



GROUP MARKS 5TH ANNIVERSARY OF VICTORY OVER CEMENT PLANT WITH RELEASE OF SOUTH BAY IMAGE

Five years later, State's decision to "immediately" rezone the Hudson Waterfront in a greener direction still in limbo

FOR IMMEDIATE RELEASE

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HUDSON, N.Y. (24 APRIL 2010) — Marking the fifth anniversary today of the demise of the St. Lawrence Cement proposal, residents released an aerial rendering of Hudson's waterfront that depicts the extent of visible water still found in the South Bay wetlands. Even after more than a century of industrial blight, these wetlands' ecological value and restoration potential remain high.

Created by South Bay steering committee members Bob Mechling and Peter Jung, the aerial rendering can be viewed at Save the South Bay's website (WWW.HUDSONWATERFRONT.ORG), and also can be downloaded as a high-resolution PDF file (WWW.BIT.LY/BAYWATER). The dark blue areas indicate open, unobstructed water, whereas the light blue areas indicate marshier portions where standing water is present but obstructed by phragmites and other growth.

Exactly five years ago on April 24th, 2005, the St. Lawrence Cement company (now Holcim) abandoned its plans to build a massive, coal-fired complex on Becraft Mountain. Originally announced in 1998, the SLC "Greenport Project" would have included a 406-foot stack, a dozen other structures 20 stories tall, an 1,800-acre mine, and been connected by two miles of conveyor belts to a similarly vast barge facility on the Hudson Waterfront. Once deemed inevitable, the project was scrapped after a far-ranging ruling five days earlier by Secretary of State Randy Daniels and a vote by the Hudson Common Council to reject a "Host Community Agreement" with the City.

"The wetlands of South Bay are Federally protected — period," said steering committee member Sam Pratt on the anniversary of the victory he helped secure. "It is wrong for Hudson's draft Waterfront plan to pit these valuable ecological resources against the equally urgent need to eliminate truck traffic downtown. Citizens shouldn't have to choose between the two, because Hudson can have a plan which protects both. City residents deserve a Waterfront which provides the fullest economic, social, recreational, cultural and ecological benefits possible, without sacrificing them to the interests of a foreign-owned cement company."

RISK TO POSITIVE ECONOMIC AND ECOLOGICAL POTENTIAL OF WATERFRONT

Jung recalled how "The decision on SLC was based in both economic and environmental considerations. After careful review of thousands of comments, the Secretary of State found that for Hudson's waterfront to generate the most benefits to the most people, it had to be protected from heavy industrial uses offering few if any job benefits. Noise, dust, visual and other harsh impacts were found to be incompatible with the Hudson Vision Plan. Yet today, the City's Waterfront goals have been tailored to fit the narrow demands of distant corporate interests which provide little or no jobs to local residents." Indeed, in his ruling five years ago, the Secretary of State wrote that:

The proposed expansion and change in industrial activities on the river directly competes with the previously mentioned plans for recreational and commercial activities immediately adjacent to the proposed dock and conveyor and the current revitalization in Hudson. It could also jeopardize the possibility of tapping into the Hudson River's multi-million dollar recreational boating industry

which, as noted by Hudson City Alderman Colum Riley could provide much needed revenue for the City. The increased SLC industrial activities would impact the recent economic growth felt as their downtown has revitalized and may adversely affect the existing economic base. It may also lead to diminished marketability of the planned uses, and adversely impact the tax revenues anticipated from those uses.

In Hudson's 1995-1996 Vision Plan, the 2000-2001 Comp Plan, and the 2006-2010 LWRP process, citizens have repeatedly made the desire for a greener, more sustainable waterfront known to City officials and planners. Public access, recreational opportunities, habitat restoration, environmental quality, and appropriate commercial development have all been identified as public priorities.

Reshaping the Waterfront in those positive directions would confer tremendous economic, ecological and social benefits upon the City and Region, complement the City's main street activity, and spread the steady revival of Hudson's fortunes to a broader segment of the community. At the same time, the public has firmly rejected the discordant blight and incompatible industrial activity at the Waterfront as a hazard, nuisance and threat to more forward-looking goals. Unfortunately, these clear and optimistic public sentiments have been largely erased from the current draft plan.

STATE'S "IMMEDIATE" ZONING INSTRUCTIONS IN 2005 STILL IGNORED BY DRAFT WATERFRONT PLAN

The Secretary's instructions for rezoning the Waterfront included the firm recommendation that a new Waterfront Zone be "created immediately." Adopting language directly from the Hudson Vision Plan, pp. 10-11 of the Daniels decision specifically outlined the manner in which this take place—ruling out precisely the type of heavy industrial uses accommodated by the current draft Local Waterfront Revitalization Plan for Hudson:

Permitted uses: recreation/open space, parking, residential (2nd story and above), retail, galleries, studios, office, restaurants, museums, outdoor markets, outdoor performances, street vending, marine stores, marine fuel, boat storage. **Conditional uses:** electronic transmission towers, public utility uses, transportation centers, railroad, ferry terminals. **Accessory uses:** signs, outdoor cafes. **Prohibited uses:** manufacturing, assembling, storing and processing products or facilities, outdoor storage of lumber, construction and building materials, contractor's equipment, trucks, vans, buses, retail or wholesale of vehicles or boats.

That ruling also specifically recommended that Waterfront lands currently occupied by SLC (Holcim) should be secured by the City for the benefit of the people of the region, not for the blighting industrial uses still contemplated within the current draft LWRP:

The land now owned by SLC has good development potential for a variety of public and private uses. The City should try to secure an option on the land or should have a letter of understanding expressing its interest. [...] Acquisition and redevelopment of the SLC property, as recommended by the Vision Plan, could conceivably continue the City's ongoing waterfront transformation."

STATE GUIDANCE REAFFIRMED RELEVANCE OF DANIELS DECISION TO LWRP

On October 28th, 2005, the State agency responsible for overseeing waterfront planning, the DOS's Division of Coastal Resources, sent a lengthy letter to over thirty Hudson officials. This letter specifically referenced and firmly upheld the importance of the Daniels decision on SLC to Hudson's draft Waterfront Plan, being mindful "of recent decisions by the Common Council and the Department of State and SLC's decision not to go forward with its proposed project." Among many other criticisms of the City's planning process, Coastal staff's 20-page letter stated that:

- The community supports an increased focus on recreational, tourism-oriented waterfront redevelopment, and recommends zoning categories that support this type of development. [...] The zoning categories in the proposed legislation will have to be carefully crafted to ensure that desired land uses for the waterfront can be mutually advanced, and will not hinder one another.
- The LWRP should discuss potential uses of this area based on an analysis of appropriate activities for this site, given the directions established by the Hudson Vision Plan and the City's Comprehensive Plan. It should not be assumed that SLC will continue to be the owner of the property. The LWRP needs to reflect current conditions and future goals, and not be tied to a specific owner. The City must reorient its analysis [...] and identify/analyze any desirable, potential uses and how they relate

to the City's vision for its waterfront and to its community revitalization plans. The analysis needs to articulate those uses and activities that are consistent with this vision and plans.

- The analysis should subsequently be developed into standards for determining whether potential uses and activities are consistent with this vision and appropriate for the site, and thus consistent with the LWRP. It will be these standards, as expressed in the policy explanations, that will be used to examine any and all proposals for development in Hudson's waterfront area.
- The waterfront concept plan, developed for the HVP and included in the LWRP, revolves around creation of a passive waterfront park, recreational boating facilities, and mixed-use redevelopment of upland parcels, including proposed enterprises such as restaurants, galleries, retail shops, museums, offices and residential space. [...] The Vision Plan also indicates that the community would like to extend this waterfront revitalization across the southern waterfront, stating that the SLC land 'has good development potential for a variety of public and private uses. The City should try to secure an option on the land or should have a letter of understanding expressing its interest. [...] Acquisition and redevelopment of the SLC property, as recommended by the Vision Plan, could conceivably continue the City's ongoing waterfront transformation.

The October 2005 letter also reiterated Daniels' list of permissible activities at the Waterfront. Nevertheless, the draft LWRP fails to reflect this detailed guidance, in particular by allowing heavy industrial activity to impair other activities, the lack of hard analysis of the City's options, and the absence of performance standards for evaluating consistency with Hudson's waterfront vision.

PUBLIC ASTONISHED AND DISAPPOINTED BY DRAFT WATERFRONT PLAN

In hundreds of comments received by the City and State, citizens express amazement and dismay that both the spirit and letter of the Daniels Decision five years ago have been set aside. South Bay steering committee member Hilary Hillman wrote:

The concerns of the citizens in this community are not reflected in the document... Flying in the face of the 2005 decision this current iteration of a LWRP not only encourages continued industrial use of the waterfront; it actually seeks to grant more, extended shoreline to Holcim for an aggregate shipping business. This use of the waterfront, with the truck traffic, loading noise and air pollution (fugitive dust) will make it impossible for the community to make use of the Riverfront Park, to encourage passive use of the river (kayaking, fishing and sailing), for the city to attract other economic development (marina, restaurants, housing, maritime museum, etc.) to the small stretch of shoreline and the industrial use would be a greater, continued disruption to wildlife in the South Bay.

Steering committee member Bob Mechling stated, "As a downtown resident who has to deal with Holcim and O&G's trucks every day, I want to see a solution which gets this traffic off the streets without destroying the future potential of our Waterfront. It shouldn't be an either/or question." Mechling added that "The idea of a major dock operation operating 24/7 without any restrictions at all is also troubling. As someone in the construction trade, I can only pound nails for a limited number of hours per day. So why is a round-the-clock loading operation allowed? It's time to enforce the existing laws on the books, and then to strengthen them via the LWRP."

Former 1st Ward Alderman Carole Osterink, now also a steering committee member, wrote:

Although the process started out actively soliciting community input, it soon deteriorated into a very exclusionary exercise—especially when it came to the industrial presence on the waterfront. Holcim and its lessee, O&G. [...] The leadership of the committee stopped listening to the community and started trying to convince residents to feel good about a seriously flawed and compromised version of their vision for the waterfront. [...] We have made no significant progress in five years."

The overall public reaction to the release of Hudson's draft LWRP is perhaps best summarized by current 1st Ward Alderman Sarah Sterling in her own March 15TH comments to the State: "I have yet to hear of anyone who likes the document in its current form."

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