

Comp Plan 2019
SAVE Colonie updated comments
April 18, 2019

Based upon Supervisor Mahan's public statements, it appears that the Town Board has rejected the Comp Plan Advisory Committee's February 2019 draft and is now assembling an entirely new comp plan draft update without any further input from the Comp Plan Advisory Committee. We believe this approach is seriously flawed, as the fact finding function of the Comp Plan Advisory Committee and its input is now missing from the Plan. Before the Town Board takes a final vote, the newly updated draft should be sent back to the Comp Plan Advisory Committee for reconsideration and recommendations.

Second, the public record must be corrected regarding the legal implications of the Town's adoption of a comprehensive plan. Supervisor Mahan has been quoted several times stating or implying that the updated comprehensive plan will not be a legally binding document. This is not a correct interpretation of NYS Town Law. Section 272-a specifically provides:

- "11. Effect of adoption of the town comprehensive plan. (a) All town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section.
- (b) All plans for capital projects of another governmental agency on land included in the town comprehensive plan adopted pursuant to this section shall take such plan into consideration."

For this reason, the Town Board members must take seriously their review and ultimate vote on the updated Comprehensive Plan as if it were legislation. It will be the town's guiding development principle. Although the PEDD director, who has lead the Comp Plan process for the past 3 years, stated in frustration on April 4 that the Town Board "now owns the document," we respectfully disagree.

After a three year process under the auspices of the PEDD director and two paid expert consultants, and the expenditure of more than \$130,000 in Town funds, the document submitted to the Town Board has had to undergo three revisions. We urge the Town Board to send this seriously flawed plan back to the Comprehensive Plan Advisory Committee to deliberate and make all necessary corrections. Residents should not have to comment on the draft's structural inadequacy, typographical errors, outdated data and missing analyses.

Here are our broad and general issues with the April 4, 2019 Draft. Detailed comments will be submitted in writing on the most current draft. It is not appropriate that residents must deal with a moving target.

— Structure

The structure of the report is not designed to guide the reader in an understandable way through the update. It does not follow the layout of the 2005 Comp Plan, nor does one section relate directly to the next. The “Executive Summary” in this document is merely an Introduction. An executive summary should concisely outline the highlights of the plan, so the reader knows what’s coming.

—Update?

From Day One the public was told, and reminded again and again, that this exercise is an “update of the 2005 plan.” However, it is impossible to do a side by side comparison of the goals and actions required in each plan. Many of the 2005 Section 7 action items are not addressed at all in this Draft. These 2005 action items should be the heart of the update. What was directed in 2005 and what has been done so far toward achieving them? “Continue” working with or “continue” working toward is insufficient.

—Missing Comments

Where are the public comments? Many public hearings were held where residents took the time to make their concerns and issues known to the committee. Notes were taken on white boards. This section of the document should also include those comments submitted through the online form provided on the PEDD webpage. And what about those comments submitted in writing by Senior Services and the Historical Society? These need to be included in the document, so that organizations and residents know that they were heard and how their issues were addressed. Reliance upon a summary of the Siena survey is a disservice to the process and is inadequate to represent the public’s input.

—Open Space

The draft fails to include an up-to-date list or a map of remaining Colonie open space. This is an essential tool to plan for the oft-stated goal of conserving open space, farmland, and wildlife corridors. The town is collecting fees that are to be used for open space acquisition, and yet there are no parcels identified as potential green space, no lands identified to “enhance and expand” passive and active recreational resources. How can this be accomplished if we do not know where these open spaces are? Or does the town intend to only “expand and enhance” those areas it already owns? It makes one wonder how serious the town is about this, despite it being one of the most popular concerns as identified by residents.

-Climate Change

One of several issues that have arisen since 2005 is the imminent threat to our communities and our planet posed by human-exacerbated climate change. Since a large percentage of fossil fuel use and greenhouse gas emissions causing climate change result from heating and cooling homes, businesses, hotels, and other structures, local building and zoning codes should be a major focus of planning for a sustainable future. So, too, should the plan address revision of transportation systems and corridors to create mass transit, bicycle and walkability solutions. Development approvals without LED requirements, ride sharing, electric vehicle charging stations, solar farms and rooftop solar arrays are negligent, at the very least.

The issues identified above convince SAVE Colonie, whose members have spent considerable time on this project, that this document should not be accepted by the Board and should be returned to the Committee, PEDD, and hired consultant to address directly the issues listed above. We further suggest that the 2005 plan be consulted as a model of what a professional Comprehensive Plan looks like.

When there is an adequate actionable draft, we will submit more detailed granular comments. Thank you for your attention to what we all agree is a most important matter for the Town of Colonie and its residents.

SAVE Colonie: A Partnership for Planning