



November 29, 2023

### **Re: OHW Point of View Regarding 11/30/23 Planning Board Working Meeting**

Regarding Thursday's Planning Board meeting, we expect the Board to begin deliberations on Colarusso's haul road proposal—and NOT jump the gun to mitigation negotiations without first reviewing the application against the City Code, and taking into account concerns expressed by the public as well as engineering and legal studies.

As the Board's attorney clearly stated at the September 27<sup>th</sup> public hearing (*excerpt from meeting minutes*): "There's a lot for the board to consider. They've heard a lot of comments. The board also needs to consider the application against the language in the code."

We are concerned that, at the Board's November 14<sup>th</sup> meeting, the discussion of Colarusso's haul road application was dominated by the Applicant and was a master class in gaslighting. The Applicant's attorney dismissed factual counter-arguments that were based on Colarusso's own application and the work of the company's and the City's consulting engineers. He dismissed the outpouring of legitimate concerns expressed by citizens during the public comment period, and he continues to challenge the City's legitimate right of review—despite this being clearly stipulated by the State of New York and upheld in multiple court decisions. Additionally:

**Intensification of industrial activity at Dock and massive increase in truck volume have not been considered:** OHW's concern remains that at no point during these past six-plus years have impacts on Hudson from this entire proposal been explored—that is, the combination of the high-capacity, two-lane truckway and improvements at the dock. In addition, as we've shown, the Greenport Planning Board's haul road approval (which Colarusso contends should be enough) ignored or sidestepped serious concerns raised by City's consulting engineers. As we've also shown, approval by Greenport, the County, and NYS DOT—which Colarusso also cites—relied on serious underestimates of actual gravel truck traffic, and on the erroneous assumption that truck volume would NOT increase. (*See attached **charts** which summarize truck volumes considered, actual, and estimated future, derived from Creighton Manning reports.*)

**NYS DOT approvals were based on unrealistic assumptions of actual and potential future volumes:** We are also concerned that Board was given misinformation by Barton & Lojudice (B&L) regarding truck volume numbers considered by NYS DOT in its 2016 and 2019 permit approvals. B&L inferred in its recent comments that the DOT considered a "maximum daily trip" generation of **284** truck trips in 2019. However, this number was not known until **2020**, when Creighton Manning conducted truck studies for Colarusso. In 2016 (and 2019) the DOT considered only **20** daily truck trips. *See DOT **chart** referenced above for details.*

**Misinformation about volumes could be intended to mislead:** We are concerned that Colarusso is attempting to outmaneuver the truth regarding intensification of trucking and activity on the dock. For example, in their attorney's 11/1/23 letter to the Board, they claim that there is "*no factual support*" that the project will increase truck traffic, and state "*nor does it make any logical sense*" – this, despite proof that truck volume has increased alarmingly since 2015, and that future projections and the economics of the gravel business indicate strong likelihood of further intensification. Remember, the Applicant refuses to agree to *any* limitations

on truck volume (daily or annual). In addition, when questioned about benefits of the haul road to the City, attorney Privatera claimed that *“lots and lots of trucks”* would be taken off the current routes through the City, while Paul Colarusso stated that, *“There would be 800 less trucks in a week.”* If that’s true, Mr. Colarusso envisions up to **1,600** trips per week, **320** trips per day, and **80,000** trips annually (worse-case scenario). These numbers clearly surpass the application’s 284 daily trip generation maximum.

**There is significant conflict between Colarusso's interests and those of the City:** We believe that if the Planning Board renders its approval, Colarusso will greatly profit at the expense of every resident and business in the City. Colarusso’s plan is in direct conflict with everything the City has worked toward for decades, contrary to Privatera’s claim that the City plans have “embraced” the two-lane haul road and industrial expansion. It endangers every positive development completed or planned for the waterfront district--appropriate development that, unlike the gravel operation, will accelerate economic growth and job creation while substantially improving the quality of life for everyone who lives here. The Board’s responsibility is to weigh hard facts and potential outcomes on behalf of the City and its citizens. It should not be swayed by special interests of one Greenport employer whose dock operation is providing virtually no economic benefit to the City.

**The Board should consider people over profits:** Colarusso’s profits, not Hudson’s welfare, are at the heart of the haul road proposal. Its primary purpose is not to get trucks off the streets, but to ramp up trucking and shipping from the dock, whether by Colarusso as it rapidly expands its client base downriver, or by a larger company that buys the operation with permits in place--one with deeper pockets than Colarusso and zero allegiance to the City of Hudson.

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