



# Save the Pine Bush

## April Newsletter

Apr 25 No. 167 • 223 S. Swan St., Albany, NY 12202 • email [contact@savethepinebush.org](mailto:contact@savethepinebush.org) • phone 518-366-7324 • web [www.savethepinebush.org](http://www.savethepinebush.org) • Circ. 600

### *Vegetarian/Vegan Lasagna Dinner*

### Wednesday, April 30, at 6:00 p.m.

## Al Hicks

Retired Endangered Species Biologist, will speak about

## Musings of a Wildlife Biologist

Al Hicks will speak about musings from afield — how our wildlife got to where it is today, and where it will be tomorrow. An endangered species biologist who retired NYS Department of Environmental Conservation, Al Hicks will describe how the activities of humans have always influenced wildlife populations. Advancements in technologies, changes in social mores, and the relentless increase in population have benefited a small number of species but have harmed vastly more. Join Al Hicks, as he meanders through his own experiences coupled with a number of examples drawn from history, to draw a picture of what the future for wildlife and humans might hold.

**At the St. Andrew's Church, 10 North Main, Albany, NY (please note new location!!!).** All-you-can-eat lasagna dinner, with vegetarian, vegan and gluten-free options, salad, garlic bread and delicious desserts. Only \$20 for adults, \$6 for students, and \$2 for children. People who make reservations are served first. For reservations, please email [contact@savethepinebush.org](mailto:contact@savethepinebush.org) or go to [savethepinebush.org/dinner](http://savethepinebush.org/dinner). Please feel free to wear a mask when not eating because covid is not done with us yet.

Everyone is welcome! Interested people are welcome to attend the program beginning at 7:00 for no charge.

### Spring Hike and Tour Saturday, May 3, 2025 at 9:00 AM

Meet at: End of Madison Avenue Extension (past the water tower at end of Wash Ave Ext.)

For GPS – 98 Madison Avenue Extension, Albany NY 12203

Leader: Andy Arthur • For More Information: 518-281-9873 or [andy@andyarthur.org](mailto:andy@andyarthur.org)

Join us as we go springtime walk on re-routed blue trail along the backside of 40 Karner Road undergoing restoration, across a new bridge that crosses above the historic Kiakout Kill Dam once hit by a meteorite. After the hike, we will hop in a car and drive around Pine Bush to see restoration areas and areas under threat of development. Please take the usual precautions against UV radiation and lyme disease: UV sunglasses, sunscreen, wide brimmed hat, light-colored clothing, long-pants and long sleeves.

**The event is free and open to the public • Bring you friends!**

[www.savethepinebush.org](http://www.savethepinebush.org)

### Saving the Pine Bush All Over Again

by Tom Ellis

ALBANY: John Cryan spoke at the September 25, 2024 Save the Pine Bush dinner in Albany. John is an entomologist and co-founded the Long Islands Pine Barrens Society (LIPBS).

John was an expert witness for SPB more than thirty years ago. John documented personally seeing the Karner Blue butterflies during each of the prior ten years on the parcel DEC approved in 1990 for the first Rapp Road landfill expansion. (Other expansions followed and the dump remains open today. The latest closure date is 2028.)

Lynne introduced John, saying she first him while she was a University at Albany college student “many many years ago.”

John said he chased butterflies as a six-year-old and began his career as a teen. He attended

*continued on page 2*

### Is there hope for the Endangered Karner Blue?

*The Karner Blue Butterfly barely survives  
along the St Croix River yet made a major  
comeback in the Albany Pine Bush!*

by Madeline Kennedy

Ontario scientist Laurence Packer described the disappearance of the Karner Blues from his Canadian province which happened after a long hot and dry spell. The butterflies went from having a “large and healthy” population to a nonexistent one in a mere four years!

Regarding the relatively new field of climate science, Packer made what may be a very significant statement, that “[E]ven moderate sized populations may not be safe, especially when weather conditions are unusual . . . this point about weather conditions may be particularly important, considering the climatic changes that many expect from global warming.” This makes the pressure to act now to prevent further destruction to the Karner Blue’s precious habitat even more pressing.

Today the Karner Blue butterflies can be found in a few areas across the northern states,

*continued on page 2*

## *Saving continued from page 1*

Cornell University 1973-1977 and began on a fifty-year experiment studying Buck moths near Lake Ontario. He knew Buck moths in NY were related to Midwest Buck moths; they had moved east after the latest Ice Age, then north.

John lives in the Catskills. He fondly recalled working with many now-deceased SPB members.

John said fragmenting a habitat creates lots of island habitats leading to gradual decreases in diversity. He said SPB demonstrated in court that the local Pine Bush is an island in a sea of deciduous forests and, today, developments.

A Karner Blue Butterfly (KBB) project was begun at Cornell in 1973. It was quickly evident KBB were in deep trouble; most had been wiped out. The state put the KBB on the endangered species list -- the first insect listed -- followed by the national government. SPB was able to halt developments relying on the need to maintain minimum acreages.

He said the Albany Pine Bush Preserve Commission (APBPC) was set up about 35 years ago. The Thruway and Route 155 divide the Pine Bush into quadrants, each somewhat isolated, and those are further fragmented.

He said, APBPC has tried many activities, some more successful than others; some that were unsuccessful were quickly dropped. APBPC intensively manages the preserve.

John said he thinks before Europeans arrived, Native peoples may have also actively managed -- periodically burned -- the Pine Bush. They realized it was a unique landform, and left alone, would gradually be overwhelmed and become like the surrounding habitat. John said APBPC annually burns about ten percent of the Pine Bush.

John said global warming is a new force at work in the pine barrons and is transforming the entire world.

John said that his careful observation from having lived in the Catskill 30+ years is that diversity has dropped more than one-half on each square yard. Scientists worldwide observe similar results.

Micro level Pine Bush diversity is similarly collapsing, vegetation is shifting, global warmth is raging, nighttime temperatures are increasing faster than daytime temperatures, and local rains occur less frequently but more intensely.

Vegetation suffering is a global challenge, he said, and we must persuade the powers that be to recognize and act on this reality.

Regarding fragmentation, he said focus on what is happening to the soil. Dunes are living things, he said. Sand particles slowly move. Running heavy equipment over the dunes, as

he said APBPC does, may damage soils. John said we should use indigenous land management methods instead of Caterpillar tractors.

John said he stopped working with SPB in the late 1980s and began working with LIPBS, expertly led by former Governor Rockefeller's press secretary, Richard Amper.

John said that what we had done in the local Pine Bush, was done on a larger scale on Long Island. The local Pine Bush was once 25,000 acres; the Long Island pine barrens had been 250,000 acres, 110,000 of which are saved. John said he was the bridge between the two efforts.

John said his goal now is to boost SPB into fighting trim force. He urged SPB to advance this goal via launching a new lawsuit with global warming as the hook.

We can't win with a Noah's Ark approach, he said. We must think bigger. We hippies/boomers are getting old. We must replace ourselves. We must create a culture of replication. We must develop a politics of pragmatism. We must confront that all plants and animals are moving north.

Concluding his comments, he said he had ripped through many themes and he will post his ideas. He said no one person has all the answers, there is lots of brain-power on Earth, and maybe we can be successful.

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## *Karner Blues continued from Page 1*

from New York to Wisconsin. In spite of many efforts to restore these beautiful creatures, Karner blues (or *Lycæides melissa samuelis*) have seen their population drop or in some cases be abruptly and completely wiped out due to pesticides, loss of habitat and other factors.

When we consider the larger picture of butterfly populations broadly, a peer-reviewed article in the journal *Science* indicated that butterflies across the United States have been in a major decline the last twenty years. This data came from scientists who analyzed several studies, including studies led and organized by citizen volunteers, and finding there was about 22% fewer butterflies from within the 554 species and 12 million butterflies recorded between 2000 and 2020. "Species-level declines were widespread, with 13 times as many species declining as increasing."

Butterflies are sensitive to change, which on the one hand makes them vulnerable. However, the same factors that lead to fluctuations in their populations can also be a strength and help them bounce back rapidly. Dr. Eliza Grames wrote "Because they have such short generation times, even small conservation steps can make a big difference..." Citing the Karner Blue as a cause for some optimism, Grames wrote further "... one Karner Blue population in the Albany Pine Bush Preserve in New York rebounded from a few hundred individuals in the early 1990s to

thousands of butterflies..."

In spite of this local success, it is certain that with continued threats to their habitat across the country, as with the wild lupine plant on which the Karner Blue's caterpillars feed exclusively, the future of the Karner Blue's is uncertain. Extreme weather, such as the harsh droughts followed by severe wet seasons reported in Wisconsin have a significant impact on the butterflies and the lupine. The wild lupine itself requires a very specific habitat in which to grow, along the northern edge of lupine's range within essentially open sand barrens with limited oak and pine trees. Changes in weather patterns can and will continue to impact its abundance and availability for the blues.

Minnesota is as far west as the Karner Blues and lupine is found today. The Whitewater Wildlife Management Area in southeastern Minnesota is the one place the blues remain in the state. In the early 1980s, there was another population on the edge of the St. Croix River watershed when a road was built that wiped out the wild lupine causing the butterflies to disappear there.

The very particular type of landscape Karner Blues require has been all but eradicated the last couple hundred years. Land gets used for agriculture, trees grow over open land without fires or other disturbances to clear it, climate change leads to dramatic changes in temperature, precipitation and seasonal timing which can all quickly disrupt Karner Blues chances of survival.

In 2019 the U.S. Fish and Wildlife Service stated that the blue's should remain on the endangered species list because their 'recovery unit' populations had disappeared in Minnesota and Indiana. And while some populations showed improvement, others stayed low or are on the decline. Some of the main threats to the blue butterflies' chances of survival listed in the report included, "loss of habitat due to natural succession, lack of management, invasive species and commercial, industrial and residential development."

That having been said, from St Croix River to right here in Albany New York, the story clearly isn't over for the Karner Blue butterflies. With prescribed burns to keep sandy grasslands open, purchasing and protecting lands on which they inhabit, managing the land properly, encouraging lupine to grow along with other flower species that the adult blue's feed on, efforts to preserve these mystical "blue snowflakes" of the natural world will surely continue and their populations can be restored and preserved for future generations.

Find the full article and references at: The Karner Blues: Endangered butterfly barely survives along St. Croix River as similar species also struggle at [www.stcroix360.com](http://www.stcroix360.com).

*Editor's note: I am astounded at how much money Pyramid has been given by our government. A big thanks to the Altamont Enterprise for this excellent story. Read the entire article by subscribing to the Altamont Enterprise, the best newspaper in the Capital District.*

## Pyramid turns down IDA tax break for Costco

Thursday, March 27, 2025 - 18:57

The Enterprise — Michael Koff

GUILDERLAND — Pyramid Management Group, the owner of Crossgates Mall and developer of the long-planned Costco Wholesale on Western Avenue, recently notified the Guilderland Industrial Development Agency that it was withdrawing its application for already-approved tax breaks worth \$2.2 million.

The withdrawal came as a surprise to both IDA board members and staffers as attorneys for the agency were negotiating with Pyramid over the subsidy right up until the day before IDA Chief Executive Officer Donald Csaposs received the March 20 letter informing him that Pyramid would forgo the multi-million dollar exemption.

The letter gave no explanation for the withdrawal although Csaposs, during the March 25 IDA meeting, cited another company that had walked away from a grant because of obligations attached to it.

“I was surprised,” Csaposs said of Pyramid’s withdrawal. “I got a call from company counsel letting me know this. Surprised to say the least.”

The move is all the more surprising considering that Pyramid has been a poster child for securing public funds for private benefit.

Over approximately the past two decades, Pyramid has received over \$60 billion in government-funded exemptions, grants, and tax credits doled out in the name of economic development. Only six corporations statewide can lay claim to having been on the receiving end of more than Pyramid.

Between 2002 and 2022, Pyramid, by way of its affiliated LLCs, received over \$973.5 million in taxpayer funds spread across 93 awards, according to Good Jobs First, a not-for-profit research organization that advocates for transparency and accountability of government-funded corporate subsidies.

While most of its success has been at the state level, Pyramid has also cashed in on federal handouts, receiving nearly \$7 million in Paycheck Protection Program Loans during the pandemic, none of which had to be repaid.

### Tax certiorari cases

Pyramid is not only successful at receiving public funds, it’s also quite adept at clawing back

its property-tax payments.

In Rockland County, a tax certiorari case that played out over a number of years was recently decided, as Pyramid sought to have the fair-market value of its Palisades Center mall slashed by as much as 73 percent.

Between 2020 and 2024, the municipality of Clarkstown said the fair-market value of the Palisades Center increased from \$471 million to \$578 million, while Pyramid argued that the value had dropped significantly, from \$230 million to \$155 million.

A judge ultimately found in favor of Pyramid — the town and company came to an agreement on a \$300 million full-market value — and determined that Pyramid was owed over \$27 million property tax payments.

In Syracuse, the company is locked in a three-year battle with the city to lower the assessed value of its Destiny USA Mall by \$24 million, from \$29.5 million to \$5.15 million. The case is ongoing.

A 2008 agreement between Pyramid and the city of Pittsburgh held the assessed value of the Champlain Centre mall steady at \$36 million of assessed valuation over an approximately seven-year period. For the 2015-16 and 2016-17 tax years, the city increased the Champlain Centre’s assessed value to \$49.4 million. The Champlain Centre challenged the increase and won, with the court ordering an assessment reduction to \$28 million for 2015-16 and then to \$25 million for 2016-17.

Pyramid was back at just a few years later, as it successfully challenged its 2020 and 2021 \$25 million assessments for Champlain Centre, receiving a \$15 million reduction for both years, which translated to the city and school district having to send back \$750,000 in tax payments.

In March 2024, Guilderland and Crossgates Mall laid to rest their own multi-year property tax ordeal. The judge overseeing the case ordered that Crossgates’ 2020 and 2021 assessments be lowered to \$258 million and \$177 million, respectively. The town had valued the property at \$282.5 million for both years. The March 2024 ruling also set the mall’s assessed value for 2022, 2023, and 2024 at \$177 million.

### Costco

Pyramid first made its tax-break request to the Guilderland IDA in March 2023, shortly after the town’s planning board approved Costco’s site plan, allowing the project to move on to the zoning board for its special-use permit.

At the time, Pyramid’s ask was for \$475,000 in tax exemptions: \$400,000 in sales-tax relief and a \$75,000 break on the state’s mortgage-recording tax, but the request did not last long.

Just two months later, Pyramid came back to the IDA seeking to quadruple its subsidy, looking

for \$2.2 million in tax exemptions: \$2,123,600 in sales tax relief and a \$75,000 break on the state’s mortgage-recording tax, and for the IDA to use its power of eminent domain to help it “acquire and extinguish any interest” the town has with roadways on the project site.

At the time, project costs increased from \$39,900,100 to \$41,400,100, according to an amended application submitted on May 16, with machinery and equipment costs accounting for the entirety of the increase, from \$8 million to \$9.5 million. In its amended application, Pyramid increased the amount of requested exemptions, from sales and use taxes, from \$5 million to \$26.55 million.

Two months after significantly increasing its exemption request, Pyramid’s benefits package was approved by the IDA. The project would languish for months as the final of many legal proceedings seeking to stop the Costco Warehouse played out.

In June 2024, the justices of the state Supreme Court’s Third Appellate Division in Albany upheld the IDA’s decision to condemn and hand over to Pyramid town roads in the project site.

The decision was the fifth in four years to uphold the town’s approval process of what was initially a three-site development proposal from Pyramid for: over 200 apartments and townhomes; a 160,000-square-foot warehouse-price club; and, only recently, a \$55 million 120,000-square-foot regional cancer center.

Four of the lawsuits were brought by the same petitioners — Westmere residents Thomas and Lisa Hart along with the owner of 1667 Western Ave., LLC, home to a Mobil gas station and Stewart’s Shop — while a fifth was brought by Save the Pine Bush. This final suit, which was the fourth brought by the Harts and their business neighbor, was filed 16 days after the IDA signed off on the \$2.2 million in tax breaks and approved taking the roads; the town received \$686,000 for its condemned property.

But, even with all impediments extinguished, the project continued to bump along. During an October 2024 meeting, IDA attorney A. Joseph Scott explained that the project was being held up by funding.

“There were some changes in the straight lease transaction necessitated by some changes in their construction financing,” meaning that Pyramid had to go out and find another \$6.5 million in construction financing, on top of the \$7 million it had already borrowed.

*Editor's note: The remainder of the article can be read at the Altamont Enterprises website, <https://altamontenterprise.com/03272025/pyramid-turns-down-ida-tax-break-costco>*

# Proposed Developments in the Pine Bush

by Lynne Jackson

COLONIE AND GUILDERLAND - Its spring, so, it is construction season in the Pine Bush. The Town of Colonie has seen a number of proposed warehouses in the Pine Bush.

The most recent proposal is 2889 Curry Road, Colonie. Though this parcel is small, about 1.7 acres, it is bounded on the south by land recommended for full protection, and across the road to the northwest, there is Pine Bush Preserve land. The Colonie Planning Board heard a "sketch plan review" on March 25. Three members of Save the Pine Bush attended and objected to the construction of the proposed warehouse. Constructing this warehouse would further fragment the Pine Bush.

The most recent proposal in Guilderland is on 21.9 acre site located in the Pine Bush ecosystem on land recommended for partial protection, and bordered by land in the Pine Bush Preserve. The developer, Frederico Polsinelli, is proposing a 15-house sub-division. A number of members of Save the Pine Bush and the Guilderland Coalition for Responsible Growth attended both the Guilderland Environmental Advisory Council and Guilderland Planning Board meetings about this parcel. The site plan showed how the developer would place the 15 houses to avoid the large sand dune on the property and to build the houses a safe distance from the creek bank (also known as the "angle of repose").

At the meeting, the Save the Pine Bush Mapper was first publicly displayed. First I gave my remarks to the Planning Board on why this

# Save the Pine Bush Mapper

THE INTERNET: On the Save the Pine Bush website you can find two useful tools for tracking and analyzing proposed developments in Pine Bush.

The agenda tracker checks the websites of the City of Albany, Town of Colonie, Village of Colonie and Town of Guilderland and automatically downloads them from their websites. It then converts them to text format, scans them for addresses, tax map codes, and mentions of the Pine Bush. Then it matches them to a list of all known Pine Bush parcels from county tax maps and links them against the protection recommendation of the Albany Pine Bush Commission.

The mapper is an interactive map that pulls together county tax maps, aerial photos from 1952 to 2024, topographic maps, Albany Pine Bush Commission data, wetlands and terrain maps from DEC's Environment Resource Mapper. Multiple layers can be added and swapped using the box on right hand corner. It pulls up-to-date data directly from government-run ArcGIS MapServer and is powered by LeafletJS.

[www.savethepinebush.org/agenda](http://www.savethepinebush.org/agenda)

[www.savethepinebush.org/mapper](http://www.savethepinebush.org/mapper)

this parcel should be purchased and preserved. Then, I asked the planner who was running the computer displays, to go to the Mapper so that everyone in the room would be able to view the parcel on the Mapper website. Then, I asked that the layer for the "DEC informational wetlands" be displayed. Up until that point, no one had mentioned that there may be wetlands on the site, but, the Mapper showed that there were definitely DEC informational wetlands present. And how building around the sand dune, creek, and the informational wetlands would be extremely challenging.

The chair of the Planning Board strongly suggested to the developer's representative that the Planning Board would prefer a cluster development to the traditional subdivision on this site.

Of course, Save the Pine Bush believes nothing should be built on the site and that the Town of Guilderland should acquire it and

dedicate it to the Preserve. We plan to follow this proposal closely.

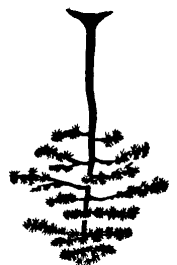
It is extremely important that people attend the Planning Board meetings to object to any proposed development in the Pine Bush. We need to really push to get the last approximately 2000 acres of privately-owned Pine Bush ecosystem in the Preserve. We particularly need people who live in the Town of Colonie to come out to meetings. Please let me know at [contact@savethepinebush.org](mailto:contact@savethepinebush.org) if you would like to be notified of meetings.

## Driver(s) Needed

Some of our Save the Pine Bush members need a ride to the dinner! What we especially need is someone to drive one of our members who has allergies to animals and fragrance. If you have no pets, don't wear perfume and would like to help out, please email [contact@savethepinebush.org](mailto:contact@savethepinebush.org). Thank you!

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