

Background to Proposed Transportation Terminals Local Law

- Prior to July 2020, “**Transportation terminals**” was listed as a Principal Use in the Town of Coeymans’ Industrial (I-2) and Planned Industrial (I-3P) Zoning Districts.
- Prior to July 2020, “**Farm produce warehouse, barn and transportation terminal**” was listed as an Accessory Use in the Residential and Agricultural (R-A) Zoning District.
 - Under the Town of Coeymans Zoning Code an “**Accessory Use**” is “**a term applied to a use, building or other structure customary to the principal use but incidental to, subordinate to, and located on the same lot as the principal use.**” (Emphasis supplied).
 - The Town of Coeymans Zoning Code did not define either “Transportation Terminals” or “Farm produce warehouse, barn and transportation terminal” prior to July 2020.
- **On July 9, 2020** the Town Board of the Town of Coeymans scheduled a Public Hearing (for July 23, 2020) to consider a new **Solid Waste Law (Local Law No. 10)**. Immediately thereafter, the Town Board scheduled a Public Hearing on a proposed Local Law to **amend the Zoning Code (Local Law No. 9)** to add definitions for “Transfer Station” and “Transportation Terminal.”
 - According to the Minutes, the Supervisor at the time “*stated that this law is just adding the definitions of transfer station and transportation terminal to the Zoning Code. He read the definitions. This will allow for transfer stations in an industrial zone only.*”
- **On July 23, 2020**, the Town Board held a **Public Hearing** on three (3) Local Laws, including Local Laws Nos. 9 and 10.
 - According to the Minutes, the Supervisor at the time “*stated that these [Local Laws] were just amendments to already existing laws to allow someone other than the Town to run a recycle center.*”
- At the Town Board’s **regular Board Meeting on July 23, 2020**, the Town Board engaged in a SEQRA review of Local Laws Nos. 9 and 10—considering both Local Laws together, based on a Short Environmental Assessment Form for each. The Town Board issued a Negative Declaration.
- The Town Board then enacted Local Laws Nos. 9 and 10.
- Pursuant to Local Law No. 9 of 2020, “Transportation Terminal” was defined to mean “[a] **railway terminal, freight station, container terminal or yard, multipurpose cargo terminal, port, transfer station, or any similar receiving point.**”

- Had Local Law No. 9 been intended to add “railway terminal[s], freight station[s], container terminal[s] or yard[s], multipurpose cargo terminal[s], port[s], [or] transfer station[s]” as Principal, Special or Accessory Uses within the R-A Zone, it would have been a Type I Action under SEQRA—requiring a Full Environmental Assessment Form. (*see* 6 NYCRR 617.4(b)(2))
- Significantly expanding commercial and industrial development in the Town’s residential Zoning Districts would have been inconsistent with both the Town’s 2006 Comprehensive Plan and the Town’s 2021 Amendment to the Comprehensive Plan.
- It does not appear that the Town Board intended to add “railway terminal[s], freight station[s], container terminal[s] or yard[s], multipurpose cargo terminal[s], port[s], [or] transfer station[s]” as Accessory Uses in the R-A Zone in 2020
- In or about 2023, an application was submitted to the Planning Board / Zoning Board of Appeals in connection with an Industrial Zone project that proposed to include use of adjacent R-A Zone land.
 - The proposed use of R-A Zone land relied on the definition of Transportation Terminal that had been enacted in 2020—arguing that it not only defined Principal Uses in the I-2 and I-3P Zones; but also Accessory Uses in the R-A Zone.
 - The application was subsequently withdrawn in or about the fall of 2024.
- A **draft Local Law No. 1** for 2025 now **seeks to clarify the use of Transportation Terminals** in the I-2, I-3P and R-A Zoning Districts. The draft Local Law was initially **transmitted to the Town Board on September 25, 2025**.
- Draft Local Law No. 1 proposes to eliminate the reference to “Transportation terminal” from the list of Accessory Uses in the R-A Zone.
 - To avoid unintended consequences for existing agricultural activities in the R-A Zone, a new Accessory Use for “**Agriculture-Related Transportation Terminal**” is also proposed in Local Law No. 1.
 - Agriculture-Related Transportation Terminal is defined to mean “**a yard or transfer site used for the storage and/or transfer of agriculture-related produce, goods or materials that are grown, cultivated, harvested or produced as a result of a permitted Principal Use within the Residential-Agricultural (R-A) District.**”
- On **October 15, 2025**, the Town Board held a **workshop to discuss** proposed Local Law No. 1.

- At the Town Board workshop, Board Members discussed concerns that several established businesses within the R-A Zoning District—that may fit within the current definition of Transportation Terminals—might not be covered by the proposed definition for Agriculture-Related Transportation Terminal.
- Prior to 2020, these businesses appear to have operated as pre-existing “Non-conforming Uses” under the Zoning Code. Since the adoption of Local Law No. 9 for 2020, however, some of these businesses’ activities may have been covered by the definition of Transportation Terminal.
- Concerns were also expressed that landowners in the R-A Zone could want to use their property to establish new businesses using the existing Transportation Terminals definition as well.
- Based on those concerns the Town’s attorneys prepared and transmitted to Town Board members an additional, proposed, definition for an **“Owner Occupied Contractor Yard”**—to be added as a Principal, Special or Accessory Use within the R-A Zoning District.
 - Owner Occupied Contractor Yard would be defined to mean a **“portion of a lot used to store and maintain construction equipment and other materials and facilities customarily required in the contractor’s trade, but excluding the storage of materials or equipment for off-site sale. The owner of such business activity must reside on the premises. Exterior evidence of an Owner Operated Contractor Yard may include one or more of the following: a sign; exterior dumpsters or waste receptacles; stored vehicles or equipment; or vehicles or equipment directly related to the business activity conducted on-site. The minimum lot size for an Owner Operated Contractor Yard shall be ___ acres.”**
 - This definition is intended to provide further assurance for the residents of the R-A Zone, while adhering to the purposes of the R-A Zone as set forth in the Town’s 2006 Comprehensive Plan and the Town’s 2021 Amendment to the Comprehensive Plan.
- An initial Public Hearing on draft Local Law No. 1 was opened on November 13, 2025 and closed on November 24, 2025.
- At that Public Hearing it was noted that pursuant to Section 165-15 of the Town Code, any Local Law amending the Town of Coeymans Zoning Code is required to be sent to the Planning Board / Zoning Board of Appeals for comment—and the Planning Board / Zoning Board be given the necessary time to comment—prior to a final Public Hearing on the proposed Local Law.
- **The Town Board will not take any final action on draft Local Law No. 1, if any action is taken at all, before the necessary referral to the Planning Board / Zoning Board of Appeals—and a subsequent, additional Public Hearing is held.**