

TOWN BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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THE CONTINUED PUBLIC HEARING IN RELATION TO THE PROPOSED UPDATES AND AMENDMENTS OF THE COMPREHENSIVE PLAN PURSUANT TO NEW YORK STATE TOWN LAW SECTION 272 A

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THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, on May 9, 2019 7:21 p.m. at Memorial Town Hall 534 Loudon Road, Newtonville, New York 12128

BOARD MEMBERS:

- PAULA A. MAHAN, SUPERVISOR
LINDA MURPHY, DEPUTY SUPERVISOR
PAUL ROSANO
DAVID GREEN
CHRISTOPHER CAREY
MELISSA JEFFERS-VONDOLLEN
JENNIFER WHALEN

ALSO PRESENT:

- Michael C. Magguilli, Esq. Town Attorney
Julie Gansle, Town Clerk
Michele A. Turcotte, Deputy Town Clerk
Charles Voss, PE, Barton and Loguidice
Edward Schmidt
Elaine Sacco
John Frazer, Superintendent, Pure Waters
Mary Beth Buckner
Tom Sorensen
Barbara Numrich
Lisa Baron
Susan Laurilliard
Pat Auger
Jessica Mahar
Wendy Allen
Gloria Knorr

Schmidt Exhibit 1 - Written Submission

1 MS. GANSLE: This public hearing is being  
2 continued by Resolution of the Town Board 224 for 2019  
3 dated April 18, 2019 to continue to hear all persons  
4 and related to the proposed updates and amendments to  
5 the Comprehensive Plan for the Town of Colonie. The  
6 Town Board will now hear all persons interested in this  
7 proposal.

8 SUPERVISOR MAHAN: From any of you who were here  
9 the last public hearing, we kept this open. The  
10 consultants are still working on the profile. So, we  
11 don't have anything completed this evening for you to  
12 hear about. Certainly, the public hearing is still open  
13 if anybody has anything to comment about.

14 MR. SCHMIDT: My name is Edward Schmidt. Somebody  
15 mentioned at the last meeting that some of these things  
16 didn't seem to have teeth in them. I believe it was one  
17 of our attorneys, I think.

18 Anyway, I looked at it and I thought - well, we  
19 have visions and goals, right, in this document? The  
20 goals drive what you do with developers and what their  
21 plans are. I was thinking maybe what we could do is tie  
22 something that the proposal that they would submit that  
23 would respond to the vision and the goals in the  
24 document.

25 For example, I put in an electronic copy - I

1 submitted it. I don't know if you have looked at it yet.  
2 I thought if you took a goals, and you asked the  
3 consultant - there is a goal to conserve a network of  
4 open lands, farmland and habitats and all that other  
5 stuff. The developer's submittal shall discuss how to  
6 protect and enhance and minimize impact on these  
7 resources. It will connect the trails to an existing or  
8 planned trail. I think that if you did this for each  
9 goal of the document and the proposal had to respond -  
10 with what they are doing to address that goal in the  
11 Town - we have these goals that are going to drive us  
12 into the future, we would know if it is a good proposal,  
13 or if it's a really bad proposal or something in  
14 between. We would know how it relates to what our vision  
15 is and what our goals are. That's what I want to say. I  
16 want to clarify what I meant by my ideas.

17 SUPERVISOR MAHAN: Thank you, very much.

18 MS. SACCO: My name is Elaine Sacco.

19 I looked over the PDF proposal and it looks like  
20 the long-range planning about taking into account the  
21 recreational parts of our community - that we are losing  
22 a lot of green space and with the way that is weather is  
23 changing, we need every tree. A reason to develop green  
24 space - not just in the Crossings or along the Mohawk  
25 River, but within our community so that we are close to

1 green space continuously.

2 It is proven that everybody that lives near green  
3 space has lower blood pressure, it is better for  
4 children, it's better for pollution. So, I appreciated  
5 that long-range Planning that was going into looking  
6 into reevaluating all of our green space and  
7 recreational areas. I thought that was great.

8 Also with the weather changing in that we are going  
9 to be having with more heavy rain, the storm drain was  
10 being planned for the new housing, but if it's also  
11 being planned for the extended period of rain like we  
12 had with Sandy or Irene - if that's also part of the  
13 Planning that we plan for something that is unplanned -

14 SUPERVISOR MAHAN: That is something that is  
15 worked on within the departments - our Department of  
16 Public Works. There are lots of improvements in  
17 infrastructure. There have been a lot in the past  
18 several years. Our Water Department - our Pure Waters  
19 which is our sewer department and our Storm Water  
20 Department - they all have long-term plans in place.  
21 So, those will continue into completion. Most of them  
22 are 10-year plans. We feel we can get to a point where  
23 we need to be in the future.

24 Regarding the drains and things like that, John,  
25 correct me if I'm wrong, years ago they planned for a

1 10-year storm and now the designs are really built to  
2 handle the 100-year storms.

3 Am I correct, John?

4 MR. FRAZER: Yes.

5 SUPERVISOR MAHAN: The new pipes and things that  
6 are being placed - they can accommodate the types of  
7 storms that we are getting to a degree. Years ago they  
8 said 100 your storms but they seem to occur faster.  
9 It's very hard.

10 John, I don't know if you want to add any more to  
11 that.

12 John Frazer is our superintendent for the water  
13 department.

14 MR. FRAZER: I know that when we do Planning work  
15 at the department level - that we spend a tremendous  
16 amount of time on storm water, both from a quality  
17 standpoint and quantity standpoint which is what I  
18 think the major concern here was. We spent a  
19 significant amount of time in the storm water group to  
20 address those issues.

21 MR. ROSANO: John, the storm water regulations are  
22 constantly being updated every couple of years, right?  
23 We get new regs that come out every so often and most  
24 of the time with developers, we have actually asked  
25 them to go a little bit better if they can because we

1 know that storms are coming.

2 MR. FRAZER: I know the DEC just change the  
3 standards 2 to 3 years ago and that we have active  
4 staff from the Department of Public Works that are  
5 participating in the county level with storm water in  
6 general. So, yes, if there is change, the Town of  
7 Colonie is on the leading edge.

8 SUPERVISOR MAHAN: We are a member of the Albany  
9 County Storm Water Coalition and we have a Storm Water  
10 Department in Town. It was formed to address the  
11 regulations and changes that occur. So, our Storm Water  
12 Department staff takes a very active role - leading  
13 role in the Albany County Storm Water Coalition. Yes,  
14 those concerns that you have mentioned for the future  
15 and what is going on with storms - the changes in the  
16 climate change and all of that - that is constantly  
17 being reviewed and addressed in our departments as well  
18 is working with the other agencies.

19 MR. FRAZER: From the very early phases of any  
20 project, storm water is involved, as drinking water is,  
21 as sewer is. They are very active from the beginning.

22 SUPERVISOR MAHAN: Thanks, John.

23 MS. SACCO: I used to work at a nursing home and I  
24 would hear the people that lived in Colonie would talk  
25 about all the farms in Colonie - all up and down Wolf

1 Road, Sand Creek, up Route 9 and it just sounded like  
2 such a nice life - how you could just go to a farm  
3 right here in Colonie.

4 I just wondered as we develop our Town- somehow  
5 retain our heritage of farming - our produce went down  
6 to Market Street and Grant Street in Albany and we  
7 didn't have the big markets right here like the  
8 Crossings has now.

9 Do we had as an enhancement or tax incentive for  
10 small farmers to come in and start a Christmas tree farm  
11 or start an apple orchard for some of the open space, or  
12 just something for people to come to other than to  
13 Colonie down Central Avenue just to buy a car -- it  
14 seems like all the new businesses along Central Avenue  
15 are all dealing with car industries and not something  
16 that the people right here that live - something to draw  
17 people to come to Colonie to make it unique.

18 SUPERVISOR MAHAN: I don't know if you read the  
19 recent article in the Times Union, it was quite  
20 interesting. Everything goes through a cycle.

21 Years ago there was a big article on a former  
22 planner. It kind of spoke to back when Wolf Road was had  
23 the farms and everything. This person was in Planning  
24 for a long time as a Director. Back then the thought was  
25 - the way it was explained in the paper was he was part

1 of Wolf Road and the business there and knew all the  
2 farmers and everything. Wouldn't it be a great idea if  
3 farmers could network and sell their land and build  
4 businesses and that would be their retirement. That was  
5 many years ago and that's what happened with a lot of  
6 them. Some of the last farms that were around have been  
7 sold for retirement. One of the things that we did  
8 recently and this was not too long ago - maybe last year  
9 - we put in an open space fund fee which developers  
10 would contribute to. One part of that is to buy more  
11 open space and preserve land. That is land such as  
12 farms, waterfront and environmentally sensitive lands.

13 So, with our mitigation areas in the Town- there  
14 are three GEIS areas, I should say - they already  
15 contribute somewhat. So, we level the playing field  
16 where now everyone will have to contribute. The  
17 developers will have to contribute. That's one thing  
18 that came out of the Comprehensive Plan survey, as we  
19 all value the open space and farming land and waterfront  
20 land and whatever it might be - to find a mechanism to  
21 do that. Most people don't want to pay for that.

22 So, another way of doing that was having that as a  
23 fee as part of a schedule for the developers. There are  
24 lots of thoughts on that and ideas because we do have  
25 some farms left in Town and of course it is their right



1 to do what they want with it. We are hoping that maybe  
2 we could come up with some other options and work  
3 together in some of those areas. It has been in the  
4 works for little while and it's very important to us as  
5 well.

6 MS. SACCO: Thank you.

7 MS. WHALEN: I just have a question about that.  
8 Maybe Mike knows. I know on the state and federal level  
9 you can give incentives for farmers to keep their land  
10 and not sell out to developers, but is there anything,  
11 Mike - - I'm asking Mike who is our counsel because  
12 maybe he knows if there is any mechanisms that are more  
13 direct that a municipality can offer to landowners in  
14 terms of incentives or tax initiatives. I know on Forts  
15 Ferry there is a newer farm.

16 SUPERVISOR MAHAN: The Forts Ferry Organic Farm.

17 MS. WHALEN: Do they get any kind of reward from  
18 the Town directly for their initiative to make that a  
19 go, for instance? That's probably a farm that could  
20 have been developed, but it has not been developed,  
21 right, because it is an organic farm. I'm certainly  
22 aware of state and federal benefits that can be offered  
23 to folks like that, but what about municipalities? Is  
24 there anything that we can offer? The open space  
25 mechanism, as referenced, is excellent, but is there

1 anything even more direct? That is a great thing, but  
2 the concept behind it is that the land is already going  
3 to the developer.

4 MR. MAGGUILLI: We have certain provisions in our  
5 Land Use Law that provide benefits and incentives to  
6 conserve property. I don't think there's anything  
7 specific to Colonie. It's more geared toward green  
8 space and open space, which doesn't rule out farming,  
9 per se. I don't know of any program that any  
10 municipality has that is geared specifically to attract  
11 farmers. It's something that we can certainly look  
12 into.

13 SUPERVISOR MAHAN: There are some grants out there  
14 that we would like to look into.

15 MR. MAGGUILLI: But nothing on a local level.

16 SUPERVISOR MAHAN: No, not to my knowledge.

17 MS. WHALEN: It's a good question.

18 MR. MAGGUILLI: There are certain tax incentives  
19 that are available and administered by the Town. Again,  
20 they primarily come from the state.

21 MS. WHALEN: There are no direct tax incentives  
22 that we can give. We can't really give any. I will look  
23 into it.

24 SUPERVISOR MAHAN: Thank you.

25 MS. BUCKNER: Hi, my name is Mary Beth Buckner and

1 I got involved with Save when I came home from Florida  
2 a few years ago and Maxwell Road was all clear-cut.  
3 That got my passion up. So, I just wanted to share a  
4 couple of comments with you tonight.

5 I would like to share an analogy. Just bear with me  
6 it's not long, but I believe it gives a very clear  
7 understanding of my concerns.

8 When I was a young girl my mom attempted to tell me  
9 how babies were born. She said when two people love each  
10 other, they want to be very close because they have such  
11 strong feelings and when they are close the seed passes  
12 and then they get a baby. It was a very vague ethereal  
13 and sweet. I mulled over my mother's explanation and the  
14 next morning I asked my mother point blank: Does flesh  
15 have to touch flesh? So, the analogy that I have for me  
16 that I keep feeling with this Comp Plan is that there  
17 are many sweet ethereal goals, objectives but unless we  
18 put some serious flesh into it we will never get the  
19 baby that we, as the residents, are looking for.

20 One thing that really upset me was when I read the  
21 implementation table section that said it is important  
22 to know that these are recommendations only and are not  
23 binding in any way, nor do they commit the Town to any  
24 direct action. They are meant to serve as a guide to  
25 assist the Town with its future land use growth and

1 development decisions. The implementation of these goals  
2 and recommendations will ultimately be the  
3 responsibility of current and future Town  
4 administrations and officials over the next 5 to 10  
5 years.

6 How are we going to have meaningful changes? How  
7 are we going to impact some changes if we don't have  
8 some meat to it? Examples are: Will the Land Use Law  
9 fixes that need to be addressed - are they going to be  
10 included concretely in the Comprehensive Plan document?  
11 Will there be some consultation and coordination with  
12 the Planning Board and the Zoning Board?

13 We are tired of hearing Planning Board Members tell  
14 residents there's nothing they can do about it. There's  
15 nothing they can do because it's in the law. It was in  
16 the law that you can't cut trees above a certain size,  
17 but they got cut anyway. So, I think we have to make  
18 sure we adjust our rezoning changes, our setbacks, our  
19 density building heights, our PSSs, etcetera. There  
20 needs to be a deeper level of specificity included in  
21 the Comp Plan and not left for some vague time in the  
22 future.

23 Who is going to be responsible for what? How will  
24 they do this? When will it get done?

25 I think if it's too ethereal and sweet, you're not

1 going to get the results that you want. You're not going  
2 to get the baby that we are hoping for here. Thank you.

3 SUPERVISOR MAHAN: Thank you, Marybeth.

4 Anyone else?

5 MR. SORENSEN: My name is Tom Sorensen, 342 Old  
6 Loudon Road. I called the Police Department and I  
7 reported an accident at an intersection. They asked me  
8 some questions; how many vehicles are involved, anybody  
9 hurt, what type of vehicles, was the traffic blocked?  
10 Pretty soon, a cruiser shows up. They came to  
11 investigate it. They take my word that an accident  
12 showed up. I'm just a voice on the telephone, but they  
13 act.

14 The same thing with the Water Department. You tell  
15 them that there's a fountain 10 feet high on such and  
16 such a street, they show up with a truck.

17 The Planning Board is a different matter. I want to  
18 bring up the Starlite project as an example of this.  
19 Specifically, the traffic problems that are going to  
20 occur, I think, at the Starlite project.

21 It's a done deal. I know it's going to be built. I  
22 hope it works out. I really do. I hope I'm wrong.

23 Last year they were four meetings on Starlite. The  
24 first meeting that I went to was in March, I believe.  
25 Creighton Manning made a presentation on the traffic - a

1 traffic study. The Board passed it unanimously.

2 This is the first time I'd seen that information.  
3 It looked wrong to me. Based on what I had seen in the  
4 previous traffic studies 10 years earlier for GEIS and  
5 also previous studies before that. So, I went back home  
6 because I knew another meeting was coming up. I went  
7 down and I counted cars at an intersection down there  
8 just to see how many cars were going to this  
9 intersection, so I could compare it to what Creighton  
10 Manning said they found. My count was over 100 cars  
11 higher per hour than what Creighton Manning presented. I  
12 presented documentary evidence of that to the Planning  
13 Board in the next two meetings which they ignored.

14 Again, it was a nice little trick. They say give us  
15 all your questions and sit down and then we'll answer  
16 them. Then, they just dismiss them one by one. So, in  
17 the last meeting in which they held - - I can't remember  
18 exactly what was held, but it was the final meeting. If  
19 the Planning Board approved this meeting, which they  
20 did, then the project would go forward. I presented  
21 other information - more document giving information  
22 handouts comparing the Creighton Manning traffic study  
23 from 2011 - the GEIS -

24 MR. MAGGUILLI: This is a public hearing on the  
25 Comprehensive Plan and not on projects that have

1 already been before the Planning Board.

2 MR. SORENSEN: I have a point to make, Mr.  
3 Counselor.

4 MR. MAGGUILLI: If you could please address your  
5 comments to the terms of the Comprehensive Plan, we  
6 would appreciate it.

7 MR. SORENSEN: On page 27, the statement of  
8 increase notification time by the Planning Department  
9 of communications for Planning Board agendas.

10 My point is: I presented documentary evidence to  
11 the Planning Board and they ignored it. What does it  
12 matter how much notification time we have if you go up  
13 to the Planning Board with documentary evidence and they  
14 simply just say sorry, we're not interested? Are the  
15 police going to say sorry, you reported an accident, but  
16 sorry I can't show up? That's ridiculous. They're not  
17 going to do that. That's exactly what the Planning Board  
18 has been doing. That's what they did on the Starlite  
19 project.

20 So tell me: What increase notification - how is  
21 that going to improve things if the Planning Board is  
22 simply going to ignore us?

23 SUPERVISOR MAHAN: Have you had any conversations  
24 with the Planning Board?

25 MR. SORENSEN: I went to all four meetings. He

1 told me to sit down they would answer my questions at  
2 the end of the meeting.

3 SUPERVISOR MAHAN: I'm not referring to just those  
4 questions in general. I'm referring to: Have you ever  
5 communicated to them what you are communicating to us  
6 about the concerns about the Planning Board? In other  
7 words, you don't feel that their listening -

8 MR. SORENSEN: I know they're not listening. I  
9 don't know why. I know that if I go to them and asked  
10 the question, they're not going to tell me. They  
11 would've told me at the meeting when the approvals were  
12 made. That was my point.

13 Again, what difference does it make if we have  
14 increase notification if the Planning Board is simply  
15 going to ignore documentary evidence? All they had to do  
16 is send somebody down there for a couple hours and count  
17 cars to see if I was right. They didn't do it. That's  
18 not a big deal.

19 I'm sorry this is inconvenient for the Planning  
20 Board. I'm sorry to inconvenience the Town Board, but  
21 that's what happened.

22 SUPERVISOR MAHAN: It's not inconvenient, sir.  
23 Your concerns certainly are - you have the prerogative  
24 of discussing them.

25 We can't answer any of that because we are not the



1 engineers. I don't know if the timings were the same,  
2 but it certainly is a question for the engineers. It is  
3 a legitimate question. I think you have a legitimate  
4 question.

5 If you want to look at what they calculated and how  
6 you did it and how they did it, those are engineering  
7 questions and we can't answer those, but certainly you  
8 have a right to express - not in any particular project,  
9 but just your concern. If you have other concerns beyond  
10 that, you certainly have a right to discuss it with  
11 them.

12 MS. WHALEN: I do have to say that it would be  
13 convenient to look into this if we had tapes of the  
14 meetings that were videotaped, like these meetings  
15 here. Reading a transcript, you lose a lot of the tone.  
16 Your comments are addressing maybe also the tone.  
17 Hopefully, very soon, the Planning Board meetings will  
18 be videotaped because that would be something that I  
19 would like to go and look at to see what was said and  
20 how it was received. Alas, we can't because they are  
21 not videotaped and they are only transcribed.

22 Hopefully very soon - I made the point that one of  
23 the things that should be referenced on page 27 in our  
24 Comprehensive Plan is something that says that  
25 communication would be improved by videotaping the

1 meetings like we are doing here.

2 MR. SORENSEN: That would be a good idea. You have  
3 members of this Board that attended those meetings. Mr.  
4 Rosano was at the first meeting. Mr. Giuliani was at  
5 the first meeting. He sat with the Planning Board.  
6 Madam Supervisor, you were at one of the meetings. I  
7 think Ms. Murphy was at one of the meetings. Just ask  
8 them. They are your colleagues on this Board. Ask them  
9 what happened. Maybe their memories are faded a little  
10 because it's been over a year, but they seem to be  
11 smart people.

12 MR. ROSANO: Mr. Sorensen, since you dragged me  
13 into this, let me just ask you a couple of questions.

14 Are you a traffic engineer?

15 MR. SORENSEN: I am not. Is your Town Engineer a  
16 traffic engineer?

17 MR. ROSANO: No, but we had a traffic engineer  
18 give us a report - a third-party who doesn't work for  
19 the Town. Creighton Manning does not work for the Town  
20 of Colonie. They are third-party. We don't have a  
21 traffic engineer in the Town of Colonie. So, he comes  
22 in and gives us documentary evidence to report to the  
23 Planning Board. This is the traffic study. You're  
24 sitting on the Planning Board. A Resident comes up and  
25 says I stood out on the road and counted cars. Which

1 would you take? Which one do you believe?

2 MR. SORENSEN: If a resident came up and said I  
3 counted cars, that's hearsay evidence and you don't  
4 have to believe them. But when he presents documentary  
5 evidence, you've got to say - - how did you count the  
6 cars, Mr. Citizen?

7 I didn't receive a single question on how I did it,  
8 why I did it, when I did it. They just took the paper  
9 and looked at it and your Town Engineer, which is a  
10 landscape architect and not an engineer, told me in the  
11 final meeting that's not the way we do it. He doesn't do  
12 traffic engineering, either.

13 MR. ROSANO: That's why we have a third-party that  
14 has no dog in this fight hired as a third-party to do  
15 traffic studies. The Planning Board is mandated to use  
16 those traffic studies.

17 MR. SORENSEN: He did one for the GEIS 10 years  
18 ago and then for 40% of the intersections they carried  
19 those numbers forward. For the intersection of 9 and  
20 Old Loudon Road they carried two of the numbers for the  
21 right turns north at Old Loudon Road and left turn  
22 toward south on Old Loudon Road. Those were carried  
23 forward from the 10-year-old study. Only the through  
24 traffic was presented as a current count. It was the  
25 lowest count they produced for that particular flow in

1 20 years. How convenient for the Starlite project. Now  
2 you're telling me that when I present documentary  
3 evidence the Planning Board doesn't have to consider it  
4 and they can simply ignore it. Give me a break, Mr.  
5 Rosano.

6 MR. MAGGUILLI: Are you accusing the engineers of  
7 cooking the books? Are you accusing them of  
8 falsifying --

9 MR. SORENSEN: I'm not accusing the Planning Board  
10 of not taking my evidence.

11 MR. MAGGUILLI: It sounds to me like you are  
12 making an allegation. I just want to make sure -

13 MR. SORENSEN: I'm not making any allegations at  
14 anybody except for the fact that the Planning Board is  
15 not taking documentary evidence into account.

16 MR. MAGGUILLI: If you have some proof that they  
17 did something improper, we would appreciate if you  
18 brought it to our attention.

19 MR. SORENSEN: I'm a citizen before the Town Board  
20 telling you what I know about it and what occurred. I'm  
21 not a lawyer looking for proof. I'm telling you what  
22 happened. I went out and I looked at the study that  
23 Creighton Manning presented and I said that looks  
24 really low to me because I'm really familiar with this  
25 particular intersection. So, I went down and counted,

1 presented the information to the Planning Board -  
2 adios. Right through. I don't have any proof. I am here  
3 as a citizen of the Town telling the Town Board that  
4 the Planning Board didn't do their job adequately on  
5 this particular project.

6 MR. MAGGUILLI: Can I ask you - what was the form  
7 of documentary evidence that you submitted?

8 MR. SORENSEN: All you have to do is go to the  
9 Planning Board and look at their file folder. I  
10 presented it. It's in their file folders.

11 MR. MAGGUILLI: What was it that you presented,  
12 sir?

13 MR. SORENSEN: I presented a document that said  
14 here's what I counted for these particular hours.  
15 Here's the number of cars.

16 MR. MAGGUILLI: Did it just list the number of  
17 cars in the date, I would assume?

18 MR. SORENSEN: Yes.

19 MR. MAGGUILLI: And the time that you did that?

20 MR. SORENSEN: Yes.

21 MR. MAGGUILLI: Do you know what, if anything, the  
22 Planning Board did with that document after it left  
23 your possession?

24 MR. SORENSEN: They simply put it in their file  
25 folder.

1 MR. MAGGUILLI: You don't know for sure. You don't  
2 have any direct knowledge?

3 MR. SORENSEN: I provided a copy to everyone on  
4 the Planning Board. I also had copies available to  
5 anyone in the audience who wanted to take one.

6 MR. MAGGUILLI: Do you know whether they  
7 considered it in any way?

8 MR. SORENSEN: They dismissed it.

9 MR. MAGGUILLI: Can I ask what you base that  
10 statement on?

11 MR. SORENSEN: The Town Engineer said we don't do  
12 it this way. That was the sole comment. We don't do it  
13 this way. His last comment in the final meeting was:  
14 oh, we gave Creighton Manning the authorization to  
15 carry the 10-year-old numbers forward on over 40% of  
16 these intersections. That's what I was told. Those were  
17 the comments.

18 MS. NUMRICH: My name is Barbara Numrich and I  
19 also live on Old Loudon Road. I attended all those  
20 Planning Board meetings. He is absolutely correct. At  
21 the end of that meeting Joe Grasso said he used the old  
22 numbers. I just want to support Tom in that statement.  
23 You're all looking at him like it doesn't matter. That  
24 is exactly what happened at those meetings.

25 MS. BARON: Hello. I'm Lisa Baron -

1 MS. WHALEN: Wait, I just want to say that it does  
2 matter to me and probably to all of us. Like, it  
3 matters. I am happy that he came and address this  
4 issue.

5 MS. BARON: A lot of us have had an experience of  
6 the Planning Board, I am afraid to say.

7 I live on Upper Loudon Road. I am a member of Save,  
8 as well.

9 I have some concerns about the way the Comp Plan  
10 was put together. We and many of us attended the  
11 workshops before the committees met - the meetings. It  
12 seemed to me that there is a huge gap between what  
13 people were saying at those workshops in which I read a  
14 summary by Mr. Welty who wrote up a summary. The  
15 summaries are at the bottom of the Comprehensive Plan on  
16 the website. They are way at the bottom and they are  
17 listed as notes. There are quite a lot of them. I doubt  
18 that too many people have read them. I have tried to  
19 read them the last couple of days. I am wondering if  
20 those notes were made available to the committee that  
21 was putting together the review of the Comprehensive  
22 Plan. It seems like they weren't.

23 I am wondering if anyone can tell me if they had  
24 access to those comments that were crucial to making a  
25 review of the plan. I'm just wondering if anyone can

1 tell me whether the committee had access to those  
2 comments. They were very well succinctly put and very  
3 important.

4 To me, it seems that there is a disconnect between  
5 what the plan proposes and what people were saying.

6 For instance, the density of development, the speed  
7 of development, the traffic that was getting people  
8 really upset and preventing them from getting where  
9 they're going being in gridlock.

10 For instance, the Comprehensive Plan suggests that  
11 there are more roads to be built and that there will be  
12 trails and sidewalks which are really not the answer to  
13 the problem of having too many people living in more  
14 dense projects that are being planned and still being  
15 built. There were a lot of comments about clear-cutting  
16 and preserving open space and right now there are two or  
17 three horrendous clear-cuts that I noticed; one at 155  
18 and Niskayuna Road where the traffic circle is. They  
19 took down acres and acres of woods there.

20 We have to be more concerned about identifying  
21 those trees and trying to save them. The plan says save  
22 the trees that can be saved, but they have given no  
23 specifics.

24 As Marybeth was saying, it is a very vague plan  
25 that can be ignored if we so choose, or if the Town



1 chooses to ignore them.

2 What assurances do we have that this plan is going  
3 to be implemented? This is a really important part of a  
4 plan where there has to be methods of adhering to it,  
5 otherwise we have gone through this whole process with  
6 nothing that assures that anything will be followed. We  
7 don't have transparency, I don't think. We have motions  
8 of transparency, whereas if we try to find out  
9 information, we have to file a Freedom of Information  
10 petition. This is not the way the democratic process  
11 works.

12 So, it's been very hard to even get people to speak  
13 into a microphone and project the plans as they do in  
14 every other community and every other business  
15 situation. The plans are projected. That could easily be  
16 done because the equipment is there. It hasn't been  
17 done, although we have asked for it for 10 years.

18 That's my frustration about some of these things  
19 that are happening. I think the plan needs to be  
20 augmented with specifics that make things happen. Thank  
21 you.

22 SUPERVISOR MAHAN: Thank you, Lisa.

23 MS. LAURILLIARD: Good evening. Susan Laurilliard.  
24 I'm a Town resident and a member of Save Colonie.

25 I had a couple of questions or just statements and

1 if you wanted to respond, that would be fine.

2 I was taking a look at the draft update and one of  
3 the things I couldn't find in there were any details  
4 regarding attempts made by the committee to reach out to  
5 the various stakeholder groups in the Town. When I  
6 looked at the minutes from the CPAC meetings, there was  
7 apparently a community ambassador outreach program. Was  
8 that ever followed through with - to get opinions from  
9 other people in the Town as far as where the  
10 Comprehensive Plan should be going. That's my question.  
11 I know Joe LaCivita is in the back and he was  
12 spearheading that effort.

13 My other question also was: Was there a business  
14 round-table outreach conducted? I noticed that there is  
15 no reference to any business interests in the Town, any  
16 feedback from them in any of the Comprehensive Plan  
17 documents. Looking at the meetings from the  
18 Comprehensive Plan Advisory Committee, it looks like the  
19 Committee had actually asked specifically that there be  
20 a business Roundtable scheduled. I couldn't see any  
21 minute meeting notes from that.

22 Would Mr. LaCivita, for your sake tonight, like to  
23 address whether or not there was a business round-table  
24 held?

25 I guess he is ignoring me.

1 SUPERVISOR MAHAN: I don't know if you could hear.

2 MR. LACIVITA: When she's done I'll answer all of  
3 her questions.

4 SUPERVISOR MAHAN: Okay, thank you.

5 MS. LAURILLIARD: The other question I had is -  
6 this is been sort of part of the process here. We are  
7 having these public hearings and I think this is the  
8 fourth one, if I'm correct. I diligently check the Town  
9 Board website after every meeting and actually spoke  
10 with the Town Clerk about this.

11 There are some transcripts that are uploaded to the  
12 website, but this public hearing transcripts have never  
13 been uploaded to the website. I know for fact - I know  
14 that we have our stenographer here and that she has  
15 already transcribed at least the first meeting and that  
16 is on file at the Clerk's office. So, I would like to  
17 ask in the spirit of transparency and participation in  
18 this process that you all are hopefully encouraging,  
19 that those transcripts be uploaded to the Town Board  
20 website.

21 Not everybody, but some people are hard of hearing  
22 and can't read or have access to video on their  
23 computer. I hate to bring up the Americans with  
24 Disabilities Act, but I think you need to post your  
25 transcripts from these hearings.

1 I understand that it is the Town Attorney who  
2 uploads these transcripts onto the Town Board website. I  
3 was hoping tonight to get a commitment from the Town  
4 Attorney's office that not only the business portion of  
5 this meeting, which is about 11 pages of ayes and nays  
6 and all of that - if the actual hearing transcripts from  
7 these public hearings - now the fourth one could be  
8 uploaded promptly and expeditiously on the website. That  
9 was my question there.

10 The other question I have and I think Mary Beth  
11 alluded to this fact. I couldn't see anywhere in any  
12 written comments and I will get to that in a minute.

13 Where are the Planning and Zoning Boards on this  
14 whole process? They have been in the thick of it for  
15 years. They are the ones who people are coming in front  
16 of and who were uttering the words: I'm sorry, there's  
17 nothing we can do. I don't see any feedback or any type  
18 of report from the Planning and Zoning Boards that could  
19 be helpful in this Comprehensive Plan review process.

20 So, I know, Supervisor Mahan, you stated you had  
21 been consulting with the Planning Board Chair Stuto. I  
22 don't know if he has submitted anything formally in  
23 writing to or if this is just conversations, but I think  
24 it would be helpful for all of us in the Town to get  
25 some feedback from Chairman Stuto and I think the ZBA

1 Chairman. I don't remember his name at this point. I  
2 think that would be really important here because it  
3 seems like most of the issues that are coming forward as  
4 part of this Comprehensive Plan review process have  
5 their origin in the Planning and Zoning Boards that is  
6 creating the issues that facing our Town. So, I would  
7 ask that they provide a report to the Town Board as far  
8 as what they think about the current draft of the Comp  
9 Plan and the suggestions they have because they are  
10 integral into everything that we are experiencing like  
11 all of the comments that are coming forward are  
12 basically as a result of the planning process here in  
13 the Town.

14 Finally I just wanted to - I don't want to set the  
15 record straight and I wasn't going to talk about this,  
16 but it was just repeated again tonight about this level  
17 playing field with open space fees. I want to make the  
18 statement that the fee of \$250 for the non-GIS  
19 open-space fee is not the same fee that someone pays in  
20 the Lisha Kill GIS area. It is not the same fee that  
21 someone pays an airport area and it is not the same fee  
22 that is paid in the Boght Road area.

23 As far as the fees in those areas, the airport area  
24 open-space is not even an open-space fee. It is \$161 per  
25 dwelling unit and not even a commercial unit. That

1 hasn't even been addressed since the 1990 GEIS. I would  
2 like to say that it is a level playing field that  
3 someone has to pay some type of a fee, but it's not the  
4 same fee throughout the and I just want that to be on  
5 the record that it has been explained that we have a  
6 level playing field. We really don't. Thank you.

7 SUPERVISOR MAHAN: I was referring to that the fee  
8 schedule also is including them to paying a fee. I  
9 wasn't going into specifically who pays what or per  
10 dwelling unit or per acre or whatever. I was saying a  
11 level playing field in the sense that everyone was  
12 paying if they were developing.

13 MS. WHALEN: I have a question though about the  
14 transcripts. I'm going to need the copies of the  
15 transcripts from these meetings. Are they really not  
16 online? Like, are the transcripts from - - this is a  
17 meeting and so you're taking the transcript. The public  
18 hearings are sectioned out of the entire transcript for  
19 this meeting, is that when I'm understanding? They are  
20 not posted online - just the ayes and the nay part.

21 THE STENOGRAPHER: They are all sent to the Town  
22 Attorney's office via electronically. As of this past  
23 week, the first two public hearings on the Comp Plan  
24 have been delivered and I do owe you folks for the last  
25 public hearing.

1 MS. WHALEN: So, the transcripts have been  
2 submitted from the first two meetings where there were  
3 public hearings introduced on the Comprehensive Plan.  
4 You don't upload them on the website, you just submit  
5 them. Is the whole transcript from the meeting loaded  
6 on the website including the public hearing portion?

7 MR. MAGGUILLI: They are done separately.

8 MS. WHALEN: Because I can watch the tapes but I  
9 don't really like watching myself on tape. I would  
10 actually rather read like the transcripts.

11 MR. MAGGUILLI: You really have to talk to Lisa  
12 Travis. She gets involved in physically posting these  
13 things on the website. I don't know how to do it. I  
14 know Nancy sends them to us by email, we provide them  
15 to the technical department, Lisa Travis and then her  
16 people post things to the Internet. We have no reason  
17 not to post them.

18 MS. WHALEN: So, if they are not being posted -  
19 the whole file should be posted by that office -

20 MR. MAGGUILLI: It is my understanding that  
21 everything is posted.

22 MS. WHALEN: I will be looking.

23 MR. MAGGUILLI: It may not be posted as quickly as  
24 some people would like, but that's a dictate of a  
25 function -

1 MS. WHALEN: I'm not talking about the timeliness.  
2 I'm just talking about the entire transcript should be  
3 posted and not sections redacted out.

4 MR. MAGGUILLI: Nothings redacted out.

5 MS. WHALEN: That's what I think they were saying  
6 is that the entire meeting -

7 MR. MAGGUILLI: Nancy, would you explain to Ms.  
8 Whalen how you do it?

9 THE STENOGRAPHER: Each individual public hearing,  
10 as well as the main meeting where you folks go through  
11 the Resolutions - those are all separate transcripts  
12 and they are at the request to be separated that way by  
13 the Town Board, or the Supervisor, or of Mike. That has  
14 been the way I have been submitting them for the last  
15 15 years or so. Those are all uploaded to Mike's  
16 secretary who then, to my knowledge, forwards them to  
17 the IT department. So, after they are released out of  
18 my computer I can only tell you that's where they are  
19 that point.

20 MS. WHALEN: Mike, so the question is: Is it all  
21 getting posted, or maybe someone isn't aware that it is  
22 coming in pieces instead of one document in its  
23 entirety?

24 MR. MAGGUILLI: It is my understanding that it is  
25 all getting posted.



1 MS. WHALEN: So, it should all be posted. So, if I  
2 go and look for the transcript from this public hearing  
3 from three weeks ago, I should be able to find it on  
4 the website.

5 MR. GREEN: Not yet, Jennifer, because that was  
6 not submitted yet.

7 MS. WHALEN: The first two - however many weeks  
8 ago that is. I stand corrected. Like, six weeks ago. I  
9 should look for that and I will be able to find it  
10 because I actually do need it and I will be looking for  
11 it. So, if that is in fact true that we can't find  
12 them, then it's just a mistake and they will be  
13 uploaded like pretty immediately, right?

14 MR. MAGGILLI: If they're not already.

15 Sir, can you come up and use the microphone? The  
16 reason that I ask is these are being videotaped and what  
17 we have found is that people do not use the microphone  
18 and it doesn't come out on the videotape.

19 MR. SCHMIDT: I'll talk loud this time. Edward  
20 Schmidt is my name.

21 I posted comments electronically on the website the  
22 other day to make sure they were there before this  
23 hearing. I would like to know what happens to those  
24 comments? Do you get to see those? Do members of the  
25 Board get to see those comments that I submit or do they

1 not?

2 MR. LACIVITA: I have met with Edward a couple of  
3 times now. He did post some questions and some comments  
4 on to our comment page. That goes to myself, Tori  
5 Normandin in my office, it goes to Chuck Voss and it  
6 goes to Caitlin Rick Meyer [sic], all of which are  
7 aggregating those comments and we are providing them to  
8 the Supervisor as we getting through these final stages  
9 of the draft. So, they are being looked at. They are  
10 being considered. They are not in the black hole, as  
11 people lead you to believe. We are aggregating them all  
12 for you.

13 SUPERVISOR MAHAN: I think when they come from Joe  
14 and they come to my office to be looked at, all that  
15 is communicated - as you said, Chuck Voss gets it by  
16 email as well.

17 MR. SCHMIDT: They are part of the public hearing,  
18 aren't they? Shouldn't they all be available to  
19 everybody?

20 MR. LACIVITA: What you say here goes on to  
21 Nancy's stenography minutes and they do get posted,  
22 correct?

23 MR. MAGGUILLI: Yes.

24 MR. LACIVITA: As I said a couple moments ago,  
25 what you post on the Internet that comes to us - and

1 identify the people who get them, we are aggregating  
2 them and those comments are coming back and they will  
3 be part of the documentation as we finalize the  
4 process.

5 MR. CAREY: They're not part of the public  
6 hearing, right?

7 MR. LACIVITA: They are now.

8 MR. CAREY: When someone is here personally and  
9 communicates that to the Town Board, it's part of the  
10 public hearing.

11 When somebody makes a comment on the website, it's  
12 not part of the public hearing, is that correct Mike?

13 MR. LACIVITA: It's not part of the public  
14 hearing, it's part of the process that we're going  
15 through.

16 MS. WHALEN: As part of the record.

17 MR. MAGGUILLI: The only thing that's part of the  
18 public hearing is what occurs from the moment Paula  
19 calls the public hearing - I'm sorry, Julie calls the  
20 public hearing until the time that the public hearing  
21 is closed. Whatever takes place within that period of  
22 time, including any exhibits that may be handed to the  
23 stenographer for marking and inclusion in the record,  
24 becomes part of the public hearing official record. Any  
25 comments that are made outside, while they can be

1 included, they are not technically part of the public  
2 hearing. They are part of the record and should be  
3 included. Does that help?

4 MR. SCHMIDT: I will leave it at this. I spent a  
5 couple of hours on these comments. It's a lot of work  
6 for me. Other people do the same thing, I think. It  
7 seemed like I spent all this time and it's not around  
8 now.

9 MR. MAGGILLI: I tend to agree that if you take  
10 the time and effort to post on the official website,  
11 your comments should be available for everyone who's  
12 interested to see. If that hasn't been done, we will  
13 make sure that it is done. I think it is being done. I  
14 agree with you. It should be part of it because it's  
15 something that should be available to everybody.

16 MS. WHALEN: I've a question about that. So, the  
17 Comprehensive Plan proposed - the proposed original  
18 committee draft does have this Siena Survey in it as an  
19 exhibit, right? It includes the Siena Survey. I can't  
20 recall because I read that a while ago, and I haven't  
21 done a comparison of that yet - of what the proposed  
22 revised Comprehensive Plan update is going to be. Did  
23 that original committee report that was sent over here  
24 - it had the Siena Survey. Did it have all the comments  
25 to date as an exhibit? Those are just as important,

1 right, as the Siena Survey. So, they should also be  
2 included.

3 MR. LACIVITA: Are you saying the comments that we  
4 received on the website, or the Siena Survey? I'm  
5 getting a little confused as to what you're trying to  
6 say.

7 MS. WHALEN: Well, we did the Siena Survey and  
8 that was clearly attached as an evidentiary piece of  
9 the report. The comments that were taken collectively  
10 on mine and even in the audience and all of those  
11 meetings should also be incorporated because they are  
12 just as important as the Siena Survey.

13 MR. LACIVITA: Correct.

14 MS. WHALEN: It's important to be considered. Of  
15 course, the weighting issue is something that I'm still  
16 grappling with. Like, all of this is weighted in terms  
17 of what makes it into the report and what isn't in the  
18 proposed report - what we feel, I guess, collectively  
19 when we take ownership of the report how things should  
20 be weighted. We should definitely look. It all goes to  
21 this like issue for me of weighting. Mr. Voss was the  
22 one that clarified my concern for me and called it the  
23 weight, W-E-I-G-H-T-I-N-G, how we are weighing all of  
24 these comments.

25 MR. LACIVITA: Correct.

1 MS. WHALEN: So, all of the comments that you  
2 received on the website, in the meetings will be  
3 assimilated as an exhibit for us - just like the  
4 survey. We see the survey. Now, we will see the  
5 comments.

6 MR. LACIVITA: Correct. yes, I believe -

7 MS. WHALEN: And how many times they appear -  
8 like, maybe two, right? If 12 people mention this as a  
9 concern -

10 MR. LACIVITA: I don't know if we aggregate them  
11 on an individualized item, but we have them as to who  
12 is saying what. Some of the ones we have throughout  
13 were like: What time is the meeting? Are we having a  
14 meeting tonight? Those things have nothing to do with  
15 the Comprehensive Plan. The ones that had questions or  
16 statements within them - the TDE has been getting them  
17 right from the onset. They became aggregated. That's  
18 how we got to the point where the goals were made. So,  
19 we have that detail as to what it is. I believe that it  
20 will be in appendix at the very end.

21 SUPERVISOR MAHAN: Some of them - what I have seen  
22 so far from Chuck - the summaries and things like that  
23 - - some of the questions are very repetitive and some  
24 things may not be - - if we could incorporate something  
25 into the plan that was workable and appropriate and it

1 worked then it is incorporated in there someplace, then  
2 a change would come from the comments. I think what  
3 Chuck has is the summary and some of the things that  
4 they looked at - - as I said, some of the things were  
5 very repetitive. Other things were actually good  
6 comments that could be incorporated into the plan. I  
7 know that I saw the summaries and some things like  
8 that.

9 MR. LACIVITA: So, I guess I'm standing before you  
10 to kind of answer some of the questions.

11 I will go back to Ms. Barron's one question or one  
12 statement she made. Where are those notes? Were they  
13 given to the members from the meetings that we held in  
14 the various Town locations? Every meeting we had - there  
15 was a summary of the prior meeting or something we did  
16 on the community. So, all those notes were taken. The  
17 information was given back to the committee and that is  
18 how the committee did their jobs to give you the draft  
19 plan. So, they were not dismissed. They were posted on  
20 the website.

21 Now Ms. Laurilliard talked about a level playing  
22 field and the GIS fees. I think you answered that  
23 correctly.

24 Regarding the 1990 update: The GIS was updated, I  
25 believe it was in 2005. Don't quote me on the date, like

1 she always does. Don't quote me on the date, but I know  
2 it was updated from the original. The fees itself, get  
3 updated based on the law every couple of years based on  
4 construction indexes. Right now, that hasn't changed  
5 since 2015 - those fees which pay for parkland and pay  
6 for all the other fees associated with it. We have been  
7 looking at the construction fees since 2015 - CHA and I.  
8 It has been fairly flat. So, there was nothing that was  
9 conveyed to change those fees. Those fees a been pretty  
10 straight and they haven't risen too much for us to  
11 change our fees that we charge for construction. So,  
12 that's why those numbers have not changed.

13 MS. WHALEN: Wait, what would the process be by  
14 which we would change them?

15 MR. LACIVITA: We look at the indices in the  
16 construction. We work with our Water Department and we  
17 work with the Town Designated Engineers. For that, we  
18 change the different funds that we collect on. Square  
19 footage is changed by percentage. For example, I think  
20 water is like 217 per unit. That may change as time  
21 goes on.

22 The one thing we can't do and update - we are  
23 updating the airport GIS. This has to be completed  
24 before we get to that step to see what comes out of it  
25 in the airport area to go to the next step. That's when



1 we will have a full revision of the airport GIS. She  
2 said something about a business round-table. We did try  
3 with the business community. We tried with the real  
4 estate community and we never could get a date. So for  
5 that, unfortunately the business round-table did fall  
6 through the cracks. That's not to say that we didn't  
7 hear individually from the business people. We heard a  
8 lot from the business community.

9 We heard a lot about the zoning districts, but it's  
10 not the Comp Plan that changes those zoning districts.  
11 It is the Land Use Law and what those individualized  
12 districts do and how they function. So, the comments  
13 that are made by the business community did not go on  
14 deaf ears. We are listening to those.

15 Details of the committee - - as I said earlier,  
16 those details are all on the website. Every meeting we  
17 had - there was a summary of the meeting that we had  
18 before. All the comments are posted. All the minutes are  
19 posted within those.

20 So, I think that answers everything that she had,  
21 unless you had specifics for me.

22 MS. AUGER: Pat Auger - A-U-G-E-R.

23 I appreciate, first of all, that you put the survey  
24 online finally because it wasn't online for the longest  
25 time. A map showing who was surveyed or whatever - you

1 can't read that to no end. I was looking to see if my  
2 area was particularly surveyed, but you can't even see  
3 the streets that were surveyed. All you see is these  
4 little red tops all over the place. It just doesn't seem  
5 to represent anything that you can see - where the  
6 streets were surveyed or anything like that. I was just  
7 wondering if you could change that to help see it.

8 SUPERVISOR MAHAN: It is a random survey and it is  
9 a picture so you can get an idea that it was in all  
10 parts of the Town. I don't know specifically what  
11 street -

12 MR. LACIVITA: One of the things that the Siena  
13 Survey did was to try to take any criticisms away from  
14 the process. The Siena Survey was independent. The  
15 Siena Survey did their own random sampling, based on  
16 the number of residents we have within the Town of  
17 Colonie only.

18 I know the Colonie Spotlight just spoke to  
19 something from Mr. Bronner about why isn't the Villages  
20 of Menands and Colonie weren't included. If you  
21 understood processes - and he was a Town Board member  
22 for a number of years - you can't do other  
23 municipalities. We can't impose our Comprehensive Plan  
24 on those municipalities. That's why they are not  
25 included in the Siena Survey. It's the Town of Colonie -

1 the 83,000 plus residents that we have.

2 So, what we did was we took the Town and we broke  
3 it up into quadrants where density was from a  
4 residential base. They did the map. They then drew the  
5 random sampling population. They then sent out  
6 information. We didn't tell them who was an unbiased  
7 opinion, and that's how we got to be where we were.  
8 That's what put those red dots on the map that you see.

9 MS. AUGER: It just seems like a big blob of dots.

10 MR. LACIVITA: That's how they came about it.

11 MS. AUGER: You can't see anything.

12 MR. LACIVITA: They do random sampling and they do  
13 polling all over the area.

14 MS. WHALEN: I remember that, but I have to wear  
15 like 12 pairs of -

16 MS. AUGER: You would need a magnifying glass.

17 MS. WHALEN: Do the blobs look like they are  
18 spread out evenly on the picture, or no?

19 MS. AUGER: It just looks like a whole group of  
20 blobs.

21 MS. WHALEN: Joe, do you know if the blobs are  
22 evenly distributed?

23 MR. LACIVITA: Again, as I said a couple of  
24 minutes ago it was based on density of where  
25 residential populations were. You might have a couple

1 of blobs over here (Indicating), you might have a  
2 couple of blobs over there.

3 MS. AUGER: That's not what it showing, though.

4 MS. WHALEN: If it is part of the survey, we can't  
5 adjust it. That's the college's work product. Maybe  
6 they have a more clear picture.

7 SUPERVISOR MAHAN: The fact that you see them all  
8 over the map - that's a good thing because that's the  
9 way it is supposed to be.

10 MS. WHALEN: Siena is a great polling company.  
11 Like, they know how to do surveys like Marist, Siena -  
12 they are pretty good.

13 SUPERVISOR MAHAN: If you could understand how the  
14 survey is done - it is structured so that different  
15 populations - - Joe is talking about density because  
16 there are all different calculations that they get  
17 into. They are all over because they are randomly  
18 considering all of the data they want to collect. By  
19 being random, if you saw everything in one spot, that  
20 wouldn't be a survey that was done very well. The fact  
21 that it was in many different areas - - I understand  
22 that you don't know which streets or whatever -

23 MS. AUGER: My point is that it is a little map  
24 like this and 2,000 people were surveyed out of 83,000.

25 SUPERVISOR MAHAN: Because it was a random survey.

1 MS. AUGER: It's just all blobs together and you  
2 can't see anything.

3 SUPERVISOR MAHAN: We can take a look at it. We  
4 can ask the consultant if they can somehow make it  
5 clearer. I think you have to understand how the survey  
6 was done. A random survey like that, you could get very  
7 valuable information. You don't need to have 83,000  
8 people or anything like that. There is a structure to  
9 it and there is a method to it. They are one of the top  
10 surveying groups in the area. They do surveys on all  
11 kinds of things. If you haven't worked with that, it's  
12 kind of confusing.

13 MS. AUGER: If you're looking for information,  
14 it's all vague. That's what I'm trying to point out.

15 SUPERVISOR MAHAN: If you haven't worked with them  
16 before, they are a little different. You should be able  
17 to take a look at it. It's a picture of data. You  
18 should be able to take a look at and get an idea - did  
19 this random sample go throughout the Town, or was it in  
20 one spot or a couple of spots? You should be able to  
21 get a little bit of an idea. A lot of people - if you  
22 don't work with them, they can be confusing.

23 MS. AUGER: That's all I'm trying to point out.

24 MR. SCHMIDT: Should I submit my comments or read  
25 them for the public hearing?

1 MS. WHALEN: I would read into the record and then  
2 you will be assured that they are part of the record.

3 SUPERVISOR MAHAN: You can read them if you want.  
4 If you want to submit them, for the record -

5 MR. SCHMIDT: I would like to so it is in the  
6 record.

7 MS. WHALEN: It doesn't look like it's that long.  
8 Just read it. I would read it.

9 MR. SCHMIDT: The Town of Colonie Comprehensive  
10 Plan update states that to achieve the vision, the 2019  
11 goals will be used to guide the Town decision-making  
12 into the next decade. If that is the case, I think the  
13 public should be required to include in their  
14 submission a discussion of what they are including in  
15 their plans to help the Town move towards their goal. I  
16 think this would make clear to the Town Board and the  
17 residents what a proposal will do in moving the Town  
18 towards its goals.

19 For example, they have a goal to continue to  
20 improve mobility throughout the Town. This includes  
21 investments in roads and highways to relieve significant  
22 impacts of traffic congestion, to enhance the safety and  
23 attractiveness of transportation modes, walking and  
24 biking. So, I said - let's say explain how that proposal  
25 will adequately and safely handle the traffic by this

1 development. They will discuss and there proposal  
2 showing highways and sidewalks along the highway and  
3 plans for them and connecting existing planed  
4 facilities.

5 That's basically one idea.

6 Open space, recreation and environment was another  
7 goal. Conserve a Town wide network of open lands but not  
8 limited to viable farmland, wildlife habitat, special  
9 and unique environmental resources and potential trail  
10 corridors, river access and recreational areas.  
11 Developers shall discuss how private plans will protect,  
12 enhance and minimize impacts on these types of  
13 resources. They will connect trails to existing or  
14 planned trails. So the concept is always tied into our  
15 goals here - what the developer is going to do.

16 I also had another goal - manage development  
17 activity to ensure the necessary clearing and site  
18 disturbances on minimizing the importance with  
19 approvals. I think you've already gotten into this whole  
20 thing about clearing of trees and all that stuff. This  
21 is just an example. The developer shall explain how the  
22 proposal minimizes the amount of tree clearing. They  
23 will explain how they were coordinate with the Town  
24 prior to proceeding with the work. It is pretty  
25 straightforward. Those are a couple of my ideas.

1           So, I think that's it. I will hand it in but the  
2           concept was what I was trying to get across and not the  
3           details.

4           SUPERVISOR MAHAN: We understand.

5           MR. CAREY: Thank you for your time.

6           MR. MURPHY: Just to be clear that she understood  
7           what you were saying.

8           MR. MAGGUILLI: Nancy, will you mark that?

9           THE STENOGRAPHER: Yes, sir.

10          (Schmidt Exhibit 1 was marked for Identification.)

11          MS. MAHAR: Hi everybody. I'm Jessica Mahar. I was  
12          on the Comprehensive Plan Committee. I thought I could  
13          provide a couple of comments and maybe they will be  
14          helpful and maybe not. Sorry, I made notes on my phone.  
15          It has been a long day.

16          So, the Siena methodology - I just wanted to say  
17          like, thank you for the explanation of that. Siena is a  
18          pretty reputable polling - - they are not a firm, but  
19          institution and they did a statistical sample. I worked  
20          on the subcommittee that puts some of the questions  
21          together and I have a pretty high confidence in the way  
22          that they did the methodology to get a representative  
23          sample around the Town. I don't know why people feel  
24          concerned but there are actually a few - if you look at  
25          the sienna survey results, you can see the areas of



1 Town- - I can't remember if the cross tabs were included  
2 in the plan or not, but including them might help  
3 because you can actually see the demographics of the  
4 people that were asked questions and the locations. So,  
5 forgive me for not remembering what's included and  
6 what's not at this point. If those cross tabs were not  
7 included, you might just want to put them in their  
8 because that in addition to the summary is a very  
9 transparent way to show all sorts of people in all sorts  
10 of places around Town were asked questions. So, that's  
11 one suggestion.

12 On the stuff about the notes at the Committee  
13 meetings - Joe correctly characterized Committee notes.  
14 For most meetings, Committee notes were posted on the  
15 Comprehensive Plan website. The one thing that I never  
16 saw as a Committee Member with the direct comments that  
17 came in through that web portal that was on the Comp  
18 Plan website. So, there was a comment box where people  
19 could make public comments or they have the option of  
20 emailing the Planning Department. We were never provided  
21 with any of those direct comments during any of our  
22 deliberations. There was a long number of weeks or  
23 perhaps months where that portal was not functioning  
24 properly for everyone. So, I hope that will clarify any  
25 confusion about notes and not notes. I think any notes

1 that were submitted would be great to see because I have  
2 never seen them.

3 I have been sitting through these hearings and  
4 hearing a lot about other Town meetings as well. I would  
5 say that one other thing the Comprehensive Plan might  
6 want to address is actually a plan for public  
7 participation in government. So, at a lot of our  
8 meetings around Town there are people that just don't  
9 know what the process is. So, at one of the last public  
10 hearings people got here and were like, what do we do?  
11 So, it's like, you sit down. Do I have to sign up? They  
12 don't know and it's different at every meeting.  
13 Sometimes at the Planning Board there is a sign-up sheet  
14 and sometimes there's not. Sometimes there is one here.  
15 I think it would really be great for you guys as a Town  
16 government and for the public to have a consistent  
17 process for how the public should participate in  
18 government at Town meetings and to create a sense of  
19 order and continuity. I think that would calm down the  
20 atmosphere especially when we are discussing  
21 controversial projects in places like the Planning Board  
22 and the Zoning Board of Appeals - you could post the  
23 process on all of the meeting websites and all of the  
24 agendas so that when people show up, they know what to  
25 do. People just don't do this a lot. So, for people that

1 are not like us that hang out here at 7:00 on a Thursday  
2 night, it's hard for them to access government. A lot of  
3 times they are really scared to talk to you and not  
4 because you're mean people but because they don't do  
5 this. So, it would be a disarming mechanism as well and  
6 lead to more fruitful conversation. I think it would go  
7 a long way for the Town and I would be happy to  
8 volunteer to help work on something. I do a lot of  
9 communications for a living so I'm happy to help.

10 I'm really happy about the discussion about open  
11 space conservation. I am an open space enthusiast and it  
12 is what I do from 9:00 to 5:00 every day.

13 I'm concerned about the map and the Comprehensive  
14 Plan not identifying privately owned large open space  
15 parcels. Every single open space plan that I have ever  
16 seen in my career has had privately owned open space  
17 parcels. New York State's open space plan identifies  
18 privately owned open space that it would someday like to  
19 acquire from willing sellers. Just put that language in  
20 there, guys. We are not going to use eminent domain and  
21 take people's land. The state is not going to do it.  
22 Most NGOs that work and conservations will not do it.  
23 You guys shouldn't do it. It's not going to happen, but  
24 in places like Clifton Park and other communities around  
25 the state they identify privately owned open space that

1 would be a priority. Actually, a lot of landowners sign  
2 up to talk to the Town. Clifton Park actually has a form  
3 you can fill out and say hey, I want to work with you  
4 Clifton Park. That helps their open-space coordinator  
5 know who's interested. I think we are a little too  
6 afraid to do it right, but if we don't identify the  
7 private farms that are currently out there or the large  
8 open spaces that are owned by single families, we might  
9 miss an opportunity to work with a land owner who would  
10 like to turn their property someday into something for  
11 the community. It won't work for everyone, but it's  
12 worth at least identifying where the opportunities are.  
13 This is how most conservation groups and most state  
14 government agencies that do acquisitions like Office of  
15 Parks and DEC identify opportunities.

16 Also, on the fee - I am excited that Colonie  
17 adopted a fee. I think it is a great first step. I think  
18 you guys kind of jumped the gun a little bit and may  
19 have sold yourself short. So, there are a lot of  
20 communities around the state that are doing even more  
21 and frankly more aggressive programs for raising larger  
22 dollars for conservation. In a Town of this scale, I  
23 think there is a larger opportunity here. You should be  
24 having some strategy sessions around, once we have a  
25 map, what could be done to create a program here in

1 Colonie. They have a program in Clifton Park, Bethlehem  
2 is working to create a program and there are programs  
3 and other communities around New York State. Every Town  
4 in Massachusetts there is a program because they  
5 leverage it with state dollars. There are state programs  
6 where then you would be able to start leveraging and  
7 start bringing money in, it starts to kind of build from  
8 there. So, I think that's another next step that you  
9 need to be thinking about.

10 The last thing is Climate Smart Communities. One of  
11 the other speakers was talking about the weather and the  
12 rain and the storm sewers. Colonie passed a Resolution  
13 at some point, I don't know when, about being a Climate  
14 Smart Community, which is awesome. It is a program that  
15 DEC runs with towns around New York State. The next step  
16 is working with them to become Climate Smart Certified  
17 and I think, because I don't know all of the program,  
18 there are resources that they can actually provide to  
19 work with you as they're looking at things like your  
20 Zoning Code and your land use and other things to think  
21 about how we need to plan for the new reality; the  
22 flashier floods, the heat which is a big thing for like  
23 when you do tree planting and what kind of green space  
24 you require, the trees you require, transit Planning and  
25 thinking about how you want manage your transportation

1 infrastructure and the density of your development. I'm  
2 a fan of density because that means more green space and  
3 less transportation. So anyway I would encourage you to  
4 look into the Climate Smart Communities Program and  
5 figure out if there are any resources that the  
6 Department of State or DEC can be offering to the Town  
7 to assist with that next step, especially as you come  
8 out of this process and into the beginning of maybe  
9 updating some of the Zoning Codes. You want to make sure  
10 that if you're going to be doing that, they are really  
11 forward thinking. What we are seeing around the state is  
12 that these impacts are already happening. Colonie does  
13 have a lot of waterfront. We have a high water table, so  
14 I think these are things that we really need to start  
15 integrating into our Code.

16 SUPERVISOR MAHAN: Jack Spath in our Attorney's  
17 office works closely with the coordinator that has been  
18 working with us on the Climate Smart Certification. I  
19 think we are pretty close. So, he has been going back  
20 and forth. We document every time we get points or  
21 whatever. That is being worked on.

22 MR. MAGGUILLI: Would you be willing to work with  
23 us?

24 MR. MAHAR: Yeah.

25 SUPERVISOR MAHAN: If you have any suggestions, I

1 could forward them to Jack.

2 MS. MAHAR: Yes, sure, I'm happy to learn more. I  
3 don't know as much about that program. I'm happy to  
4 help with all of this however I can. I think it is  
5 awesome that you guys are working on that. My  
6 understanding is that once you get certified, there are  
7 potential additional points you get on grant  
8 applications. So, that's really great.

9 SUPERVISOR MAHAN: Right, he has that information,  
10 as well, as to what that would be. If you have any  
11 other suggestions on that, he would certainly  
12 appreciate that.

13 MS. MAHAR: I probably don't, but good work.

14 MR. MAGGILLI: As far as your ideas about the  
15 rules, shortly after we came here we adopted a set of  
16 rules for the conduct of our Town Board meetings. They  
17 are posted on the Clerk's bulletin board. We  
18 experimented with doing just what you said - printing  
19 the rules on the back of the agenda. We did that and we  
20 were criticized for being too restrictive. Whenever we  
21 try to enforce the three minute rule - the three minute  
22 rule has always been three minutes and then if you're  
23 not done saying what you have to say, wait to the end  
24 of the meeting and we will sit and listen to you then,  
25 but other people need a chance. That part seems to go

1 over everybody's head. They would say you're still  
2 trying to limit free speech. So, were sort of damned if  
3 we did and damned if we didn't. I would love to post  
4 the rules on every agenda, on the back page where  
5 people can have them. I think that's a great idea.

6 MS. MAHAR: I would post them on the website, too.  
7 I'll admit it, I don't hang out in Town Hall a lot so  
8 I've never looked at the bulletin board. When people  
9 are trying to interact with state government, the first  
10 thing that I do before I come to a meeting as I look  
11 online for the agenda.

12 MR. MAGGILLI: Unfortunately, none of these laws  
13 were written before we held this technology. So, the  
14 law requires the bulletin board. It encourages  
15 everything else, but the only thing we are mandated to  
16 do is the bulletin board.

17 MS. MAHAR: A bulletin board is fine. That takes a  
18 thumbtack. I think the idea is the mandate. You are  
19 going to do that. It's more about creativity and what  
20 you can do. I know you guys are all really busy, but I  
21 don't think any of this is a huge lift. Again, it's  
22 about just diffusing tension to create a space where  
23 everyone can share ideas and hopefully get some really  
24 good outcomes for the community. I will go look at the  
25 bulletin board and we will go from there.



1 SUPERVISOR MAHAN: It also goes along with  
2 improving the communication for the Planning Board to  
3 the public and everyone else. It falls into that  
4 category. Things that we are working on and doing  
5 something - restructuring and things that we can do to  
6 help out with that.

7 MR. CAREY: I think at the Planning Board meetings  
8 people can be intimidated. I go to enough of the  
9 meetings and I think people walk in there and I think  
10 that they don't really know what they should do or what  
11 they can do. Maybe that is something that when they  
12 walk in, we could have somebody - I don't want to call  
13 it a greeter, but something along those lines that  
14 maybe makes an announcement and explains to people  
15 okay, sign up on the list.

16 MR. ROSANO: We used to have one of those.

17 MR. CAREY: I think it is intimidating to a lot of  
18 people.

19 MS. MAHAR: I think people are so scared. People  
20 think that if they go to Planning Board meeting and  
21 speak about a project, their taxes will go up. It's  
22 just like crazy public perception about stuff. It's  
23 about how to make it more friendly and approachable.

24 MR. MAGGUILLI: I agree with you.

25 MS. MAHAR: It's like a government fear thing.

1 It's not you guys, but it is a real thing.

2 MR. CAREY: I think we need to be approachable to  
3 people. Sometimes you don't want to hear what somebody  
4 has to say. I don't like cutting people off. I know we  
5 try to stick to the three minute rule, but I would just  
6 like to let people talk. I know sometimes it gets a  
7 little out of control. That's okay. It doesn't happen  
8 all that often.

9 I think the Planning Board meetings are little bit  
10 intimidating. People walk in there and they don't really  
11 know what the procedure is. Here, it is a little more -  
12 I think it's easier for you guys to come forward here.  
13 At the Planning Board, it's a little bit different, in  
14 my opinion.

15 MS. MAHAR: The last thing that I will say is I  
16 think a lot of people say a lot of things. Some of them  
17 are critical, but I think anyone who shows up at a  
18 meeting at 6:00 or 7:00 at night at a Town facility,  
19 whether it's here or over on Wade Road, wants to make  
20 the Town a better place. If we all start from that  
21 understanding, I think it's helpful to keep that in  
22 mind.

23 My three minutes are up.

24 MR. ROSANO: Jessica, if you have two minutes, I  
25 just have to ask you question.

1 MS. MAHAR: It depends upon how late we go, but  
2 yes. Otherwise, I will email you.

3 SUPERVISOR MAHAN: Anyone else?

4 MS. ALLEN: I'm Wendy Allen from Loudonville.

5 I think you mentioned a lot of them are repetitive  
6 and I think that is a good thing. Repetitive means that  
7 it is important. We really should take note of things  
8 that are repetitive because that's what people are  
9 concerned with.

10 My concern is about Section 7 of the 2005 plan,  
11 which I think most of you received today as part of  
12 something from Save Colonie. Section 7 really was, in my  
13 point of view, sort of a living document portion of the  
14 Comprehensive Plan. What is it in the Town who is  
15 responsible for sort of implementing the plan? Is that  
16 the Planning Department? I mean, on an ongoing basis,  
17 year-to-year?

18 SUPERVISOR MAHAN: Implementing the goals of the  
19 plan?

20 MS. ALLEN: Yes, or the actions.

21 SUPERVISOR MAHAN: Well, that is something that we  
22 all work on continually as part of our everyday  
23 operations. Everything we do is in accordance with  
24 following those types of recommendations. There are  
25 also laws and things that we have to follow. It is just

1 daily operations of the entire Town, and every single  
2 aspect of the Town. The plan that we have been  
3 following since 2005 or since 2008, I should say, was  
4 the 2005 plan and the 2007 Land Use Laws that were put  
5 into place just before I started. There were people  
6 here, but not the same people. I think it is important  
7 to understand that we are not doing this update for an  
8 exercise. Our intent is to use that to guide us into  
9 Land Use Laws that we follow. So, it's very valuable  
10 information. I don't want you to think that it's just  
11 an exercise to go through. It is valuable information.  
12 The things that you have seen added to it - you guys  
13 were asking about the accomplishments since then. What  
14 has been achieved? Those things that are in there are a  
15 result of the everyday operations of what we do, what  
16 the Planning Department does, what DPW does, what our  
17 Parks Department does, our seniors - you name it. Every  
18 one of those departments - we work together  
19 collaboratively and that is to reach those goals. In a  
20 lot of respects, those goals are being met.

21 For example, we talked about parks and the feeling  
22 was that there wasn't going to be anything done in  
23 parks. That was a real eye-opener because the complete  
24 opposite has happened. Millions of dollars over the last  
25 three or four years have been put into parks, as we have

1 talked about. You can see that in the report, or in the  
2 plan. It's hard to explain everything completely. You  
3 will read about those. In the 2005 plan there is a  
4 statement in there about if funding is available. I  
5 don't know if it is those exact words. Budgeting is also  
6 a huge part of it.

7 We understand that it is taking a while and we  
8 understand that we have had several public hearings and  
9 the purpose of that is to keep the public hearings open  
10 until we are ready to have the final product and the  
11 Town Board has the opportunity to digest that and get  
12 ready to vote. The 2005 plan had one public hearing and  
13 the vote took place and that was it. There was one.  
14 Every situation is different. The same thing with the  
15 Comprehensive Plan - if you look at a number of them all  
16 over, they are all different. You can gain knowledge by  
17 looking at them. I think as far as how do things get  
18 done - it gets done in a collaborative manner with  
19 everyone that is involved in Town government.

20 MS. ALLEN: So, anywhere is there a document that  
21 takes Section 7 and response to all the actions that  
22 were recommended, that would certainly be a segue into  
23 the update that's going on now? In other words, there  
24 were short-term, medium-term and long-term  
25 recommendations.

1 SUPERVISOR MAHAN: Jennifer, do you have the copy  
2 there?

3 MS. WHALEN: The most recent one?

4 SUPERVISOR MAHAN: The current one. Maybe I can  
5 understand the question better.

6 MS. ALLEN: I believe it was circulated this  
7 morning, actually, in an email.

8 MS. JEFFERS-VONDOLLEN: Section 7 from the 2005?

9 MS. ALLEN: Yes, because we don't have a Section 7  
10 in this one.

11 MS. WHALEN: That's a copy of what you guys sent  
12 us.

13 MS. ALLEN: And at least one sheet of that is  
14 Section 7. It is the short, medium, and long-term  
15 actions that were recommended. My question is: What  
16 happened with those? Were they implemented? Were they  
17 not? If they weren't, why? How did it relate to what's  
18 going on now? That's really my question.

19 SUPERVISOR MAHAN: We have to go through each one  
20 of those goals. Many of them were implemented. Some of  
21 them were not implemented because of the financial  
22 conditions of the Town at the time. We would have to go  
23 through each one of them.

24 MS. ALLEN: I think that would be a good exercise.

25 SUPERVISOR MAHAN: All of those things that have

1           been completed have been out there over the past 12  
2           years and with some form of communication, that would  
3           take a long time.

4           MS. ALLEN: I would just think that that would be  
5           something that the Planning Department would do on a  
6           regular basis so that you could always pull it out.

7           SUPERVISOR MAHAN: They do work by all of that  
8           information. It is constant. Maybe this will help in  
9           the future because one of the tasks is for the Planning  
10          Department to work on creating a spreadsheet to work  
11          from so that every so often, as a goal makes progress  
12          in some way, shape or form, it will be documented. So,  
13          when someone goes to do an update in the future, they  
14          have all of that data rate at their fingertips.

15          MS. ALLEN: That is my point, exactly.

16          SUPERVISOR MAHAN: There was nothing to work from,  
17          from that perspective from the 2005. I think maybe that  
18          is what you are getting at?

19          MS. ALLEN: That's exactly what I was after.

20          SUPERVISOR MAHAN: That is part of what our Senior  
21          Planner who is fairly new, that's what she has been  
22          tasked with. It starts with all the communication with  
23          each department so that we get that data as it comes  
24          up. It takes quite a while to achieve goals. In the  
25          profile and some of the things that have been updated

1 and in the plan - our suggestion was - - they had high,  
2 medium and low. That was very confusing. So, our  
3 suggestion was: This was an update. So, we suggest you  
4 follow the same durations as they did in the 2005 plan.  
5 That's the way that I believe it's going to go. Some of  
6 those things - sometimes when people sit down and are  
7 tasked with doing something - looking at having to  
8 create something totally different or people will think  
9 we didn't do our jobs when in some cases that  
10 consistency follows especially and it works. There are  
11 some other things we can do. So, those are the kinds of  
12 things that we pointed out to the consultant. Some of  
13 the things I think and final will be helpful.

14 MS. ALLEN: It would be nice to be able to do  
15 side-by-side between this one and 2005.

16 SUPERVISOR MAHAN: And I think that is being  
17 worked on. I think that will provide that to people in  
18 the future. Thanks, Wendy.

19 Gloria, I guess you wanted to go last.

20 MR. ROSANO: Gloria, are you going to be speaking  
21 on the public hearing or should we adjourn and go into  
22 public comment?

23 MS. KNORR: My comment is three minutes. Everyone  
24 talks a little more than three minutes.

25 MR. ROSANO: The public hearing doesn't have three



1 minutes.

2 MS. KNORR: This is about the Comprehensive Plan.  
3 This has to do with my farm. This has to do with the  
4 plan.

5 I did give Mr. Edward - in the newspaper it said  
6 that he wanted to know about 15 years ago - - if you go  
7 to the green map, you'll see what I'm talking about.  
8 This is the green map.

9 Thank you for this fourth public hearing. Strong  
10 Town hall meetings can do good things. Public hearings  
11 allow all of us to use our gifts to solve the common  
12 challenges. I am working with a shadow after reading the  
13 title search regarding 230 Old Niskayuna Road and 187  
14 Maxwell Road, which the Town owns - whether you call it  
15 a paper street. Is this political nepotism? This would  
16 be 1986. Equal justice and respect to all. What works is  
17 what helps everyone when no one is left behind.

18 Please look at the map I have included. See the  
19 dog. When you hold the map like this (Indicating), this  
20 big square is 7 acres and it looks like the head of the  
21 dog. The Niagara Mohawk line is on your upper right-hand  
22 corner - to go to the left-hand corner, that is the  
23 Niagara Mohawk line which goes right to the Crossings.  
24 Maxwell Road is this one - up near the right-hand  
25 corner, to the left is Maxwell Road.

1           Let's start with the body of the dog and the leg.  
2           The leg is one acre down from the body. That is 1 acre  
3           and it's called 7 Saybrook Drive. It wasn't 7 Saybrook  
4           Drive. The whole parcel was a 30-acre farm and was  
5           called to 30 Old Niskayuna Road. The driveway to that  
6           was Old Niskayuna Road which is from the bottom, to the  
7           left middle. That is old Niskayuna Road.

8           So, when I was a kid and I lived there 10 years of  
9           my life from when I was 6 to 16, the Arnold's Farm was  
10          to the left of the driveway, Krinko's [sic] Farm was to  
11          the right. So, I thought my parents owned it until the  
12          title search. Norton Builders bought it from Arnold's  
13          Farm and he deliberately narrowed it. It is an access  
14          road. I found out that it was an access road to my  
15          grandparents, but he got a lawyer - he extended his lot  
16          so that it can never be a public road.

17          So, the ambulance with the Town all of the sudden  
18          notified me that one acre - you see the little bungalow  
19          where my grandmother lived, where I lived, where my  
20          daughter lived during law school - it saddles where the  
21          leg of the dog is. To see the leg of the dog in that  
22          little house - the little bungalow? That's where my  
23          grandmother lived and died there in 1975. So, they said  
24          that would be 7 Saybrook Drive, so that an ambulance  
25          could get to the person living in that little house. So,

1 when I lived there with my three older children, my son  
2 Tim would walk all the way to the body of the dog from  
3 that little house to the head of the dog, to Emerson  
4 Drive - that first house by the mouth of the dog and  
5 then get the bus with Greg Sweet and go to Southgate  
6 School. Of course, the woods were fun for a lot of kids.  
7 Even after they - a lot of people had paintball there,  
8 which I was not crazy about. My grandmother was a  
9 pacifist and I was not happy that the kids were using  
10 the woods for paintball. So, the entrance is 7 Saybrook  
11 Drive. So, the tax bill is 230A Old Niskayuna Road. The  
12 line perpendicular to the head is 187 and Maxwell Road.  
13 Three houses to the left of that paper street was built  
14 by Caldwell Banker, I believe. The other two lots do not  
15 have a house on them. Once they build there, 25 feet  
16 would be added to the 25 feet labeled 187 Maxwell Road.

17 Philip Alexander, the jeweler, told me that he  
18 thought Norton Builders would build there. He hoped that  
19 I wouldn't build on it.

20 Also a lady in the third house near the line, 187  
21 Maxwell Road, asked me what I was doing there in the  
22 woods. She thought it would be forever wild.

23 I'm feeling that I'm losing my memory, but I never  
24 thought I talked to Mr. Barbera. He told me that he  
25 walked the farm with me. I don't remember that. When I

1 sell this property, it's going to come from 7 Saybrook  
2 Drive. It is not going to come through Norton Builders  
3 or Caldwell Banker.

4 Mr. Schmidt asked about the wetlands. Sage Field  
5 and the Arnold's Farm were a lot of wetlands. There are  
6 two lots ready to go up there to the mouth of the dog.  
7 You will see them. There are no houses on them. So,  
8 Norton just wanted to come in the 7 acres. Those are  
9 wetlands. Do you think that I would give up any of that  
10 7 acres - the woodland so that he could come in there  
11 and build houses there and ruin my woodlands? So, this  
12 has been a difficult property because when I ask  
13 someone -

14 MR. MAGGUILLI: Gloria can ask you - can you focus  
15 a little bit on the Comprehensive Plan part please?

16 MS. KNORR: The Comprehensive Plan part is this: I  
17 want protection of this land just like the 22 acres  
18 from Rustyville. Why is that man - why is his 22 acres  
19 - he lived on Rustyville another telling him he has to  
20 go by Beltone Towers. That's not right.

21 MR. MAGGUILLI: What are the things that we can do  
22 with the Comprehensive Plan that would help you address  
23 this problem?

24 MS. KNORR: Probably in the Land Use Law. The  
25 Comprehensive Plan is our vision and what we would like

1 to see in Colonie happen for now in the next 20 years.

2 MR. MAGGUILLI: Yes.

3 MS. KNORR: Out of that comes the Land Use Law.  
4 When I see what can be built on single-family is a lot  
5 less than commercial office. I would not want to be  
6 paying the taxes of Times Union.

7 MS. MAGGUILLI: I'm sure they don't want to pay  
8 them either, Gloria.

9 MS. KNORR: I hear they are selling. Four years  
10 ago they approached me and I talked to you already  
11 about that. Why does someone want just the 7 acres?  
12 Somebody just wants the 5 acres. Now, that little  
13 bungalow is gone. The barn went and I didn't have  
14 \$15,000 to save the barn. The little house is going to  
15 because people need affordable housing and they  
16 couldn't afford to live there. They weren't paying the  
17 rent, or they might have applied for Section 8, so I  
18 know we need affordable housing.

19 What Mr. Schmidt asked for was: What was it like 15  
20 or 20 years ago? I loved going to those Town  
21 Comprehensive Plan meetings because I had a choice. I  
22 have been responsible for making decisions about this  
23 since 1992. My mother had a stroke in 2004. So, I was so  
24 eager to put my red dots and what was important to me  
25 and what was my vision, especially for this 13 acres and

1 just to express my opinion.

2 You will see the paper that my daughter wrote when  
3 she was in law school for public policy about long-term  
4 care givers. Then, my mother had her stroke in 2004 and  
5 she died in 2007. So, the market turns and goes bad. So,  
6 it has been a long time - in 2007 my sister is waiting  
7 for her portion of the inheritance. That was 2007 and  
8 this is 2019. I could use the extra help now.

9 If you want these trees, go get them. Just go get  
10 all those trees on 13 acres. You can have them. I also  
11 showed Paul some trees. I have beautiful pine trees and  
12 they are just little pine trees that my mother planted.  
13 If you come to 426 Albany Shaker Road, I can give you  
14 trees. More important than anything is our people. The  
15 services we provide through Colonie Senior Service  
16 Center. When my mother died in 2007 there was a nurse  
17 who had a loss in grieving class and she was so helpful.  
18 She was sweet. It was a nurse for people who had cancer.  
19 That was such a valuable service at the library about  
20 loss and grieving. I remember I asked her what book I  
21 should read and she said The Shack. I just saw with my  
22 son at Christmas the movie. So, the services are  
23 important.

24 You know if you look at 426 Albany Shaker Road, I  
25 love trees. You can see on this map - it's all brush and

1 trees. They are not really very valuable. They are not  
2 oaks or beech trees. In fact, that's what I would ask  
3 Times Union. If they have tall buildings because they  
4 are commercial office, they can have a lot of things. I  
5 would ask for tall beech trees. I do have a buyer very  
6 interested and that's what I just tell them. Bring your  
7 lawyer to the Planning Department and I know the  
8 Planning Department is open and welcoming. I'm not going  
9 to be the one developing this land. I have this  
10 beautiful land, but I can't afford to develop it. The  
11 rest that you will see that Paula might be interested in  
12 - we do not need saving. We are a wonderful Town. We are  
13 rated high. Paula, if you look on that sheet of paper  
14 about how many elementary schools that we had; Airport,  
15 Newtonville, Goodrich. You know these people had to do?  
16 They went door to door. I went up to sixth grade at the  
17 airport and I came back as a senior to go to Shaker. We  
18 had no school. We were all shipped out. These farmers  
19 work hard.

20 MR. MAGGUILLI: Gloria, you are digressing a bit.  
21 Can you just kind of focus in on the plan, please?

22 MS. KNORR: I understand. But Mr. Magguilli, I'm  
23 also tired of hearing people complain in saving  
24 Colonie. I am damn tired - damn tired. Are they saving  
25 our country? Can they help veterans? They are caring

1 about trees. What about our veterans that are dying 20  
2 a day? What about farmers twice that number - dairy  
3 farmers committing suicide? What is important? I am  
4 tired of hearing putting down our Town and our Board  
5 and our Planning Board. Just be nice to them.

6 I was a little bit upset with what was happening to  
7 the farm and Paul always treated me well when I saw him  
8 out. So, I want to be last to see if there is anything  
9 new that they are saying except the same old.

10 This is the fourth public hearing and you've given  
11 up a lot of time to us. Your hearing a lot of the same  
12 over and over; trees. Let's talk about people. It's talk  
13 about programs. Let's not leave anybody behind. We need  
14 affordable housing. We need homes. We need a memory  
15 unit. I felt so good about the Planning Board - when  
16 people approached me fighting so hard for the Albany  
17 County Nursing hHme. Someone approached me and said you  
18 know, it's really nice. I remember you fighting for  
19 that. So, I want us as a Town to work on this. Why send  
20 it to the county? Then, they represent Delmar or Knox.  
21 We can work this out because we are the best suburban  
22 Town. So, if we have to talk a little bit more - - I am  
23 impatient.

24 I was a grandmother at a nursery school today.

25 I've been doing a lot of work outside. If I don't



1 stay focused, it's because I am so tired of the  
2 complaining and about the trees and about this or that.  
3 I know how hard you are working. Anybody who is  
4 complaining, then you run. See what you do. You give a  
5 lot of work and I thank you for it. I may not come back  
6 for a while because during election time it is tough.

7 I would like to see a green party member on the  
8 Board. I would like to see an independent on the Board.  
9 I voted for Howie Hawkins for Governor. I voted for  
10 Bernie Sanders. I wrote him in because he was my  
11 candidate. Why? I want Medicare for all. I am a nurse.  
12 Everyone deserves fair housing and healthcare.

13 MR. CAREY: Thank you for your nice compliments,  
14 Gloria.

15 MR. GREEN: Thank you.

16 SUPERVISOR MAHAN: Gloria, if I could sum it all  
17 up in one word, I think we are trying to say is working  
18 together and prioritize. It is easy to say things, but  
19 it's not that easy to get everything down that everyone  
20 wants. We try our best and we appreciate it. It's all  
21 about balance and prioritizing and what the needs  
22 really truly are. You have to prioritize.

23 I think a lot of people said some really good  
24 things and I heard a couple people say some things that  
25 made sense and were very helpful. We take all of that

1 into consideration. We know in these positions that we  
2 take the shots and we deal with it, but our main focus  
3 is to filter out what we can use, we can use in what's  
4 important. You're right, we are the Town. We are the  
5 best suburban Town six years in a row and I hear from  
6 those people all the time. Those comments and those  
7 considerations are also taken into play. Everything is  
8 taken into play. People say here what people say out  
9 there and what people approach us on. We take all of  
10 that into consideration. Thank you.

11 MS. KNORR: I look forward to seeing you at the  
12 memorial ceremony. You are always there - the 9/11  
13 ceremony.

14 SUPERVISOR MAHAN: It is important to us. Thank  
15 you.

16 MR. MAGGUILLI: Even more flags went up this year,  
17 Gloria. 10 more because with the research that they  
18 did, unfortunately they found that there was over  
19 hundred more servicemen that died from Colonie. So, Tom  
20 put up 10 more flags.

21 SUPERVISOR MAHAN: I can end this on a happy note.  
22 If everybody watches American Idol Sunday night,  
23 Madison Vandenberg from Shaker - I think she's going to  
24 do it. We need you to watch and we need the support. We  
25 need the votes. We are ready for her.

1 MR. MAGGUILLI: Can I make a suggestion the  
2 Comprehensive Plan? I would recommend that we close the  
3 public hearing, but close it without date and not  
4 schedule another date for the public hearing. We can  
5 always come back on the 23rd and we would know better  
6 where we stand at that point in time. With nothing new  
7 to present, like Gloria said, it's a rehash of what we  
8 have. We can set the public hearing date on the 23rd  
9 for at the next Board meeting and I think it would help  
10 the process move along a little better. It is just a  
11 recommendation.

12 MS. WHALEN: Well, we are keeping it open but we  
13 are adjourning it.

14 MR. MAGGUILLI: Without a date.

15 MS. WHALEN: Right, because you had said close it.  
16 We don't want to close it. We want to keep it open but  
17 adjourn it.

18 MS. KNORR: It's really hard during an election  
19 year. It's hard to hear all this. I watch C-SPAN, Meet  
20 the Press. I'm probably a news junkie, but there is a  
21 point where you have to go on with your life. I wish it  
22 wasn't an election year.

23 MR. GREEN: I will make a motion to close the  
24 public hearing for this evening and adjourn it to a  
25 future date.

1 SUPERVISOR MAHAN: Do we have a second?

2 MS. MURPHY: Second.

3 SUPERVISOR MAHAN: Supervisor votes aye. Clerk,  
4 call the roll.

5 MS. GANSLE: Councilman Rosano?

6 MR. ROSANO: Aye.

7 MS. WHALEN: Wait, what date are we adjourning it  
8 to?

9 MR. GREEN: Jennifer, we said to a future date.

10 MS. WHALEN: I couldn't hear you. Sorry. A future  
11 date.

12 Yes, aye.

13 MS. GANSLE: VonDollen?

14 MS. JEFFERS-VONDOLLEN: Aye.

15 MS. GANSLE: Murphy?

16 MS. MURPHY: Aye.

17 MS. GANSLE: Green?

18 MR. GREEN: Aye.

19 MS. GANSLE: Carey?

20 MR. CAREY: Aye.

21 MS. GANSLE: The ayes have it on the adjournment.

22 SUPERVISOR MAHAN: The Resolution is adopted.

23 Thank you for your suggestion, Mike.

24 MR. GREEN: Now we have to do public comment.

25 SUPERVISOR MAHAN: Does anybody have any regular

1 public comment?

2 (Whereas the above entitled proceeding was  
3 concluded to address the public comment of the evening  
4 at 9:02 p.m.)  
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I, NANCY L. STRANG, Shorthand Reporter and Notary Public in and for the State of New York, hereby CERTIFY that the record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

\_\_\_\_\_  
NANCY L. STRANG

Dated \_\_\_\_\_