminating the green buffer that existed between local households and industrial activity. This map was never approved by the Coeymans Planning Board.

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Figure 13: Draft 2007 Coeymans Zoning Map. This map, one of three similar options, was drawn up under Building Inspector, Laverne Conrad, but never approved by the Coeymans Planning Board.

The Coeymans Planning Board never approved the 2007 draft map. The Planning Board had been making interrupted progress on a new zoning plan, but had not completed work on new zoning definitions and uses. As the Port of Coeymans grew, this lack of new zoning definitions and maps was increasingly problematic.

By 2012, the Port of Coeymans was running out of room on its 125 acres by the Hudson River. It wanted more space for its tenants and its own operations and it wanted that space on nearby land. Most nearby land was either owned by LaFarge Cement, or zoned for residential and agricultural use. In October 2012, the Town Board hired C.T. Male to draw up new zoning maps. On 11 February 2013, the Board, under Supervisor Stephen Flach, voted unanimously to be the lead agency for SEQRA review of the 2013 Town-wide rezoning. In the same resolution, the Town Board “concluded that there will be no adverse impacts to the cultural, social, economic or environmental resources of the Town” from the rezoning. It is not clear from the Town minutes how that conclusion was reached.

On the same day, 11 February 2013, Supervisor Flach and Building Inspector Larry Conrad submitted the new zoning maps, prepared by C.T. Male, to the Albany County Planning Board for review, but did not inform the Town’s Zoning Board, Planning Board or a majority of the members of the Town Board that they had done so. When the Albany County Planning Board rejected the proposed rezoning, sending it

back to the Town with a list of nine detailed recommendations, the new zoning map was revised slightly and resubmitted. Albany County Planning Board once again wrote out a detailed list of recommended changes, but left the final decision to the Coeymans Town Board.

The next two months were not altogether smooth. As residents learned of the rezoning, which increased heavy industrial areas in the town, they began objecting in public hearings. The Planning Board wrote to the Town Board rejecting the new zoning map, because it did not contain definitions of what was permitted in the different zoning areas. Their advice was ignored by Supervisor Flach who said that the Planning Board's letter did not represent the 'general consensus of the Planning Board', a claim rejected by a majority of the Planning Board. The Town's Zoning Board had also not been consulted, and also wrote to the Town Board to object. Nonetheless, on 22 April 2013, the Town Board approved the new zoning law after making minimal changes to the new map and largely ignoring the advice of the Albany County Planning Board.

There are at least two disturbing aspects to the passage of this local law. First, although a Town-wide rezoning is considered a Type 1 Action that may require a full environmental assessment, no effort was made to conduct such an assessment and instead the Board rushed ahead with the new zoning without any review. Second, the Town's own internal consultations - with the Planning and Zoning Boards - were neglected or ignored, as was the detailed advice of the Albany County Planning Board.

On September 9th, 2013, several local residents, and the Coeymans Heritage Society filed an Article 78 lawsuit against the Town of Coeymans on three grounds: 1) that this new law was spot zoning to favor Carver Laraway's businesses, 2) that SEQRA procedures had not been correctly followed and 3) the Coeymans Comprehensive Plan of 2006 had not been respected. Six months later, on 3 March 2014, Judge Lynch agreed with the petitioners' arguments on SEQRA and declared the new zoning law null and void.

One week later, 10 March 2014, at the request of Coeymans Recycling Center, the Town Board of Coeymans drafted a new zoning law to rezone nine parcels of land adjacent to the Port of Coeymans ((See [Town Board minutes dated 10 March 2014](#)). There was even more resistance this time to the law, including comments from Scenic Hudson, Riverkeeper, the Sierra Club and the Hudson River Sloop Clearwater. However, once again, the land was rezoned without any environmental impact studies being done. This decision was taken in spite of one Board member stating publicly that he had personally dumped illegal medical waste in the area which was therefore not suitable for anything other than heavy industrial use ([See minutes of Town of Coeymans Public Hearing on Local Law #4, 2014](#)).

The new law passed on 12 May 2014. This time, one member of the Town Board voted against the rezoning, questioning the board's negative declaration on SEQRA (see [Town Board Workshop minutes of 22 April 2014](#) for the Board's discussion of SEQRA). Quiet political pressure was also a factor, but came from the Albany County Executive, who urged the Albany County Planning Board to accept the new zoning after meeting with Supervisor Stephen Flach and Larry Conrad from Town of Coeymans.

On 11 September 2014, the Hudson River Sloop Clearwater and Coeymans Heritage Society plus five local residents once again filed an Article 78 Lawsuit against the rezoning. However, two years since that filing, the case has still not been heard on its merits as it was dismissed on procedural grounds and is now being appealed.

2014-2016: No Effective Site Plan Reviews - the case of TCI

When the second rezoning law was passed, without any environmental review, residents were told that serious impact studies would be done during each site plan that came before the Planning Board. However, since the first zoning law was passed, there have been no effective site plan reviews for any building in the rezoned industrial area, with the questionable exception of the application from TCI to locate its recycling business to Coeymans.

As soon as the first zoning law was passed in 2013, TCI applied on 3 June 2014 to the Coeymans Planning Board to build two buildings in the new industrial zone. One was to be a state of the art 'green' building, the other was to be a warehouse for processing electrical transformers, many of which contain PCBs. Because the Planning Board did not feel it had the expertise to assess the risks of this application, they requested funds to hire an environmental consultant. These funds were approved by the Town Board, but the consultant hired by Supervisor Flach was given a very narrow brief that did not include a scientific assessment of the risks posed by TCI's business, despite the worrying TCI explosion in Ghent one year earlier. The chairman of the Planning Board, Peter Foronda, also asked the Town to write a letter assuring him that TCI's recycling business would not violate the Town's law on the import of solid waste, but such a letter was never written.

On the 14th of July 2013, Peter Foronda resigned from the Planning Board after 22 years of service, citing the lack of support from the Town Board. "I can't and won't go on while the Town Board limits our ability to do our job properly." He specifically mentioned being asked to review a flawed rezoning map, the Town Board's 'giving a pass' to TCI to proceed without a site plan review, and the lack of respect for the Town's own anti-importation of solid waste law. Following Peter Foronda's resignation, another member of the Board, Bill Brown, also resigned. A few months later, in August 2013, Cynthia Kunz, a third highly respected and experienced member of the Planning Board and its Vice Chair, also resigned. TCI's lawyer had consistently acted toward her in a manner that was rude and intimidating, creating a threatening and unsafe environment. With the resignation of the most experienced members of the Planning Board and their replacement by untrained people, it is not surprising that the Planning Board gave TCI's proposal a negative SEQRA declaration, saying the business would have no adverse impacts on the Town or its environmental assets.

TCI's application was the only one to be given any kind of site plan review. For the next 2-3 years, every application for a new industrial building on the rezoned land was approved without any impact assessment or simply by waiving the need for a site plan review. This is not entirely surprising as at least one member of the Planning Board, Mr. Nolan, is a supplier of gas to the Port of Coeymans and has never recused himself from any decision concerning the Port of Coeymans or its associated businesses.

2014: Repeal of Local Laws Authorizing Environmental Board

In addition to the failure to conduct any environmental impact studies under SEQRA, in early 2014, the Town Board of Coeymans further freed business investors from any environmental oversight. For a number of years, the Town Code included provisions for two environmental boards: an Environmental Conservation Board and an Environmental Quality Review Board. On 10 February 2014, The Town Board repealed the laws authorizing both boards, further weakening the potential for environmental protection.

One of the first actions of the new Town Board of Coeymans was to reverse this decision. In April 2016, the Board created a new Conservation Advisory Council which is building a natural resource inventory.

Segmentation & High Level Support

Since the start of the Port of Coeymans, there has been a pattern of segmentation, with small bites of what has become a very large project being approved one at a time. When Albany County reviewed the rezoning laws, they limited themselves to sound advice, but took no stronger action. When Coeymans Recycling applied to build a new bridge over the Coeymans Creek, the New York Department of Environmental Conservation (DEC) only considered the immediate footprint of the bridge, not the larger area it would open to industrial development. Nor did the DEC conduct any environmental review when the Port of Coeymans applied to act as the staging area for the Tappan Zee Bridge Project. Instead, they said the approvals granted for the Tappan Zee Bridge site 100 miles downstream served the Coeymans area as well, despite the greater environmental sensitivity of this stretch of the river. (Listen to the [Capital Pressroom interview](#) on 11 September 2014 with Philip Musegaas, lawyer for Riverkeeper, starting at minute 38, or see the [Riverkeeper Press Release](#) on this issue). At the Federal level, when the Army Corps gave permission to dig a 32-foot berth at the Port, they only approved the footprint of the docking area, not the impact on Schodack Island or on the environmental wealth of this stretch of the river.

Behind the scenes, there are reports of political pressure on members of the Coeymans Town Board, on DEC staff, and on the Albany County Planning Board to let Mr. Laraway's development plans proceed. When the current Town Board in Coeymans wrote to the New York Department of Transport in early 2016, requesting a new traffic study of the impact of this industrialization, their request was dismissed as if the Town had asked, not for a traffic study, but for the road to be closed. *"It is the position of the NYS Department of Transportation that our state highways should remain open to all classes of vehicles, unless, of course, there is a physical reason to restrict them such as a limited vertical clearance or a posted weight limit on a bridge for structure reasons."* (See [Town Board Minutes dated April 21, 2016.](#))

In short, and especially where environmental protection or the residential quality of life is concerned, there has been a concerted effort to give priority to the development of heavy industry in Coeymans, and to do so without any comprehensive examination of the possible consequences.

Taxes - Business Tax Relief and Tax Revenue to the Town of Coeymans

One of the justifications for encouraging business development is that it will a) bring jobs to local people and b) increase the local tax base. The Albany County Industrial Development Authority operates the PILOT scheme that offers businesses relief on local taxes in exchange for bringing new jobs to a particular area. For that reason, PILOT requires that the business be located in areas where the unemployment is higher than the average in New York State. In this spirit, the Albany County IDA has been asked to subsidize the Port of Coeymans on several occasions, but Coeymans, in fact, enjoys [below average unemployment](#) as shown in Figure 14.

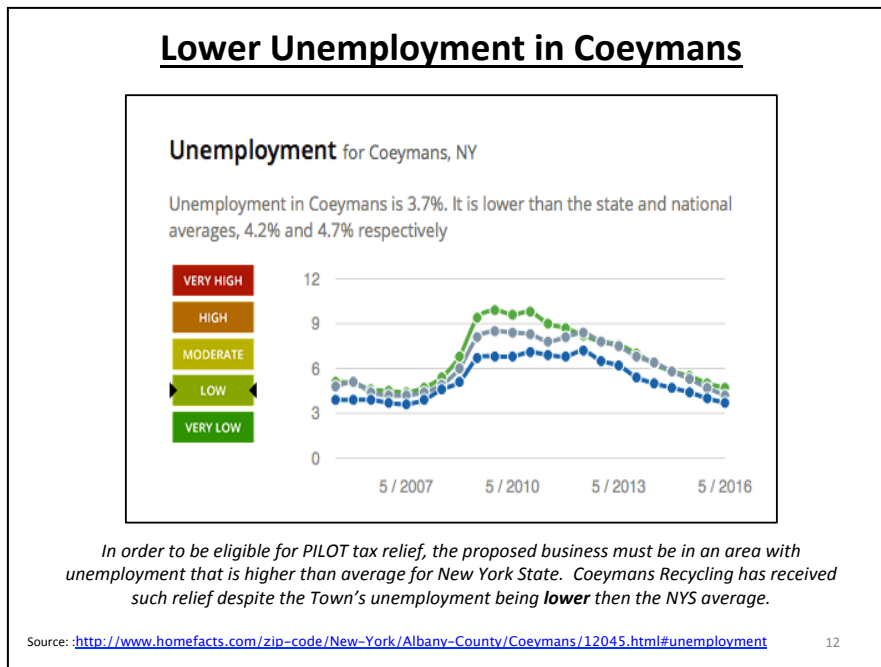


Figure 14: Unemployment in the Town of Coeymans has been lower than the NY State and national averages since 2007.

There is also scant evidence that the people of Coeymans are getting jobs at these new businesses and no obvious increase in people moving to the Town to work here. Instead, property values have fallen as few people want to live near an industrial development or on roads crowded with industrial vehicles.

Arguably, the business taxes should make up for the decline of residential taxes. However, the Port of Coeymans is still assessed at remarkably less than the business is worth. In 2015, its assessed value was \$2.3 million, despite Mr. Laraway reporting on his [website](#) that he has invested over \$30 million in the business. In 2013, shortly after the first rezoning law was passed, property owners were told that their houses had been reassessed, dropping in value between 3-4%, effectively reducing the residential tax income to the Town. Each time the Town Assessor, Laura Van Valkenburg, tried to reassess the Port, there was a reason to delay. Eventually, in February 2014 after an embarrassing article in the [Albany Times Union](#), she resigned, writing to the Town Board, *'you are interfering with my ability to do my job.'*

The new Town Board in Coeymans, under Supervisor Crandall, is currently working to reassess all business taxes in the Town, but is hampered by previous fiscal indiscipline (See the New York State Comptrollers Report, [released 24 December 2015](#)) and a resulting lack of resources to pay for an expert assessment.

An exchange of unusual gifts

Finally, there has been an unusual exchange of gifts during the development of the Port of Coeymans, *et al.* At some point in 2014, after the Port took control of the land west of route 144, they acquired a portion of a Town road, Riverview Drive, to serve what has now become the Coeymans Industrial Park. There is no record of what the Town received in return, although one Board member told local residents that this saved the Town the expense of maintaining the road, an argument used by the Port of Coeymans' lawyer, Mr. Andrew Brick, in a March 2014 Town meeting (See [Town Board minutes dated](#)

[10 March 2014](#), page 3). Both the current mayor of Ravena, Mr. William Misuraca, and the previous Town Supervisor in Coeymans, Mr. Steven Flach, benefited from political support from the Port of Coeymans that has also [sponsored](#) Mr. Flach's Echo Valley Motorcross racetrack for several years.

CONCLUSION

It would be challenging to discover hard evidence of explicit corruption behind this history. It is also hard to identify what is normal political pressure rather than unambiguously corrupt practice. What is undeniable, however, is that the Port of Coeymans had grown more rapidly than one might have expected. It also shows every sign of planning to expand into a much larger business covering a much larger area of the Town and the Hudson River without any environmental review of the entire project. Because all of Mr. Laraway's businesses are privately held, there is no way to establish the long term plans for expansion, but some kind of expansion is clearly expected and encouraged by many in powerful positions.

Before such development goes any further there needs to be a broad consultation and serious examination of the impact of existing industrialization and future industrial developments. Coeymans may be a small community with only a small number of voters, but the Town and its residents are the custodians of a valuable Hudson River heritage of environmental, historical and architectural wealth that cannot be replaced once it is destroyed.