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May 5, 2025

VIA Email & Hand Delivery

City of Hudson Planning Board

Theresa Joyner, Chairperson (tjoyner@cityofhudson.org)

Eugene Shetsky, Member (eugene.shetsky@cityofhudson.org)

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Ashraf Chowdhury, Member (ashraf.chowdhury@cityofhudson.org)

520 Warren Street

Hudson, New York 12534

**Re: 175 South Front Street - Colarusso Dock
Application for Conditional Use Permit**

Dear Chair Joyner and Planning Board Members:

This office represents Valley Alliance, an unincorporated association of Hudson residents and businesses established in 2006 as Save the South Bay and renamed in 2010. This letter is in supplement to our letter dated March 5, 2025.

Residents of the City of Hudson, including members of Valley Alliance, have presented their concerns regarding adverse impacts to the surrounding community, especially the Henry Hudson Waterfront Park, from A. Colarusso and Son Inc.'s ("Colarusso") commercial dock use on the City of Hudson's waterfront. We provide for the Planning Board's consideration, proposed conditions to attach to any approval issued for the Colarusso commercial dock Conditional Use Permit, to mitigate the adverse impacts to the surrounding community, especially the Henry Hudson Waterfront Park, train station, and the public and businesses along the waterfront.

General Approval Conditions

This Conditional Use Permit for a commercial dock is limited to the use of the dock for shipping of equipment and stone, gravel, or aggregate material to and from the A. Colarusso & Son Inc. Stone Quarry in the Town of Greenport pursuant to the terms of the Conditional Use Permit for the Haul Road issued and approved in December 2023. Any changes to the materials being shipped between the Quarry and the commercial dock or to

the location materials are received from or being sent to shall require an amendment of the Conditional Use Permit.

The property owner and operator shall not exceed 284 trips (142 trips enter, 142 trips exit) daily to and from the commercial dock, including the property owner and operator's trucks and associated independent trucks, but not including customer vehicles. Any exceedance of 284 daily vehicle trips shall require an amended conditional use permit and SEQRA review. The property owner and operator shall be required to demonstrate compliance with this condition upon request of the Code Enforcement Officer.

This Conditional Use Permit does not authorize or approve on-site retail sales of materials.

Property owner or operator must return for site plan and conditional use permit review for any new buildings or structures to be constructed on site.

Conditional Use Permit approval shall expire after three (3) years from issuance unless renewed pursuant to Hudson City Code § 325-34(C).

The Applicant shall comply with all applicable laws and regulations and obtain, maintain, and comply with all applicable permits, including all permit conditions for the commercial dock that have been imposed by any local, state, or federal agency.

The Conditional Use Permit approval shall expire if the Applicant has not completed any construction or landscaping required as a condition of such approval within eighteen months (18) months of the date of approval, unless the Planning Board has issued an extension upon written request, which extension shall not be unreasonably withheld and shall not exceed six (6) months.

Emissions of dust, smoke, and air pollution.

Operations at the dock shall utilize appropriate dust suppression in relation to trucks entering and exiting the property, which may include, but are not limited to, watering of non-paved road surfaces, use of gravel or other non-dust emitting road surface materials (e.g., asphalt, concrete paving), covering materials in trucks with tarps or similar materials, and reduced truck speed.

Any dirt or dust tracked onto the public highways, including, but not limited to, Broad Street and Front Street, shall be promptly cleaned up and removed.

Any materials not stored inside of a structure shall be covered with tarps or other materials when not being actively worked to prevent the spread of dust. This condition shall apply to materials stored at the dock or above a barge or boat's sideboard that is attached to the dock when such barge or boat is not being actively loaded or unloaded.

Odors and hazardous or toxic materials.

The dock shall not be utilized for storage, shipment, or receipt of odor emitting materials, including, but not limited to, solid waste, ash, asphalt, chemicals, or hazardous materials.

The dock shall not be utilized for the storage, shipment, or receipt of Construction and Demolition (C&D) Debris materials.

Nuisance Noise

Any equipment or vehicles equipped with back-up warning shall utilize the least noise emitting warning system that meets any applicable state or federal safety requirement, which may include low volume warning equipment, lights, or dedicated spotters to avoid the use of high-volume back-up warning. The property operator shall demonstrate compliance to the Code Enforcement Officer with documentation the code enforcement officer deems sufficient, which may include an approval letter from state or federal agency and equipment material sheets.

Trucks entering or exiting the dock shall be prohibited from parking or idling on Front Street, Broad Street, or inside Henry Hudson Waterfront Park.

Noise monitoring shall be installed at the property line adjacent to the Henry Hudson Waterfront Park and a report shall be provided to the Code Enforcement Office quarterly to demonstrate compliance with the City Noise Ordinance.

Noise attenuating barriers and landscaping around loading dock shall be installed to abate noise coming from operations at the dock. The property owner shall submit a landscaping plan for Planning Board and Hudson Conservation Advisory Council review and approval within thirty (30) days.

All operations at the dock shall be permitted only from 7AM to 6PM Monday through Thursday and 7AM to 5PM on Friday. Dock operations are prohibited on weekends and state or federal holidays. These limits shall not apply in the case of emergency or security issues requiring access and operations outside of these periods.

Lighting

Any existing lighting that is not down facing, dark sky compliant shall be replaced with down facing, DarkSky approved lighting.

Any after-hours security lighting shall be motion activated.

Barges and boats attached to the dock shall not have exterior lights lit after-hours except as required to comply with federal or state navigational laws.

Visual impacts

Material piles stored on-site shall not exceed 25 feet in height.

Materials shall not be stored on-site for greater than seven (7) consecutive days. This prohibition shall not apply to materials loaded into a barge attached to the dock. The property owner and operator shall be required to demonstrate compliance with this condition upon request of the Code Enforcement Officer.

The Applicant shall install mature trees and landscaping to limit the visibility of the shed and silo from Front Street and Henry Hudson Waterfront Park. The property owner shall submit a landscaping plan for Planning Board review and approval within thirty (30) days.

Trees and landscaping shall be installed along its property boundary to limit the visibility, noise, and dust of the dock operations and screen any materials or equipment stored outside from Front Street. The property owner shall submit a landscaping plan for Planning Board and Hudson Conservation Advisory Council review and approval within thirty (30) days.

Landscaping shall be inspected every six months for signs of distress. Any plantings that have died in the first eighteen (18) months of planting shall be replaced.

Public Access and Safety

Barges attached to the dock shall not be docked in such a way as to extend beyond the northern and southern ends of the western dock bulkhead (approximately 425 feet) or otherwise docked in such a way as to block or hinder access and navigation of recreational boats on the Hudson River to and from the Henry Hudson Waterfront Park.

The Applicant shall perform a traffic safety study and evaluation of the feasibility and costs of installation of sidewalks on Front Street and Broad Street and along the haul road running south from Broad Street to the City owned 4.4-acre parcel located south of the commercial dock to protect pedestrian and bicycle traffic from the truck route along those streets.

The property owner shall grant an easement to the City of Hudson over the north side of the commercial dock parcel adjoining the Henry Hudson Waterfront Park for maintenance and pedestrian-only use to facilitate access, maintenance, and use of the southern section of the Henry Hudson Waterfront Park.

The Applicant shall negotiate in good faith with the City of Hudson, the Department of Public Works, and Assemblage as part of the Climate Adaptive Design of Henry Hudson Riverside Park for funding of construction of a pedestrian bridge.

Valley Alliance thanks the Planning Board for its attention to this matter and consideration of these proposed conditions for any Conditional Use Permit approval for the Colarusso commercial dock operations. I request that this letter be included in the Record for the Colarusso application.

Respectfully submitted,

A handwritten signature in blue ink that reads "William F. Demarest III". The signature is written in a cursive style with a horizontal line at the end.

William F. Demarest III, Esq.

Cc: Valley Alliance (by separate email)
Victoria Polidoro, City Counsel (email only)