

To: Ken Runion, Town Supervisor  
Town of Guilderland  
P.O. Box 339  
Guilderland, New York 12084

From: Don Reeb, Ph.D. ~~Ph.D.~~  
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Subject: Stuyvesant Plaza  
Date: July 13, 2010

Ken  
Would you give  
this copy to  
Rich Shabad  
Thanks  
Don Reeb

This is a copy of an earlier email.

Stuyvesant Plaza will be applying for a variance with the Town of Guilderland for parking on Town land. It should be denied. The probable hearing date will be July 21, 7:30 pm, Town Hall.

But there are several more parts to this story.

Western Avenue near Stuyvesant was an often flooded area for more than 40 years.

The McKownville Improvement Association tried year after year to get the state/county/town/Stuyvesant to correct the problem--essentially caused by an undersized pipe running south from Western Avenue to the open Krumkill stream behind Burger King.

The Town (and Assemblyman McEneny and other public officers) was successful in getting much of the money necessary to do this but by the time it did so the rules for discharges of storm water into a stream changed and the new rules pretty much required that the Town also change the pond behind TGIF which had for years been a reservoir for McKownville homes.

To get the last bit of money, it appealed to Stuyvesant Plaza which provided the money but in exchange Stuyvesant demanded more of the reservoir land--for parking for TGIF employees.

This would not be so upsetting--except that most of the benefit from reducing the Western Avenue flooding would go to Stuyvesant Plaza and its prospective patrons.

So the \$123,000 "contributed" by Stuyvesant for reducing the flooding on Western Avenue (and helping to build the small park--which is still closed according to the sign on the park fence) then became less than \$50,000--the Town "permitted" Stuyvesant to get credit for about \$75,000 in rehab work done by Stuyvesant to its own lawn watering system-- and the water is drawn from the Town owned pond.

Additionally, Stuyvesant has been drawing water from the pond for years and years and years--without paying for it--even when the pond was a legal reservoir.

If Stuyvesant had to pay for Town water over these many years the charges would be thousands of dollars--possibly even \$123,000.

And Stuyvesant has been using without rent or lease payments or payment of property taxes multiple acres of land that belongs to the Town near the pond. This includes land located along the south side of TGIF and nearby buildings, another parcel near the National Grid transformer station, another parcel near the liquor store and yet another parcel that includes much of the Western Avenue entrance to Stuyvesant. Each of these parcels--together with back payments--surely should entitle the Town to more than \$123,000.

Stuyvesant further misuses Town land yet again by piling its snow and other debris on Town land at the western end of the pond--you can still see the piles of dirt piled there.

Stuyvesant does not need more parking area for TGIF customers---many of whom are evening customers when much of the Plaza is underused. Nor do the workers at TGIF need parking spaces--many businesses require their employees to park some distance away from the entrance to the business.

And more parking is not needed for park users. Park users have much Town owned land near the pond on which it can legally park--the claim that more parking is needed for park users is garbage.

The real purpose of the proposal is certainly not to add parking spaces for McKownville residents or TGIF employees but to gain more control over Town owned land.

The land owned by the Town near the pond has been appropriated by Stuyvesant through use of its enormous power and importance as a taxpayer in Guilderland. It has misused its economic importance--just as many organizations have done.

It is obvious that Stuyvesant is not a reasonable neighbor.

There is something basically wrong with permitting public land and water to be used by a private firm without charge. Yes, it is true that Crossgates misused its economic power to gain concessions from government about its roads and so forth--but does Stuyvesant want to be compared to the people who own Crossgates?

So for less than \$50,000 Stuyvesant is getting unrestricted (and permanent??) use of Town land and unlimited irrigation water--valuable land in a prime location for businesses in Guilderland.

It is time to examine with great care Stuyvesant's use of the land near the pond--yes it is true that this arrangement with Stuyvesant stretches back 50 years but that is no excuse for delaying a public examination and discussion.

That is why this email will be re-sent to the Town Attorney as a letter asking that he undertake a thorough review of Stuyvesant Plaza's use of Town water and Town land and appropriate fees and charges that need be levied against Stuyvesant for current and past uses--and another letter to Supervisor Ken Runion asking that all zoning actions concerning Stuyvesant be delayed until the Town Attorney's report has been received.

I hope that many of you can support me in this request--Mr Reunion's email address is printed above--please use it.

Thank you.