

October 6, 2023

Dear Supervisor Mead and Town Board,

I would like to state that I (along with over 500 other residents of our town who have signed the Alliance for Florida Farmland petition) oppose the Nadler/Francisco PUD.

When our town board formulated a comprehensive plan in 1996, they established a business/commercial district along Rt 5s. At that time no one had any idea of the scope and magnitude of the development that would ultimately be approved. Warehouses and distribution centers were promised as an answer to lower our taxes and bring economic growth for our town. 27 years later, Town of Florida residents have seen endless development along Rt 5s and few benefits. The warehouse developers are offered tax breaks, grants, state funding, property reassessments, and PILOT programs. Taxpayers have experienced increased truck and commuter traffic, infrastructure expenses, need for more municipal services, and the loss of a quiet rural life that we wish to enjoy.

Now the proposed PUD rezone seeks to expand the existing Rt 5s commercial/industrial district along Rt30 /Belldons Rd in an *"interchange linked business park to complement Montgomery County's Florida Business Park"* (Bohler sketch plan). Once again the developers and Supervisor Mead are telling us this is advantageous for the Town of Florida. Creation of new jobs and tax revenue are promised as benefits to residents. But who actually stands to benefit from this proposal?

According to an industry study, warehouse developers are looking to expand into rural communities for their own benefit - low wage jobs, low taxes, and rural land that is cheap and abundant is good for corporate profit. Two landowners and the land developer also stand to profit from the project, but as our history of the Rt 5s warehouse/industrial development has proven, there is very little benefit for our community residents or the environment.

I urge the Town of Florida Board to consider the following costs to our infrastructure:

Traffic - Warehouses along Rt30 will choke local roads with MORE truck traffic. Bohler Engineering's concept plan allows potential for 800 tractor trailers and 1475 automobiles entering and exiting the site daily. Developers shrug off these traffic worries by shifting the responsibility to NYS DOT. They claim warehouses by Exit 27 will lessen traffic through neighborhoods but they refuse to acknowledge the fact that Rt 30 is the main route into and out of our town. Increased traffic along Rt 30 will cause huge backups and delays that will affect everyone. Anyone who lives in Ft Hunter can tell you what traffic is like at shift change for the warehouses on Rt 5s. It is a nightmare! The same can be expected on Rt 30. Current 5s warehouse truck incidents have shown tractor trailers damaging property, nighttime noise from idling trucks, bright parking lot lights bothering neighbors, drivers urinating on private property, tossed garbage along the roads, increased accidents at the Exit 27 thruway interchange and the need for the town to enact laws prohibiting truck travel on residential roads. With warehouses on Rt 30 we can expect more of the same along with trucks rumbling through Minaville and Scotchbush, risking further damage and putting safety at risk. Roads will need to be widened, turning lanes added, and traffic signals installed. How is this convenient or beneficial to our residents?

Water & Sewer- Bohler Engineering states the PUD will require extending water & sewer systems to municipal lines in the City of Amsterdam along with a booster pump station on Rt 30 to support the Nadler PUD. They have repeatedly stated that the city has agreed to this plan. Yet, FOIL requests from Alliance for Florida Farmland have revealed that Amsterdam's engineers, mayor, and other officials haven't met with them or made any agreements. Amsterdam's wastewater treatment facility urgently needs upgrades costing \$17.52 million! They're stretched thin – how feasible is it that

they would agree to assist a project in the Town of Florida when they can't even take care of their own needs? Bohler has not provided any estimated cost of a substantial infrastructure upgrade such as this or who will bear the expenses. Extending water and sewer services to warehouses does not benefit town residents in any way, especially when we have an estimated \$7 million in current sewer and water upgrades that need to be made in the hamlet of Ft. Hunter.

A cursory look at just the last 3 years of sewer/water costs to the Town of Florida for the warehouses on Rt 5s shows that the Town has spent approximately \$623,608. for tank cleaning and disinfecting, painting, corrosion rods repair/replacement, new pumps, cracked pipe repairs, pump house alarm systems, sewage chopping propellers, and agitators. At the May 15, 2023 Town Board meeting a tank repair and painting estimate of \$749,000 was submitted. These infrastructure costs are a burden to town residents and unsustainable with the further warehouse development that is being proposed.

Emergency Services - Warehouse expansion means more demands on our volunteer fire department. Just consider: 1/3 of calls already come from the Target Distribution Center alone. With more sites and increased risks, can our fire department, sheriffs, and GAVAC keep up? Especially when they are already understaffed and overwhelmed. Bohler's promise to include land for a new fire station near the warehouses is no guarantee that it will be built or adequately staffed.

Mr Mead and the Town Board, I would like to remind you that you have been elected to represent the residents who live in this town. Please listen to your Planning Board and the community. They have overwhelmingly stated that they are opposed to PUD rezoning and any commercial/industrial expansion along Rt 30. Please vote NO to the proposed Nadler PUD rezoning.

Thank you,

Lori Rulison, 208 Shellstone Road

My name is Karenanne Baran – 435 Shellstone Road and I oppose the re-zoning of our Town’s agricultural soil for the purpose of Industrial Development.

Our Town Comprehensive plan states that agricultural lands should be protected. Our comprehensive plan mimics the Montgomery County Agricultural and Farmland Protection Plan. The Montgomery County Plan was adopted to follow the guidelines set forth in New York States Agriculture and Markets Law Article 25 AA – which states in part “The Constitution of the State of New York directs the legislature to provide for the protection of agricultural land. It is the purpose of this article to provide a locally-initiated mechanism for the protection and enhancement of New York States agricultural land”. That mechanism is our Town’s comprehensive plan and NYS gives a significant amount of authority to a Town’s and County’s comprehensive plans. In *Udell v. Haas*, 21 N.Y. 2d 463 it was held that “a comprehensive plan is the “essence of zoning, without it, there can be no rational allocation of land use.” It isn’t rational to forever destroy land that is still productive and graded prime soil. It isn’t rational that the residents of our Town should suffer a decrease in property values, an increase in noise and air pollution brought by the increase of truck congestion, just so two families and many outside interests can prosper. That includes the County that benefits from the increased tax revenue and any municipal officer duly elected to the Town Board that works for the County in a full time position.

Article 18, Section 801 of the New York State General Municipal Law prohibits “Conflicts of Interest”. I find it strange that at one of our last Planning Board meetings a couple of the members were told to abstain from voting because they had shown partiality by siding against the re-zoning of our farmland. They were told their vote could be considered a conflict of interest. Article 18, Section 801 defines the word “interest” as a direct or indirect pecuniary or material benefit accruing to a municipal officer as a result of an agreement with the municipality which the officer serves. The “conflict” part comes into play “indirectly” when the municipal officer’s full time employer stands to benefit from any agreement that the part time Municipal Officer enters into on the Town’s behalf. Their vote could greatly influence the re-zoning of our Town’s land, thus benefiting their full time employer with an increase in tax revenue. I believe any municipal officer who might have a “conflict of interest” should be held to the same standard that the Planning Board members were held to and they should abstain from voting on any agreement, express or implied, that would benefit any other person or entity over the majority of the residents of the Town of Florida, the people the Municipal Officer serves. With that being said, I respectfully ask the Members of the Board to please vote NO to re-zoning our farmland.

Good morning, Town of Florida Board Members and my fellow residents. My name is Emily Marino, and I reside on Belldons Road.

I'd like to start with the importance of comprehensive plans in New York State. They are legally recognized roadmaps for a town's development. As per Section 272-a of the Town Law, land-use regulations and, it would follow, specific *decisions* must align with this comprehensive plan.

Supervisor Mead and Councilman Rackowski played a pivotal role in shaping our town's comprehensive plan updates in 2011, ensuring our growth aligns with our collective vision for the town. Our town's comprehensive plan clearly states the need to preserve agricultural land at all costs. It states: "1 & 2 graded lands are the best (prime) soils for intensive agricultural use and should be preserved wherever possible." The 508 acres in the PUD proposal are graded #2 agricultural land and therefore should not be allowed to be rezoned as per our own town's vision.

It goes on to state, "The Town envisions that industrial growth will continue in the concentrated area around the designated Industrial Business Park district, away from the more rural and residential portions of the Town." Our plan is very specific about defining this district. Consequently, this PUD application proposes the creation of yet another Industrial Business Park district and directly violates another important principle in our comprehensive plan - which is to prevent "sprawl-like growth".

Next, our Comprehensive Plan talks about creating a concentrated, cohesive setting like a "hamlet, village, or downtown" along Route 30... an area that partially overlaps the land in question. It talks about a "mixed use hamlet district". In case there is any question, I have a visual here that shows the difference between a mixed use hamlet district and a 2MM square foot warehouse, which is only one of the warehouses proposed in this PUD application and would be tied with the 9th biggest warehouse in the world.

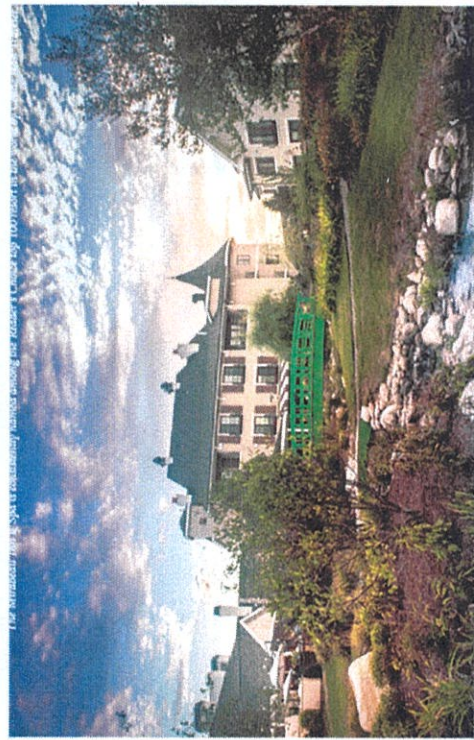
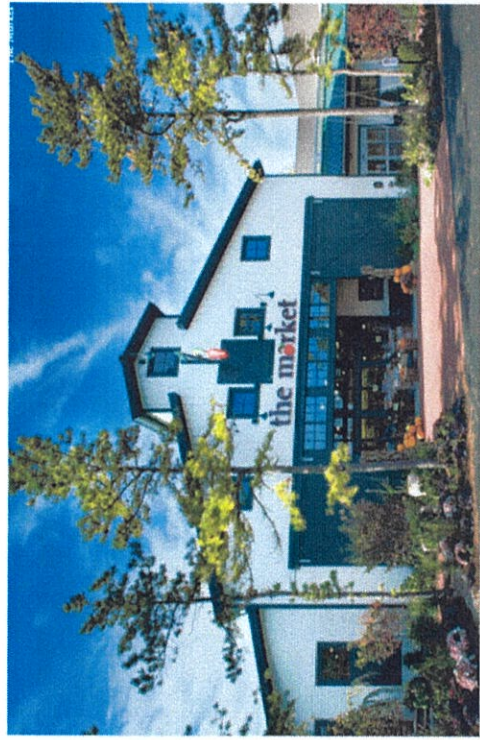
In conclusion, the disparity between the proposed PUD and the Comprehensive Plan alone highlights the compelling basis for the PUD rejection. This decision would affirm the town's commitment to upholding its comprehensive plan, but more importantly - the public health, safety, general welfare, irreplaceable farmlands, and rural character of our town. Any other decision could be considered arbitrary and capricious.

Thank you for your time.

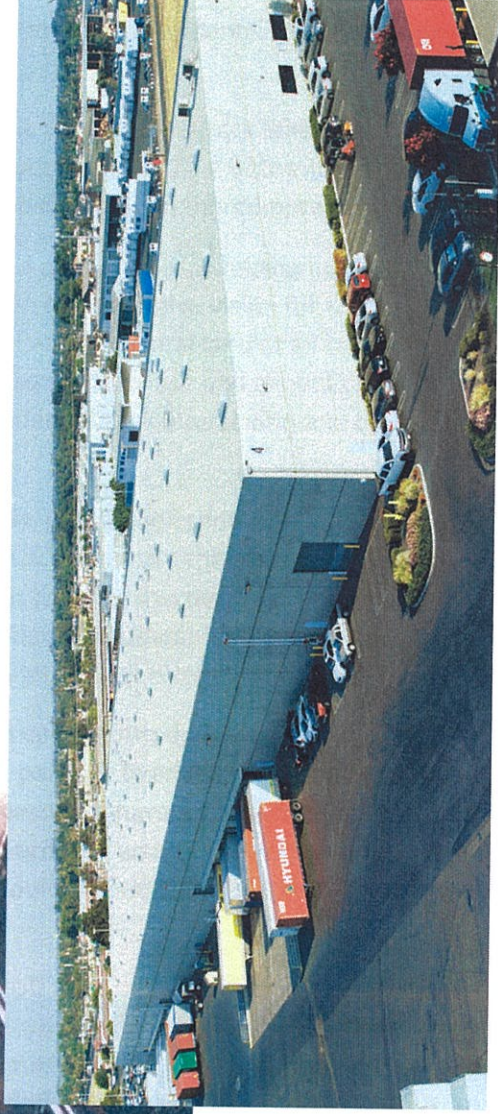
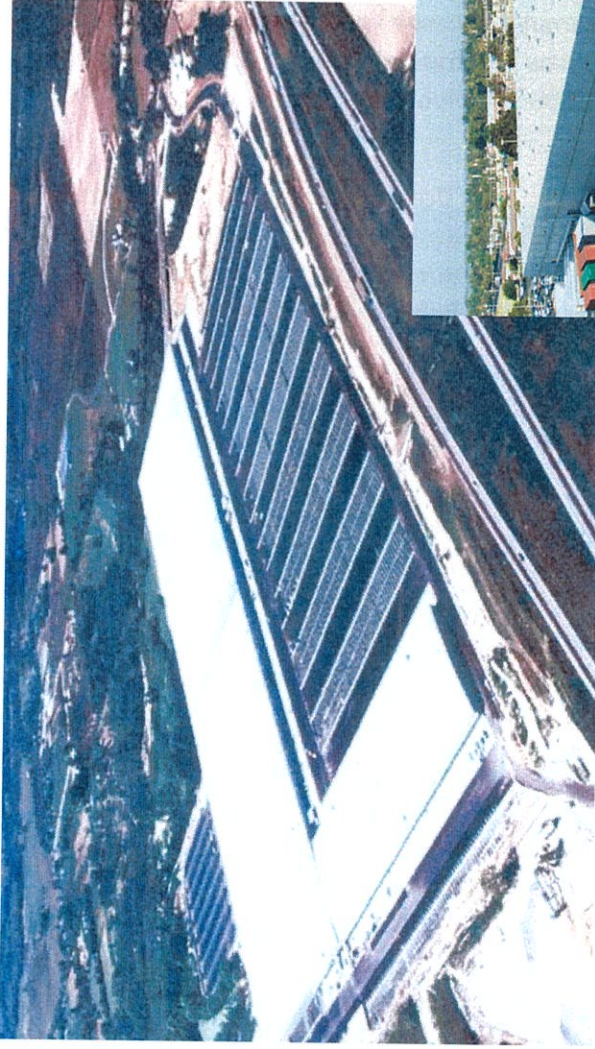
Emily Marino

Belldons Road

Mixed Use Hamlet (The Pinehills, MA)



Warehouses of PUD equivalent sizes, i.e. NOT a “Mixed Use Hamlet”




Dear Mr. Mead and Town of Florida town board members,

I would like to start by thanking you all for your years of dedicated service to this town. I, like all of you, have deep roots in this town and have been a lifelong resident. I want to express my sincere concerns for the proposed PUD rezoning of the ~500 acres of the Nadler and Francisco farmlands that encompass Route 30 at the entrance of town. There are a multitude of reasons why this project should be voted down including environmental concerns, safety concerns, traffic congestion, pollution, and a lack of benefit. It would be a hinderance to the town residents. But, of all the notable reasons to vote no, I believe the biggest is that the residents of this town, which you represent, do not want it. Our comprehensive plan is intended to be a means of guidance toward appropriate growth while preserving the very character of the town that has led people to establish roots, raise their families, and call this town home. The approval of this rezoning would not comply with the plan that was set forth to grow and protect the very residents which the plan was created for.

The number one goal of the town's comprehensive plan is to preserve farmland. I am not sure how 2.7 million square feet of warehouse achieves this goal. It would be counterproductive to its achievement. The second goal of our plan is to improve employment opportunities. This goal was met with the current industrialized area of 5S. The unemployment rate in the town of Florida is significantly lower compared to the state's current percentage, and Montgomery County, as a whole, is at 4%. Half of what it was prior to the industrialization of 5S. Additional warehouses would only put the current businesses on 5S who already cannot keep positions filled at risk. Our fourth goal addresses the need for working with our surrounding municipalities, including extension of water/sewer, maintaining support to the fire department, sheriffs, and state police. This object can also be looked at with an expectation of achieving it with the plan for extension of water/sewer to Fort Hunter and the existing water/sewer to the development just off Broadway. Additional water/sewer needs would only burden our neighbor. It would be counterproductive in supporting our current emergency response resources, by increasing the burden on small volunteer departments and an ambulance service that already cannot keep up the call volume of the county. The city of Amsterdam is also running short staffed in their fire department which has been covered in the local paper. Lastly, the fifth goal is to preserve the historical character of the town. The comprehensive plan specifically notes that residents move to this town to escape the pollution and cluster of the cities, yet we are seeking to turn over 500 acres into just that, pollution and cluster. The addition of 2.7 million (possibly more later) square feet of warehouse and industrialization at the entrance of town defeats this goal.

The goals set forth in the comprehensive plan were goals to address the importance of preservation while allowing for some growth to sustain the town and it's residents' needs. That need for growth was accomplished with the development of 5S. The goals that are left to still address is preservation- the reason why people move, live, and stay in this community, and the importance of safe, healthy, productive farmland to maintain essential needs. The progress toward our goals and where we currently stand with them are clear. There seems to be only two goals we have not addressed or progressed toward meeting. Along with meeting the goals of the comprehensive plan and complying with our zoning ordinance, the wants and needs of the residents should be respected. If decisions on the direction of the town are not being made with consideration of the people which you represent, then what is the point of this process?

Thank you.


Vanessa L. Curry
6244 State Hwy 30
Amherst, VA 22010

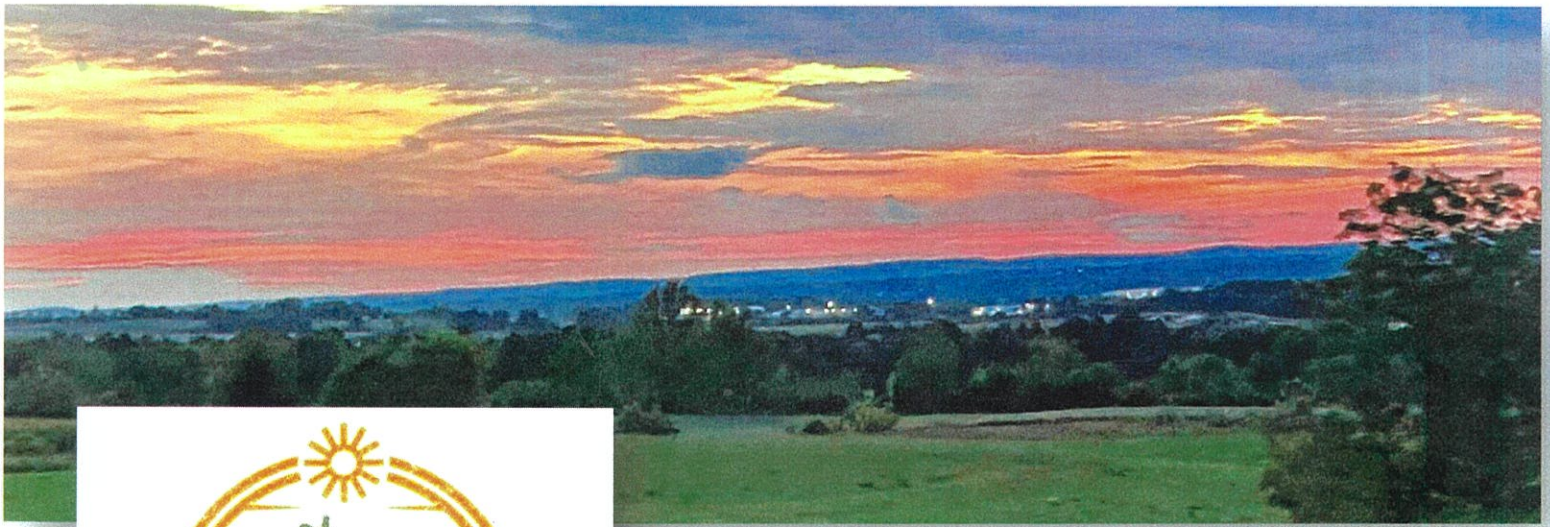
To: Town of Florida Town Board

Subject: Public Comments regarding the PUD Application – Nadler PUD / AKA: Nadler Industrial Business Park
 October 11th, 2023

The following is our commonsense interpretation of the Zoning Ordinances as they apply to the PUD application.

Zoning Ordinance, ARTICLE II – PURPOSES	PUD’s Impact on the Zoning Ordinance Articles
1. To lessen congestion in the streets;	PUD proposal will produce 100’s of tractor trailers and 1000’s of more vehicles daily (Significant impact on Infrastructure & travel)
2. To secure safety from fire, flood, panic, and other dangers;	Volunteer fire dept struggling to attract new firefighters & EMS workers. Fire and Emergency response services for our residents will be impacted. (Greater response times & Life-threatening conditions)
3. To promote health and general welfare and avoid pollution of air and water	Truck diesel fumes, and long idling will add significantly to our town’s air and noise pollution. (Health & Environmental Impacts)
4. To provide adequate light and air;	The light radiating from these buildings will have a greater impact on the surrounding residential area than Target, Beechnut and Dollar General together
5. To prevent overcrowding of land;	~3 million sq/ft of industrial space on 500 acres will have an overcrowded effect on traffic patterns and infrastructure resources (Infrastructure Cost impact)
6. To avoid undue concentration of population;	Extremely large industrial complexes will put undue concentration of support resources and drivers into our town. (Overcrowded, Increase in Accidents & Crime)
7. To facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;	The proposed water and sewer expansion from Amsterdam will add to the already known failing Amsterdam system. (Building on a bad foundation is a recipe for failure)
8. To conserve the value of buildings;	Residential value may be reduced significantly. Study out of PA in a similar scenario shows an avg reduction of 11.5% residential value =~ \$57M town wide residential loss in value Based on NYS Office of real property services 2021 (\$492M)
9. To encourage the most appropriate use of land throughout the Town;	Taking our Grade 2 soil and making it useless for agriculture forever (Contradicts our Comprehensive Plan whereby Agricultural Lands Should be Protected from Rezoning & Wants of the Citizens)
10. To insure the gradual elimination of non-conforming uses;	Industrial size buildings at our town’s entrance will open the gate for future similar projects. (Will change the culture of our town forever!)
Saying YES for the PUD will: <ul style="list-style-type: none"> • Make \$\$\$ for the Nadler’s and Francisco’s • Big Commission for Mullens • Winstanley Developers \$\$\$\$ • Montgomery County Tax Revenue (16yrs later or more based on possible resale!) 	Saying NO for the PUD will: <ul style="list-style-type: none"> • Uphold the Planning Board’s unfavorable report. • Support the comprehensive plan and zoning ordinances. • Build on the approved 143 acre /1M SQ FT space on Rt5S 1st! • Support the 546 residents that signed the petition against the PUD. This is 25% of the adults in the TOF. • We ask that the board unanimously vote NO

Sincerely
 Ken & Becky Moritz
 270 Belldons Rd, Amsterdam NY 12010



Alliance for Florida Farmland

7 Reasons To Oppose the Planned Unit Development Proposal On Rt30/Belldons Road

1) Agricultural Lands Should be Protected From Rezoning

The Town Comprehensive Plan clearly states the need to **preserve agricultural land at all costs.**

"1 & 2 graded lands are the best (prime) soils for intensive agricultural use (row, forage and fiber crops) and should be preserved wherever possible." The 508 acres in the PUD proposal are graded #2 agricultural land and therefore should not be allowed to be rezoned.

The comprehensive plan amendments further state, "zoning/planning decisions must continue **to reflect the wants and needs of the citizens** while enhancing the character and environment of the Town" and use "smart growth principles" in order to prevent "sprawl-like" growth, **and preserve agricultural land and open space.** 2.7 million square feet of warehouses do not uphold this goal. A large number of citizens have signed a petition in opposition to rezoning and their wishes should be acknowledged.

Rt 30 is the main entrance to the town and allowing industrial development in this area will forever change the rural character that our residents desire. Bohler's response to this concern is "Arrival/Gateway signage could also be incorporated into the development." As if a sign, "*Welcome to Scenic Mohawk Valley – Town of Florida*" will make up for the view of 3 enormous warehouses on both sides of the road!

Loss of farmland is irreversible. Once topsoil is lost, it cannot be renewed. Our country is losing more and more farmland every year but there will always be a need for food production and locally sourced food is a great benefit to our surrounding communities.

2) Environmental Concerns

The project developers have stated that there will be no impact on neighborhoods and established residential areas. (Talk to the people that live near the current warehouses on Rt 5S and see what they have to say about that!) Numerous recent studies show that large areas of warehouse development cause air pollution, excessive storm water runoff resulting in flooding, nearby stream/waterway pollution, and loss of wildlife habitat. Increased traffic causes noise and structural damage to surrounding homes from vibrations. Diesel fumes from tractor trailers emit particulate matter that has been shown to cause asthma and breathing problems, especially in young children. Lights from the parking areas and loading docks at night disturb nearby neighborhoods.

The warehouses proposed for Rt30/Belldons Rd would bring an additional 300+ tractor trailers and 1000 vehicles daily on that portion of the road. Winter driving conditions along that portion of the road is also a grave concern. Snowfall is unpredictable and generally drifts quickly, causing slippery conditions on the steep grades resulting in accidents, and delays.

3) Infrastructure Cost

Increased traffic will require additional maintenance for roads, which will require additional funding for maintenance and traffic regulation. The developers pass off these concerns to NYS DOT saying, "If there are current road conditions that are affecting public health, safety and welfare then these conditions warrant the immediate attention of the County and State, independent of the proposed development. And "if required", an upgrade of portions of Route 30, Thruway Drive, and Belldons Road with installation of signalized intersection at Route 30/Belldons Road to support safe operations of the development."

They also state that the location of warehouses adjacent to Exit 27 eliminates operational traffic from using shortcuts through neighborhoods. This is not true. The desire to save on thruway tolls, excessive traffic flow problems, and the need to connect to Interstate 88, would encourage additional truck traffic to head south on Rt 30 through Minaville and Scotchbush. The fire department building has been clipped, private property damaged, and utility poles were taken down on multiple occasions related to tractor trailers. It would be impossible to confine traffic to the Thruway. Increased truck traffic into other counties and towns such as Esperance and Duanesburg may not be welcomed by our neighbors.

Bohler Engineering has stated that water and sewer systems would be extended to support the Nadler PUD as well as existing development currently not being served. But, in our outreach to the engineers of the City of Amsterdam, there has been no request for assessment of extending water and sewer. The current lines that extend to the Thruway are some of the oldest lines in all of the city. The cost to extend lines over the Thruway and to replace the current lines would be a tax burden to the current taxpayers. In addition, the city recently replaced the Venner Rd pump and it is currently being run at capacity. There is no additional availability of the current system for the City of Amsterdam to accommodate the water needs noted in this PUD request.

The City of Amsterdam has no funding sources to complete upgrades at the aging Quist Road wastewater treatment facility to bring it into compliance with DEC requirements for treated wastewater discharge and sludge disposal. This would involve upgrades of the plant's dewatering facilities, clarifiers, heating, ventilation and electrical systems. Preliminary plans prepared by Barton Loguidice and Energy Performance Group estimate the total project cost at approximately \$17.52 million so how are they going to assist Town of Florida with wastewater treatment when they can't manage their own needs?

Additional warehouse development would place significantly more demands on fire protection from the Town volunteer fire department. The current call count also notes 1/3 of calls occurring for the Target Distribution Center alone. With these additional sites and the number of employees and risk for increased accidents (it is a given there will be more accidents if there are more vehicles), who will be available when the residents are in need? It would not only increase the calls for the town department, but also for the sheriff's troopers, and GAVAC. The small additional tax revenue (at year 16 of being fully taxable) means nothing when there is no one to use the equipment. The department is severely understaffed, and cannot accommodate the additional need these facilities would require.

4) Economic and Labor Issues

The PUD proposal states, "when developed" and when "fully taxable" it would result in "continued and increasing revenue". **Fully taxable does not begin until year 16 and are not owed back from the previous 15 years, nor paid back to the town and/or residents.** Furthermore, this holds only if they are not renegotiated as another tax reduction/abatement and the company is still here at year 16.

Sales tax is not guaranteed as the county negotiates a tax exemption based on the project and the state sales tax of 4% is exempt (see directly from Montgomery County PILOT Program).

The PUD proposal states that it will create more employment opportunities. The current county unemployment rate is at a historical low of 3.6% in May 2022. Almost all current businesses in the town and City of Amsterdam are hiring, and have even had to reduce their business hours because of a lack of workforce and in some recent instances close down. Creating more warehouse jobs would further hinder the current businesses in the area, causing competition and leading to local business closures and vacant properties. This is not smart business or responsible planning. At this time, there does not appear to be a "need" for employment opportunities in this area.

Since this PUD is a zone change application, the Applicants cannot speak to the recruitment and training on behalf of a future end-user/tenant. Bohler is using employment to justify many of the town citizens' concerns, so it is a very relevant issue. There is no workforce and a current countrywide labor shortage. Dollar General has one of the largest shortages, along with Target who routinely implements mandatory overtime. Competition is not smart business management as this can lead to further shortages and current companies leaving the area, contributing to abandoned properties. Abandoned properties have become a national concern as owners purchase these properties to secure loans from lenders with no intention of utilizing or paying taxes on the properties. This leads to further income loss for the towns and communities in which these scams occur. This is a current concern in Amsterdam with the old Mohawk Mills.

5) Property Values

The homes that were present prior to the development of the industrial park on Rt 5S have lost value, privacy, and owners are not happy living at their properties. Many will have difficulty ever selling their property which is in such close proximity to warehouses. Others cannot sell homes because of traffic-related issues. This shows that the development on Rt 30 is at high risk of also affecting the residents' mental health and quality of life.

6) Increased Industrial/Commercial Development

Advancement of development to the south of the thruway would blur the line between development area and rural/residential. Although there is a defined area of the property in the PUD, the realtor and engineer at the town meeting, and members of the 5S rezoning, voiced that they do not have a boundary for targeting farmland further in town, noting the further commercial areas on Rt 30 (small family-owned businesses) as well as the potential for Rt 161. **The only pressure being applied for development appears to be from the same people that had a hand in the Rt 5S industrial park.** It is imperative that the planning board respect the town citizens' desire to deny this project to prevent continued, increasing commercial/industrial development of this rural community.

7) PUD Zoning is Poor Planning

A PUD (Planned Unit Development) is a special zoning to allow multiple uses and densities in one neighborhood without being bound by normal zoning requirements.

Bohler states, "First and foremost, the intent of the proposed PUD is to provide a foundation for **flexible** development interests that could include **multiple uses** allowed in the Town's C-1, C-2 and IBP zoning districts. This intention would create an interchange-focused business park, and not exclusively industrial uses or warehousing/distribution. This allows for retail, community, open space and residential buildings to sit side by side in one cohesive neighborhood." . . . TRANSLATION = Let's keep our plans vague and our options open for any kind of development in the future because, once we get a zoning change, anything goes!

If you have other thoughts and concerns, please contact **Alliance For Florida Farmland**.

allianceforfloridafarmland@gmail.com





October 10, 2023

Dear Town Board Members:

We operate a small, grass-fed beef farm located just across from the South 30 diner. Over the past 15 - years we have made improvements to the land, restored buildings and established a family residence on the roughly 60 acre parcel of land. We are writing to express our disappointment at the ongoing attempts to bring large commercial development to Route 30 South. We are totally against the proposed PUD for the following reasons:

Land is a Gift: Since the first days of civilization, men and women farmed the land. Land is a gift to us from our Creator. We are called to be stewards of the land. We must honor it, use it conservatively and pass it on to future generations. We are to never exploit it for temporary selfish gain.

Threat of Sprawl: Despite intentions of restricting the rezoning to the “Arc of Development”, evidence shows that once development is allowed in a certain area, it spreads. The proposed change in zoning will undoubtedly lead to more and more development along route 30 South. We fear that in the near future our farm will be surrounded by warehouses and solar panels. This will adversely impact our way of life, our farm and our animals.

Contradiction of Town’s Character: Most people, even farmers, understand that out of necessity, development must happen on beautiful farmland. Yet, what is proposed is beyond reasonable. The sheer size of the proposed development is downright disturbing. The warehouses and parking lots encompassing millions of square feet, and things like “concrete retaining walls” are totally out of character in a Town that prides itself on farming.

Alternatives Exist: The Nadler-Francisco properties are better suited for farming than industry. Just because a warehouse can be built on the land, and it is near a Thruway exit, does not mean it ought to be. Other parts of Montgomery County are more ideal for this type of development where the land is flatter, less rich and more accessible by trucks.

False Premises: Developers have expressed the need to provide jobs. Evidence, however, shows that there is a labor shortage in this area. Current job openings are not being filled. Furthermore, it is not the responsibility of the Town Board to fix a macro economic crisis. We need to first consider the people who already work here, pay taxes and want to invest in their property for generations to come.

There are many other reasons we are opposed to the rezoning, such as traffic congestion, light and air pollution, safety etc., but we know that these have already been raised by others at meetings.

We sincerely thank you for all you do on the behalf of the Town. We know you truly care about serving and improving the way of life within this community. The people of this community have spoken night after night at planning meetings against this development. We respectfully ask that you consider the input of all of the residents and not only the Nadler and Francisco families, whose intention to develop this prominent parcel in such a significant way will undoubtedly impact all of us well beyond our lifetimes.

The undersigned, respectfully ask that you reject the PUD proposal and leave the current zoning in place.

Sincerely,

Kenneth Slezak
Kathleen Slezak
Brian Slezak
Joseph Slezak
Jessica Slezak
Liam Slezak
Fionnula Slezak
Jonah Slezak
Clara Slezak
Jude Slezak
Genevieve Slezak

To: Town of Florida Town Board

Date: October 6, 2023

Subject: PUD Application - Nadler PUD / AKA: Nadler Industrial Business Park

Background

The Town of Florida (ToF) Town Board has been wrestling with the application for the proposed Nadler Planned Unit Development (PUD) project. To clearly understand the issue, it is imperative to return to the definition of a “PUD” and its intended purpose, especially as outlined in the town's zoning ordinance.

New York State's guide to Planned Unit Developments in part defines a PUD as “*a tool to implement the community's comprehensive plan*”. The document continues to provide examples of how a community can protect its resources, character, and charm through the Planned Unit Development concepts. At the heart of the deliberations on the Nadler/Francis PUD is the persistent reflection that the proposal does not fit with the character of the Town. It is necessary, therefore, to return to the Comprehensive Plan in order to understand and judge that character and further judge the aspects of the proposed PUD.

ToF Comprehensive Plan

The town's Comprehensive Plan clearly states the desire to protect its resources from being over-developed by Industrial Business Park-type construction. While this very concept is found throughout the plan, it is the core of Issue #7 in Chapter 8 of the Plan.

This section of the Comprehensive Plan provides the necessary insight into the future development desired by the town and further provides insight into the inclusion of the PUD process in the town's Zoning Ordinance. Further reflection upon the original intent of the PUD process as law provides the clearer definition of the term PUD: “*A planned unit development (PUD) is a mixed-use residential community that offers residents the benefits of traditional home ownership with additional conveniences such as access to retail stores, recreational spaces, and even schools*”. Simply; not an Industrial PUD, a community PUD.

ToF Zoning Code

The definition above helps explain the inclusion of the Intent and Objectives, and items for consideration found in section 6.1 of the Zoning Code (PUD). And helps to explain why discussion of section 6.1 must be made in light of the town's Comprehensive Plan. It is the only way in which the PUD process can be clearly understood as written in its role as a tool to assist the town's legislature, planning board, residents and outside developers to implement the town's comprehensive plan in a thoughtful and consistent manner.

PUD

The Nadler PUD in no way attempts to adhere to the existing Zoning ordinance of the Planned Unit Development language. In fact, the Nadler PUD is essentially a proposal to rezone the agricultural land to what is already noted in Article IV-Section 5 as an “Industrial Business Park” while creating its own district type called “Nadler Planned Unit Development District”. In essence the Nadler PUD could better be defined as the Nadler Industrial Business Park, disguising itself as a PUD. (see: SECTION 11 - IBP-Industrial Business Park and Section 6.1-1.B.8).

It is easy, then to see how the Planning Board's review of the application resulted in some confusion, resulting in extended deliberations. This was due to the fact that the proposal did not include “diverse uses”, “housing” of varying types, and “community facilities” designed to be available to existing and

potential residents as noted in the Zoning Ordinance, Section 6.6-1. Additionally, when reviewing each sub-section of the PUD process and applying the above concepts it is clear that the proposal fails to satisfy any of the Intent, Objectives, and completely misses the point of section 6.1.3 while removing existing housing and negatively impacting surrounding residents. In again referring to the Comprehensive Plan, the last paragraph of chapter 8 is of special interest:

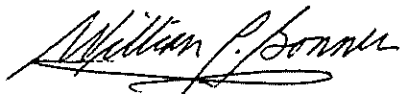
Encouraging the use of these “smart growth principles” within the new “Mixed Use Hamlet District” will be an effective way for the Town to achieve its primary goal of preserving agricultural land and open space while encouraging commercial and industrial investment in the Town. Concentrated development in one central location serves to prevent “sprawl-like” growth in the rural parts of the Town while preserving the landscape that has identified the Town since its founding in the 18th century.

These very points should not cause confusion at all. Consideration of the Comprehensive Plan and the Intent and Objectives of the PUD process is, in fact, the core reason why the application must be denied. The desire of the town to continue to grow as a rural residential community (“Mixed Use Hamlet District”) within which commercial investment is evident in this section and would support both residents and the town as a whole. Such development would avoid the type of construction outlined in the current proposal where the “sprawl-like” growth of world-wide large scale warehouses would continue to consume the landscape, resources, scenery, and over-all character and charm of what is know as the Town of Florida, NY. These planned concepts of community and protection of resources as outlined in the comprehensive plan is a primary reason why many of the existing town residents remain in this community and why many new residents have moved into the community.

Conclusion

No overarching desire of an applicant, county, state or developer should override the clear desires of the community as outlined in the town’s Comprehensive Plan and as protected by the PUD zoning ordinance process. Any promises the applicants make as to benefits to the community are certainly just fabrications, added to the proposal to create a false sense of urgency regarding perceived community problems. Current and future town residents’ “public health, safety and general welfare” are not well-served by this proposal which seeks to exploit the town’s resources. Ultimately, the Nadler application does not satisfy the conditions of the PUD zoning ordinance and the unfavorable report from the planning board clearly states this fact. The Town Board undeniably needs to uphold the town’s Comprehensive Plan, the town’s Zoning Ordinance, and support the Planning board for the endless hours of work and deliberations on this application and deny the PUD proposal.

Respectfully submitted,



William P. Bonner, 410 Fuller Road

PUD

Valerie <valerieanne1981@yahoo.com>

Wed 10/11/2023 1:02 PM

To:emilystaley.tofclerk@outlook.com <emilystaley.tofclerk@outlook.com>

Dear Emily,

(Please read my email at tomorrow's 10am meeting 10/12/23

I had planned to attend the meeting tomorrow at 10am. I am a registered nurse and have been called in to work at the school for handicapped children where I substitute. WHY is this meeting being held at 10 am on a weekday?

Those of us who reside in and pay taxes to the Town of Florida have a right to represent ourselves concerning an issue as large as the zoning change being discussed!

The traffic this will generate ALONE is a major concern. Congestion on rt 30 by the thruway is already very often congested. If the area being discussed is rezoned many living south of that area will travel to Schenectady and Albany to shop and bank etc. This will be quite inconvenient and take much business out of Amsterdam.

Please have a public forum when residents who work during the day (and pay taxes can represent themselves!!!

(This can actually be classified "Taxation Without Representation"

Thank you, Valerie Skaarland 339 Shellstone Rd Amsterdam NY

Sent from my iPad

Mark Rulison, 208 Shellstone Road

I am opposed to the proposed Nadler PUD rezone of Rt 30/Belldons Rd.

The Nadler PUD is essentially a proposal to take 508 acres of prime agricultural land and turn it into an INDUSTRIAL BUSINESS ZONE. While the developer refers to the acreage as vacant land, implying that it is not being used, a great percentage is currently productive farmland. Constructing huge warehouses will require the bulldozing prime agricultural soils that will be lost forever. The topography of the land will be greatly changed. There will be erosion, storm water runoff, loss of wildlife, and environmental impacts to land that can NEVER be restored. Building massive warehouses, surrounded by acres of concrete parking lots with hundreds of tractor trailers is of no benefit to the welfare of our residents who live here.

Our town comprehensive plan clearly states the need to preserve agricultural land at all costs. Many residents of our town, along with myself, are concerned that we are losing farm land at an alarming rate.

Since 2001, New York has lost 253,000 acres of farmland. By 2040, the American Farmland trust estimates NY will lose 452,009 acres, due to urbanization and solar conversion projects.

The developer would like us to believe that building more warehouses and distribution centers is the best means of progress and economic growth for our town. This is a very short-sighted approach to development that our board would be wise to reconsider. Other rural towns who have followed a similar plan of commercial development are now dealing with the effects of monster warehouses, miles of standstill traffic, pollution, and an exodus of residential homeowners. While local governments may initially benefit from economic growth, they are eventually overtaken by the costs of maintaining a deteriorating infrastructure, and urban sprawl which ends up being a tremendous financial burden for local governments and their citizens.

The best asset of the Town of Florida has always been its rich farmland and agricultural community. I have lived and farmed here for over 70 years. Our farm is in our 4th generation, spanning 130 years and we wish to continue for many more. The encouragement of farmers and their careful management of agricultural pursuits is of utmost importance. The conservation of farmland provides essential crops, and retains the historic continuity of our town. Supporting local food production and small family businesses benefits our residents directly. Rezoning this land for industrial development will open the door for outside developers, who have no vested interest in the past or future of our town, and will change our community forever.

Please vote No.

Re rezoning

Timothy Gregson <gregsontimothy@yahoo.com>

Thu 10/12/2023 3:37 PM

To:emilystaley.tofclerk@outlook.com <emilystaley.tofclerk@outlook.com>

Ms. Staley,

I write to the town board for two reasons. One is to thank the board for giving the town of Florida residents opportunity to express their opinions concerning the matter of rezoning. Inasmuch as I did not express my thoughts at the meeting, there is a second reason I am writing: to express my fear of what will become of me and my wife, my daughter and grandchildren, all who are living in the old Doc Howard residence, there on Rt. 30 at the crossing from Fort Hunter to Hull Rd.

For all the arguments to vote down the plan to rezone (many were very compelling), I submit another concern--a concern that was hinted at but not expressly stated: the fear that I, and many others will be living in. It is the danger such a proposition would subject us to if passed by the board. I am retired and have been happily living at that location for 20 years. As we are at the foot of a long grade that curves into Minaville, special caution has to be taken looking both ways before pulling out from Hull Rd. to Rt. 30. When heading toward Amsterdam, traveling down the steep hill in the winter is a challenge, and, in the event of a snow storm, or built up snow drifts that follow, my wife and I find driving very challenging. But that is the way it is now. What would this mean if the traffic--especially truck traffic--increases exponentially as it will if the proposed plan to rezone for industrial construction is passed! There is plenty of reason for fearing such an action of the board. I know that the glitter of gold can blind a person's judgment, and the supposed promise of economic benefits, including tax benefits, can obscure your consideration of the safety and welfare of your constituents.

Please, do not be deceived by such arguments. There is much more at stake than dollars. There is plenty of reason to fear for our safety and the future welfare of the Town of Florida if you don't vote against it.

Respectfully,
Timothy and Cindy Gregson

To: Mrs Emily Staley, Town Clerk
Town of Florida Board

Thursday Oct 13
From: Philip and Sheryl Johnson
489 State Highway 5s
Amsterdam, NY 12010

Re: Proposed Nadler/Francisco planned unit development, Rte 30
and Beldons' Rd, Amsterdam NY.

Having been and still reside at 489 State Highway 5s, Amsterdam thirty-six years, we ask your consideration regarding what are indicative concerns mostly contrary of the direction sought by yourselves, it appears.

Discovery of your decision having already received half of agreed upon \$8 million dollar payment, President of the Board mentioned on the 1pm Wednesday zoom meeting brought our suspicions to action, and we found more than enough reason to attend the 2023 Spring night board meeting, where more concerns came to light, and we thank you for patience and diligent consideration since that time.

Today's Town Hall meeting, as was anticipated, reiterated fully the ongoing awareness of this situation and more context historically in other regions unknown to us, yet just as important to point out.

Our location on NYS Rte 5s has been burdened with much more heavy truck traffic, screeching brakes of 18 wheeler trucks following wrong gps directives and realizing late that Bullshead Road cannot be negotiated loaded or unloaded. This compounds timeliness of Calanan Quarry loaders, weigh station and adequacy filling trucks to enable them to get to their destination having eastbound trucks turn around in their driveway.

As a 25 year 4H leader in Cooperative Extension of Fulton and Montgomery Counties, I have known first hand the difficulty in reaching out to the City of Amsterdam to enlist and involve the children ages 5 to 18 and help them become aware of food sustainability and enormity of encouraging schools to prioritize agriculture and home economics which we failed to accomplish.

We are and have always been content with the natural farm integrity, the hard workers whose sons and daughters played with ours and other neighboring community softball and baseball games - good neighbors and great advice!

We must note that these local farmers have done all things possible to preserve life, reaching farther with quality products many are fortunate to obtain. All this sacrificial involvement should not be taken for granted, and we implore you to mend that which is a testament of rogue behavior on your part, and give back what you collectively have undermined, our trust and safety for the future - ourselves and our posterity. Thank you for reading.

Sincerely,
Sherif Johnson