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Public Comment: Draft Local Law on Moratorium

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Supervisor Barber and Members of the Town Board,

I am submitting this written public comment with regard to Agenda item #2, on the postponement of a decision to enact the proposed Local Law for a 6-month moratorium on certain residential development.

Frankly, I find this perplexing. At the April 16th meeting, this proposal was addressed. A public hearing was held and closed. What was stated was that a final decision on the matter would be forthcoming at the May 7th meeting.

Now, it seems that decision will be delayed for an additional 2 weeks to ascertain feedback from other municipalities. This strikes me as unwarranted maneuvering.

May I remind the board that a primary rationale for enacting the moratorium is coming at the behest of the supervisor of our water department and our town planner. The individuals responsible for monitoring the health and sustainability of our resources and our infrastructure are raising a cautionary flag.

It is apples and oranges to compare our issues in seeking a partial building moratorium to other municipalities who did so for differing reasons. While a consult regarding the moratorium process with a municipality who has already undergone one may be prudent from a purely informative standpoint, that can be done during the period between the board's disposition of the law and its approval by the state. Enactment of this law, if approved, is not instantaneous. To my reading, there is nothing in the body of the draft law that should be influenced by another municipality's circumstances.

On this very evening, the board will be considering the application for the Foundry Rd. PUD, a residential project of 285 units to be situated on Western Ave. This mammoth proposal is precisely the exemplar of what needs to be put on hold while we are hearing cautions regarding resource and infrastructure sustainability from our town monitoring experts. But the application for this project, already being underway is moving forward.

I do not know if there are other projects with applications in the pipeline that will also move forward in the ensuing weeks that the moratorium is put on hold, but at this point, knowing what we do know, to support additional delays on an enactment is downright irresponsible.

I would urge the board to move on a decision regarding the 6-month moratorium as originally planned, this evening. That motion can be made and voted on tonight. 6-months is hardly the eternity that nay sayers are making it out to be.

Below you will find an editorial which appeared in the May 2, edition of the Altamont Enterprise. In it, Melissa Hale-Spencer provides an extremely cogent and compelling perspective on this issue. I hope you will read it. It truly says everything that you need to know.

Thank you,
Iris Broyde

Westmere Terrace

Town board must update its tools to fulfill vision for Guilderland's future

Thursday, May 2, 2024 - 19:11

The Guilderland Town Board has mulled a moratorium for months. We joined the voices of concerned citizens and called for one on this page more than a year ago.

Supervisor Peter Barber has long maintained the time must be right, cautioning against "spooking anybody." Finally, Barber and Deputy Supervisor Christine Napierski have drafted a bill to delay large residential growth for six months.

Now is the time to adopt the moratorium.

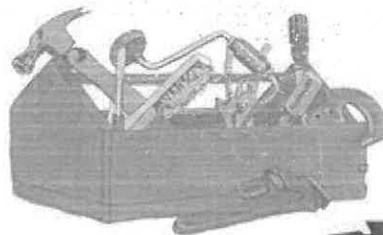
The committee that has been working with a consultant to make recommendations on updating the town's two-decades-old comprehensive plan is nearing completion of its work. If that update is to have any merit, if that vision for the town's future is to become a reality, the town's zoning laws must be updated to enforce the vision.

Too often, we have covered comprehensive plans where, after all the work of creating them, the governing board did nothing to actually implement them.

We wrote last week about the public hearing on Guilderland's proposal for a six-month moratorium where comments for and against the bill were about equally divided.

Many of the comments made against the moratorium actually were arguments for it.

Several people commented that the town already has tools to protect itself from unwanted development. Donald Csaposs cited the proposal for a halal market that was recently turned down by the zoning board as an example.



— Artwork by Elisabeth Vines

But the point of updating the comprehensive plan is to change the tools to conform to the vision. Let's say one of the new tenets of the updated plan was to encourage and sustain a diverse community. Then perhaps a halal market would stand a better chance of being approved so our Muslim neighbors wouldn't have to travel so far to meet their dietary needs; they could shop right in their town.

Several people spoke eloquently and passionately at the hearing about the need for more affordable housing in town.

Cassie Zieno said she moved to Guilderland several years ago because "it was affordable for a young person looking to buy their first home." She went on, "Unfortunately, it isn't as easy to buy a home or to be able to afford rent."

Zieno also said, "It's the young people and it's people of color who disproportionately really reside in multi-family homes in this town. I want my town to welcome these communities with open arms. Please don't forget them."

We couldn't agree more. We wrote on this page in February that local leaders must act to put housing in reach.

We wrote then about the young volunteer firefighter who had told the Guilderland Town Board that many of his fellow firefighters couldn't afford apartments in the fire districts they served.

We wrote too about the town board members lamenting the waiting list of 100 families for federally subsidized housing in town, a list that rarely moves.

We called on our towns to join the governor's Pro-Housing Communities Initiative, and we were pleased when Guilderland subsequently did.

A business owner, Jonathan Phillips, and the director of Guilderland's chamber of commerce, Sandra Dollard, both made the case at the public hearing that affordable and workforce housing is needed.

"We have tools in the toolbox to stop any unwanted construction in this area that doesn't follow the codes," said Dollard.

Phillips and Dollard, like Zieno, were speaking against the moratorium. But we would argue, if Guilderland truly wants to encourage affordable and workforce housing, it needs a pause to update its laws accordingly.

The same is true of badly needed housing for the elderly, as we've written on this page before, calling for affordable, accessible housing in town.

We quoted "Housing America's Older Adults," a groundbreaking Harvard study that for the first time, considers housing and care for the elderly as one.

Samara Scheckler, one of its authors, explained in a panel discussion that, with baby boomers on the cusp of turning 80, they will need services to live in their homes.

As in Guilderland, the number of adults in their 80s is expected to grow especially swiftly as the oldest of the baby boomers — born from 1946 to 1964 — reach age 80 in 2026, the report says.

Scheckler also said that family assistance for the elderly, provided in earlier generations, will be "limited" because baby boomers had fewer children and their children tend to work full-time.

"Consequently, demand will increase for housing that is both affordable and able to accommodate older adults' changing health and care needs," the report says.

"For older adults with changing needs, housing choices suitable to diverse household configurations and affordable across the income spectrum are crucial," says the Harvard report, citing as examples accessory dwelling units, known as ADUs; cohousing communities; and house-sharing, which can offer alternatives for people seeking to remain in their communities.

Multifamily buildings can encourage interaction and support from neighbors, as can various program offerings, the report says.

One of the panelists said that three simple requirements when homes are built can make them habitable into old age: a no-step entrance; wide hallways and doorways; and everything necessary for living — bathroom, kitchen, bedroom — on the first floor.

Another approach to supporting older adults who wish to remain in their community as they age is the "village" model. Villages are membership organizations that use staff and volunteers to help with transportation, home repairs, shopping, and other household tasks, and to build community connections to combat isolation.

Leaders, the Harvard report says, “have abundant opportunities to address the mismatch between a rapidly aging population and an insufficient supply of affordable, accessible housing connected to services and supports.

“Zoning reforms and housing financing incentives together could encourage a wider variety of housing options, providing new and better opportunities for older adults who wish to remain in their communities but in more suitable homes.”

The sort of housing that is largely being built in Guilderland now is not accommodating those needs. Changes to the town’s zoning laws could help meet the needs of Guilderland’s aging population just as changes could help encourage more affordable housing.

As Robyn Gray noted at the hearing, many developers had promised market-rate housing but, she said, “They’re not market-rate; they’re high-end — so that’s not meeting the needs we have in terms of affordable housing, senior housing, workforce housing.”

As part of the comprehensive plan update, subcommittees issued reports on their recommendation that made clear zoning changes would be needed — for preserving farmland and open spaces or preserving viewsheds, for example, or for encouraging cluster developments, smaller lot sizes, and accessory dwelling units.



From an arcing green corridor to promoting diversity, groups set goals f...

From an arcing green corridor to promoting diversity, groups set goals for Guilderland’s future

Several of the people speaking against a moratorium at the hearing equated it with death believing that was the root of the word.

“Moratorium” comes from the Latin *morari*, which means “to delay” unlike, for example “mortgage,” which comes from the Latin *mortuus* for “dead.”

A delay or a pause for six months or perhaps nine would allow the town board members to craft meaningful legislation to shape Guilderland’s future in alliance with the committee’s recommendations.

Yes, the town now has tools in place, but those tools need updating. The old crosscut saws — nicknamed “misery whips” by the loggers who used them — have been replaced by the more efficient chainsaw.

This is true in every field — tools change how we live.

The Yale School of Medicine, for example, has posted a list of medical tools that starts with this introduction: “As long as humans have had the ability to craft tools, they’ve been using them to solve medical problems. Over time, the tools have become increasingly complex and sophisticated.”

The list starts in 6000 BCE with the Upper Paleolithic and Mesolithic times, when knives, saws, and drills made of stones such as flint were used for surgery, amputation, and trepanation.

The tool list progresses through ancient Egypt with prosthetic devices made of wood and leather, through ancient Greece with the development of bronze surgical tools, through the development of spectacles in the 1200s and of microscopes in the 1600s, thermometers in the 1700s, the hypodermic syringe and X-rays in the 1800s, and the electrocardiogram and magnetic resonance imaging in the 1900s.

The list of course goes on. We all know people who wouldn’t be alive today if it weren’t for the tools of modern medicine — many of which no longer fit in the once-ubiquitous black doctor’s bag.

To say that Guilderland already has a toolbox to protect the town isn’t enough. We have to unpack that box to see what the tools are, and identify which are no longer useful or need updating.

Tools can improve our lives if they are used properly. In Guilderland, both the town planner and the superintendent of water and wastewater management have supported a moratorium.

These are professionals with expertise in using the tools they need to see that we have a liveable community.

“How welcoming is that going to be for people buying homes or looking to move here, knowing that these infrastructure problems that are here, present, and growing?” asked Westmere resident Iris Broyde at the hearing.

Our town board members need the time that a moratorium will give them to unpack our current toolbox — taking a close, hard look at the town’s zoning laws, to see what new or updated tools are needed to carry forth the vision the comprehensive planners recommend.

Rather than a death for the town, this delay is a chance at rebirth.