

## Background to Site Plan Review Discussion

- **Prior to December 2011**, the Town of Coeymans **did not have in place any formal Site Plan Review** law or procedures.
  - Earlier versions of the Zoning Code (adopted prior to the New York State Legislature's enactment of Town Law §274-a) contained references to Site Plan Review. The Planning Board's role was mainly advisory, however. (See, October 11, 2011 Town Board Meeting Minutes, p. 11 [statement by Code Enforcement Officer Conrad]; November 14, 2011 Town Board Meeting Minutes, p. 2 [statement by Planning Board Member Irwin]).
- **As early as 2007**, the **Town Board** had requested that the **Planning Board** consider an **update** to the Town Code that formally addressed Site Plan Review. (See, July 23, 2007 Town Board Meeting Minutes, pp. 11-15). At that time, Site Plan Review was not to include Principal Uses in the Industrial Zone. (Id.)
- **In or about 2009**, the **Planning Board** of the Town of Coeymans **initially presented** a proposed Site Plan Review Law to the Town Board.
  - The proposed 2009 Site Plan Review Law **failed to exempt agricultural uses**, however. (See, October 11, 2011 Town Board Meeting Minutes, pp. 11-12 [statement by Code Enforcement Officer Conrad]). Following a Public Hearing, that proposed Local Law **was not adopted**. (See, October 11, 2011 Town Board Meeting Minutes, p. 9 [statement by Board Member Touchette]).
- **In the fall of 2011**, the **Town Board** considered a new proposed **Site Plan Review Law** (Local Law No. 1 for 2011) from the Planning Board.
  - **Major landowners within the Industrial Zone**, including the owner(s) of the Port of Coeymans and Industrial Park, **spoke in opposition** to the Site Plan Review Law. (See e.g., October 11, 2011 Town Board Meeting Minutes, pp. 5-6; December 12, 2011 Town Board Meeting Minutes).
  - Industrial Zone landowners expressed concern that the Site Plan Review Law could result in a delayed approval process for new businesses in the Industrial Zone. (See e.g., October 11, 2011 Town Board Meeting Minutes, pp. 5).
- **Despite concerns from Industrial Zone landowners**, the **Site Plan Review Law** (Local Law No. 1 for 2011) **was enacted by the Town Board** on December 12, 2011. (December 12, 2011 Town Board Meeting Minutes, pp. 9-10).

- According to Town Board Member Touchette, the process for enacting the Site Plan Review Law “ha[d] been ongoing for over a year and...[was] a grass roots effort which came from the Planning Board....” (December 12, 2011 Town Board Meeting Minutes, pp. 9-10).
- **Site Plan Review applies to the “construction of any new structures, development of any new use(s), and all other building or development activities.”** (Site Plan Review Law, §136-4).
- Site Plan Review is **also required for the “expansion of any existing use” or the “introduction of new materials or processes** previously associated with the existing use.” (Site Plan Review Law, §136-4).
- Projects involving Single or Two-Family **Dwellings, as well as “agricultural-use-only structures”** are specifically **exempt** from Site Plan Review. (Site Plan Review Law, §136-5).
- **Industrial uses are not listed as being exempt.** Further, pursuant to §136-14 of the Site Plan Review Law, “[i]n the event that any provision of any other Town of Coeymans local law, ordinance, or regulation [were] in conflict with the provisions of...[the Site Plan Review Law,] those provisions [] [we]re [t]hereby repealed.”
- An intent of Site Plan Review is to “[r]eview adverse impact on adjoining or nearby properties.” (Site Plan Review Law, §136-3).
- Among the **criteria** that the Planning Board / Zoning Board of Appeals is **required to consider** under the Site Plan Review are: “[t]raffic patterns (ingress and egress);” “[p]edestrian safety and access;” “[e]nvironmental air quality;” “[i]mpact of the proposed use on adjacent land uses;” “[i]mpact of the proposed use on both on-site and off-site infrastructure;” and the “[e]ffects of smoke, noise, glare, vibration, odors and/or other **noxious and offensive conditions**, if any.” (Site Plan Review Law, §136-6).
- The **Site Plan Review Law has not been repealed**—or modified to exempt Principal Uses in the Industrial I-1 and I-2 Zones.
- Nevertheless, since 2012—particularly in the past five (5) years, a number of **Principal Uses in the Industrial Zones** appear to **have been constructed or expanded without Site Plan Review**.
  - These projects **have resulted in significant impacts on the community—particularly, a significant increase in truck traffic.**
- On or about **October 9, 2025**, the **Town Attorney transmitted** to the Town Board a **proposed Resolution, intended to clarify the status of Site Plan Review** for Permitted Uses in the Industrial Zones.

- The proposed Resolution also directs the Town's Code Enforcement Officer to determine whether any projects requiring Site Plan Review have not been through the process; and, if so, to consider referring those projects to the Planning Board / Zoning Board of Appeals.
- The proposed Resolution was **discussed by the Town Board** during an **October 15, 2025 workshop** regarding proposed Local Law No. 1.
- On **November 13, 2025**, the proposed Resolution was included **on the Town Board's meeting Agenda as a proposed action item**.
- At the Town Board's November 13, 2025 Board Meeting, a number of residents and business owners expressed concerns about the potentially retroactive nature of the proposed Resolution; as well as the burden it could place on the Planning Board / Zoning Board of Appeals.
- **Based on these concerns the Town Board declined to take action** on the proposed Resolution; and **discussed scheduling a joint workshop with the Planning Board / Zoning Board of Appeals** to discuss Site Plan Review as well as Local Law No. 1.
- Since the November 13, 2025 Board Meeting, **Board Members have continued to confer with residents and local business owners**, including representatives of businesses that are located in the Industrial Zones.