

# **BIRCHWOOD ASSOCIATION**

## **INTRODUCTION**

We (Birchwood Association) are a self-funded community of residents who are looking out for the best interests of our neighborhood as well as other concerned Schodack residents who may be affected. Our lawsuit regarding the Amazon Warehouse sought an order requiring the Planning Board to follow New York law and adopt a "Positive Declaration" under SEQRA and to require the preparation of an Environmental Impact Statement ("EIS") for the Project as the project meets three out of the four criteria for a Positive Declaration, and we believe that an EIS is essential to allow the public a comprehensive understanding of the environmental impacts. The Town of Montgomery located in Orange County, NY has an identical warehouse being proposed and is located in a Commercial/Industrial zone understands the importance of an EIS and not directly adjacent to residential homes. Read More here: [Town of Montgomery Documents](#) and [Downstate-Amazon-warehouse-gets-more-thorough review](#)

## **MORE ABOUT THE WAREHOUSE**

We are not sure how familiar you are with the details of this project. Below is a brief overview. This warehouse will be located on a 116 acre parcel that up until only 2 years ago was farmed annually for corn. Many homeowners who are immediately affected are older citizens (some who have lived in the neighborhood for over 50 years) were not aware of the project because they are not on social media. It was heartbreaking to see an 80 year old fall on her way to speak at a town meeting. She was there to speak about the preservation of the home which her husband has lived in his entire life. Their property, alongside the tractor-trailer terminal side of the warehouse and will be subject to 24/7 noise, pollution and disruption during a year of construction starting each day at the crack of dawn.

This million square foot warehouse (the town approved in a zone that prohibits warehouses) will sit upon a direct recharge station of the Town's Aquifer which is protected by the local aquifer law. It appears this was given little to no attention during public meetings and in documents submitted by Scannell (Developer). Documents were incomplete during public review and changes were constant right up to the day of approval in July of 2018 only 3 short months after we were told this was merely a "Concept". Many questions raised by the Town Engineer remain unanswered not to mention changes were fluid to the traffic patterns up to the very day the board approved which did not allow the public adequate time to raise concerns. Project will generate as many as 500 tractor-trailers of additional traffic per day and as many as 2,600 additional car trips per day. The effect on traffic will be enormous on people who have to go north on Route 9 to work in Albany during peak hours.

Locating a warehouse next to residential homes and over the town aquifer [aquifer map](#) in Schodack and claiming no adverse impacts on character of community, quality of life and economics for years to come is wrong and dangerous. **All the run-off can pollute the aquifer that goes from east Schodack to Kinderhook and to the Hudson River. The diesel exhaust can lead to an increase in cancer, heart disease and asthma. The Birchwood Estates neighborhood is at the North of the proposed site and Hillcrest is South.**

It appears as though justice and environmental law were thrown to the wayside under political pressure and the brand, Amazon, with its lofty economic and financial weight. It's hard to understand why no politician, local or legislative, has returned our requests to meet and discuss our concerns. We tirelessly wrote letters and attended meetings to no avail. Our Town Supervisor told us "that all residents affected by the project hire professionals that could help assess the benefits and hazards of such a facility being built in town". [Read Minutes here](#)

### **ADDITIONAL CONCERNS**

We are extremely concerned that this case will set a precedent for all land which we believe should be preserved for its intended purposes. Warehouses and any other projects can now be rubber stamped using our case as a means to economic growth without concern for health and safety.

We, as the Association tried to look out for the interests of all affected and have been treated as if we are insignificant and our concerns invalid; especially in light of the wording used in the Judge's decision to dismiss. It is difficult to understand how a town can enact an Aquifer Protection law and not perform due diligence to ensure its protection. It defeats the purpose of the law. As you are a strong environmental advocate, it should be alarming that a building of this magnitude was given a green light without regard to SEQRA or local water protection laws.

### **TAX BENEFITS**

In addition, The Rensselaer County IDA has offered the developer (Scannell) a 50 percent cut on its property taxes (\$13.7M) for the 1 million sq ft. warehouse over a 10-year period, a deviation from its typical property tax incentive plan. In addition, it has been reported they are also seeking an estimated \$30 million to \$40 million in sales tax breaks for equipment inside the facility. (Albany Business Review 2/14/19). And potential additional tax breaks from the State.

What does this mean? Instead of property taxes, Scannell would pay PILOTs (Payments In Lieu of Taxes) to the Town of Schodack, the local school district, and Rensselaer County. These PILOT payments are negotiated with Scannell, and are less than what the property tax would be, and the PILOT payments do not count toward the assessed tax base for Schodack, the school district (East Greenbush), or Rensselaer County.

Why do they do this? The IDAs do this in large part because it means in turn that any NYS financial aid to the school district or County or Town would not be diminished because the amount of State aid is often tied to the assessed tax base. The higher the assessed tax base, the less State aid is available. What does it mean for residents? Less State aid in turn means that **local property taxes have to make up any increases in Town, County and School District budgets.**

In addition - we need to know:

- How many additional calls will be made to local emergency services? And at what cost?  
[Watch here: Amazon Warehouse and Emergency calls](#)
- If this warehouse is to employ 800 people and this is the Economic Boom that will "Save this Town" and we will see other developments following suit, how many additional students will be infused into the local school districts? At a cost of \$17K-\$21K per student annually, how will this impact school budgets?

- Amazon's lease is for 15 years, what is the plan with such a large warehouse at the end of the Amazon lease?
- Will they ever pay 100% in property tax or will they be offered a new deal in the future?

Crises, such as the PFOA contamination of the drinking water in Hoosick Falls, increased cases of illnesses and plunging home values in that area, are similar concerns we have. We have been turned away at every step by every County and Local politician including a Supreme Court Judge. As residents of NY, this is alarming for many reasons.

Where is Schodack and Rensselaer County headed and who is protecting residents? The Amazon Warehouse with its 24/7 truck traffic, sitting atop the town aquifer and directly adjacent to neighborhoods with no EIS will not be a "good place for to live" (As the town website promotes) for those who are directly affected; or are we just collateral damage in the quest for politicians to woo trillion dollar companies by lavishing them with huge tax breaks while everyday citizens get no breaks at all.

To be clear, we are not against economic development or fiscal growth for our community. We simply ask respectfully that an EIS be performed to mitigate the effects that were not addressed in the incomplete, modified, and rushed documents submitted for public review.

We hope that since you understand the environmental impacts that have devastated communities in New York, you will take a deeper look at this case and the valid points that support an EIS and help by supporting the Association and our quest to ensure unbiased, complete studies are performed.

### **WHAT WE ARE ASKING**

Kindly respond to this e-mail if you are interested in joining the Distribution List and helping to support us in our quest for a full Environmental Impact Statement. If this is really so great for Schodack, then don't we all deserve?

Thank you  
Birchwood Association

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