

Appendix 2
Record of Public Hearing

THE STENOGRAPHIC RECORD

BEFORE THE TOWN OF COLONIE
PLANNING BOARD

In the Matter

-of-

a Public Hearing pursuant to a Part 617 of the
implementing regulations pertaining to Article
8 (State Environmental Quality Review Act) of
the Environmental Conservation Law to receive
comments on the Lisha Kill Area Draft Generic
Environmental Impact Statement (DGEIS)

PROCEEDINGS:
April 16, 1996

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CERTIFIED SHORTHAND REPORTER
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Environmental Impact Statement (DGEIS)

Public Operations Center
347 Old Niskayuna Road
Latham, New York

April 16, 1996
7:00 P.M.

PRESIDING:

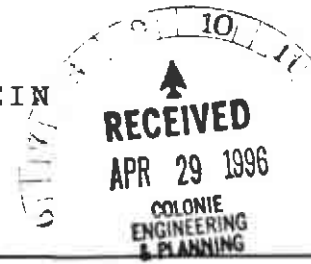
PETER E. PLATT, Chairman
Town of Colonie Planning Board

PLANNING BOARD:

DANIEL O'BRIEN
DOMENIC MASSIMILIAN
WILLIAM HERMAN
BEVERLY MITCHELL
JAMES SHEEHAN
GEORGE HOLLAND

CONSULTANTS:

CLOUGH, HARBOUR & ASSOCIATES:
PETER CONWAY
STEVE WILSON
THOMAS JOHNSON
CHRISTOPHER EINSTEIN



1 P R O C E E D I N G S

2 MR. PLATT: Okay. We'll start.

3 I want to thank you all for coming, and I
4 also want to tell you this is only the second
5 time since this building has been built that we
6 are sitting up here. We really don't like it.
7 It's very cramped for us, we can't see the
8 plans, et cetera, et cetera, but anyway, we'll
9 get started.

10 We'll start with Peter Conway from Clough,
11 Harbour, who will do the initial presentation,
12 and he will just call various people up from his
13 office who have helped to put this proj... plan
14 together. After he makes his presentation,
15 we'll open up to the audience, the questions.

16 We have a stenographer here, and we would
17 ask that you give us your name and your address,
18 and then you can ask us any questions, or Peter
19 or anyone in the audience or various people from
20 various town departments are here in the
21 audience, and between us all I hope we can
22 answer your questions. If the question has been
23 answered once, I don't want to belittle it and

1 be asked the same question ten times. I think
2 we can answer it once, and we can all go home at
3 a reasonable hour

4 Peter?

5 MR. CONWAY: Thanks, Peter.

6 Good evening. Tonight, we're here to
7 discuss in a public hearing format the
8 Lisha Kill Area Generic Environmental Impact
9 Statement. Awhile back, we had a scoping
10 session in which we were able to identify a
11 number of the key issues that should be
12 addressed in this Generic Environmental Impact
13 Statement.

14 The purpose for the Generic Environmental
15 Impact Statement is it gives the town an
16 opportunity to address in a comprehensive
17 fashion future development within a particular
18 area of the town. It enables the town to be
19 proactive rather than reactive with respect to
20 future development. It addresses the needs for
21 future improvements to the transportation
22 network, utilities, land preservation, and so
23 on.

1 The purpose of tonight's meeting is to
2 give an overview of the Draft Generic
3 Environmental Impact Statement, to solicit input
4 and comments from the public on the document.
5 The comment period will extend to April 27th, to
6 accept written comments. The stenographer here
7 tonight will take down any of the verbal
8 comments presented tonight, but we'll also
9 accept any written comments up until April
10 27th.

11 We will address all substantive comments
12 received in a Final Environmental Impact
13 Statement and present it to the planning board,
14 which is the lead agency under SEQR. If the
15 planning board determines the final
16 environmental impact statement as being
17 complete, then we will work with the town
18 planning board in the preparation of what's
19 known as a finding statement. We expect the
20 entire project to be wrapped up towards the end
21 of May, so we are -- we are on schedule.

22 With me tonight is Steve Wilson, who is
23 going to present an overview of the Draft

1 Environmental Impact Statement, as well as Tom
2 Johnson and Chris Einstein. We'll be here to
3 answer questions that you may have or try to
4 clarify questions that you may have on the
5 environmental impact statement.

6 With that, Steve, if you can give an
7 overview on how we got to where we are, and then
8 we'll get into specific issues such as utilities
9 and transportation, which are some of the more
10 significant issues.

11 MR. WILSON: Thanks, Pete.

12 Like Pete said, I'm really just going to
13 give you an overview of some of the key issues
14 that were addressed in the document. As you're
15 probably -- or some of you may be aware of
16 previous GISes -- GEISes the town has prepared,
17 a big component of those -- of those documents
18 is to try to develop a scenario -- a growth
19 scenario for the -- which in this case is a
20 20-year planning period ending in 2015.

21 The scenario makes a growth forecast and
22 uses that as a basis for evaluating impacts,
23 making recommendations for improvements in

1 infrastructure, utilities, impacts on schools
2 and municipal services, and all of the things we
3 address in the EIS.

4 So, really, the first step in that -- the
5 first step in the EIS process is to try to
6 resolve what we consider a reasonable growth
7 scenario or a growth scenario that serves as a
8 basis for impact analysis. To do that, our goal
9 -- we first wanted to identify the maximum
10 build-out of the study area; that is, the amount
11 of development that could absolutely -- the
12 maximum development that could occur in the
13 study area, not necessarily over a 20-year
14 planning period but based on zoning and
15 environmental limitations, how much development
16 could occur in the study area if it is totally
17 built out.

18 So, to develop that scenario, we -- what's
19 termed in the document as the "full build-out
20 scenario" -- we took a look at a variety of
21 things. First, we identified all the publicly
22 owned or other lands within the study area that,
23 due to their ownership, are dedicated in

1 perpetuity; and that really leads to the first
2 exhibit here which shows public and Nature
3 Conservancy owned land.

4 As you're probably aware, the Pine Push
5 Preserve is a large part of the study area, that
6 area south of Albany Street -- excuse me, south
7 of Central Avenue, all this area down in here.
8 As you can see from here, all of the colored
9 areas on the map are considered publicly or
10 Nature Conservancy owned land. The areas shown
11 in green are those owned -- the lands owned by
12 the Nature Conservancy. The lands identified in
13 blue are owned by the state of New York, and the
14 lands in yellow are the current Colonie. All of
15 the lands south of the railroad tracks is
16 considered part of the Albany Pine Bush Preserve
17 and, therefore, we considered it unlikely to be
18 developed any time in the near future because of
19 the ownership.

20 Maybe I should back up and give -- anybody
21 who is not really familiar with the limits of
22 the study area, the study area is bounded by the
23 town of Guilderland to the south, the town of

1 Rotterdam, the city of Schenectady, and the town
2 of Niskayuna town line to the north, the village
3 of Colonie to the east, and the airport area

4 MR. CONWAY: Which is just off of Denison
5 Road to the east -- off to the west

6 MR. WILSON: To get back to the publicly
7 owned land, other lands in the study area we --
8 we figured would have limited development
9 potential, included all of the park owned lands
10 within the town of Colonie, and those are all
11 exhibited in yellow. So in trying to develop
12 our build-out scenario, we basically threw those
13 out of the equation.

14 The next thing we looked at was the
15 wetlands in the study area. Probably -- many of
16 the residents that live out there are probably
17 aware of a large part of the -- a significant
18 portion of the study area is designated as a
19 federal wetland -- or excuse me, state wetlands,
20 and as you get a quick view here, all of the
21 areas that are colored in are areas designated
22 as state regulated wetlands by the New York DEC,
23 so we threw those areas out as well. Even

1 though there's a potential some of these areas
2 could be developed, their development potential
3 is severely restricted through DEC regulations,
4 permitting requirements, things like that, so we
5 threw those out.

6 Then we also took a look at federally
7 regulated wetlands within the study area. While
8 no official mapping comparable to the DEC
9 mapping exists to identify the federal wetlands,
10 we did take a -- make an attempt here based on
11 some previous work that's been done in the area
12 by the Nature Conservancy, some of the aerial
13 photographs available for the area, some
14 information provided by the Albany County Soil
15 Conservation Service. We basically came up with
16 a composite of the approximate extent of
17 federally regulated wetlands within the study
18 area. As you can see from the corner area,
19 these make up an extensive portion of the area,
20 so we threw out those areas as well in trying to
21 come up with a development scenario.

22 Taking all of those areas into account,
23 you come up with about 1300 acres of the -- the

1 5800 acres within the study area is free from
2 those environmental restrictions that I just
3 mentioned, so we have about 1300 acres to work
4 with.

5 Superimposing the 1300 acres on the -- the
6 zoning -- the existing zoning map which is
7 illustrated here to try to get a better
8 understanding of that development of land, how
9 much development does the current zoning
10 ordinance permit.

11 As probably most of you are aware, a large
12 portion of the area south of Albany Street is
13 zoned industrial, in light blue. There's also
14 some business and residential zones out near the
15 Guilderland town line, and then you have the
16 residential zones along Albany Street, and north
17 of Central Avenue is the Central Avenue
18 corridor, zoned all commercial.

19 So, taking that into consideration, we
20 came up with, as I said, a full build-out
21 scenario which is explained in the EIS -- or
22 excuse me -- the GEIS but includes about 1300
23 residential units, a million and a half square

1 feet of commercial space and six million square
2 feet of industrial space.

3 Now this -- and again, this represents --
4 it says right down here, "represents maximum
5 development potential of the study area based on
6 the acreage of developable land," so we
7 basically took a look at the zoning, divided by
8 the amount of developable land in the study
9 area, and we came up with a maximum development
10 of the study area.

11 MR. CONWAY: It's important to note that
12 the town is not proposing -- this is the type of
13 development that will occur. We are not
14 proposing this is the intensity of the
15 development that will occur. It's important to
16 remember that. Based upon the development
17 constraints that Steve has just mentioned and
18 the acreage, this is the type of development and
19 intensity of development that could occur in a
20 worst case scenario over an extended period of
21 time, so we're using that as a baseline of
22 information, working back what we are going to
23 propose or discuss here tonight as a reasonable

1 development scenario, I guess would be a better
2 term

3 MR. WILSON: There's no -- there's no
4 projected time line for this development. It
5 could be 50 to 100 years, who knows when.

6 Now, to come up with what we term in the
7 EIS as a projected growth development scenario
8 or a theoretical growth scenario for the study
9 area, we took in a large part of some of the
10 recommendations, including the town's Land Use
11 Management Advisory Council, better known as the
12 "LUMAC Technical Report," which was published
13 in 1988. I don't know if a lot of you are aware
14 of that. It makes a lot of recommendations for
15 land use, how the land -- the undeveloped land
16 in the town should be encouraged to be
17 developed.

18 So we took a look at the LUMAC
19 recommendations. They're probably -- they're
20 comparable to the zoning in that a lot of the
21 light industrial is encouraged in the
22 environmentally sensitive areas near the
23 Guilderland town line. Residential and

1 commercial development is encouraged in those
2 areas in the town historically known for those
3 types of land uses.

4 We also worked with the Capital District
5 Transportation Committee and the Capital
6 District Regional Planning Commission. Both
7 have -- both provide valuable information
8 regarding land use, growth patterns within the
9 study area. We also got information from the
10 Census Bureau regarding past growth in this
11 study area.

12 We worked with engineering and the
13 planning department, got information on current
14 proposals within the study area to try to come
15 up with what would serve as -- would be a
16 reasonable or a potential growth scenario within
17 the study area that uses evaluations for the
18 20-year planning period, and that really leads
19 us to the projected growth development scenario
20 which is approximately 50 percent of the full
21 build-out scenario, which is 660 residential
22 units, 750,000 square feet of commercial space
23 and 3 million square feet of industrial space

1 and, again, I can't stress enough that it's
2 really, as it says here, a theoretical
3 development scenario which is used as the basis
4 for the evaluation of growth within the study
5 area.

6 Based on everything we know about the
7 study area, all of the environmental
8 restrictions, past growth patterns, the
9 potential, the location, this is what we used
10 for the -- our projected growth development
11 scenario. From that, as I said, we -- that was
12 the basis of our impact evaluation which we
13 looked at in the GEIS, which the evaluation, the
14 growth -- the impact that growth would have on
15 land use, open space, hydrology of the drainage
16 within the study area, surface water resources,
17 ground water resources, wildlife, the Pine Bush,
18 the important components of the study area, all
19 that -- all that is included, and it goes into
20 great detail in the EIS.

21 As you can probably expect, a lot of
22 the growth within the study area is obviously
23 going to impact some of the resources within the

1 study area. Obviously, when undeveloped land is
2 converted into a developed state, there is
3 obviously an impact that occurs.

4 Really our goal here tonight is to
5 kind of touch on some of the more important and
6 critical issues within the study area. That
7 really includes some of the impacts on the
8 infrastructure, municipal services and
9 transportation network, and that really leads us
10 to these exhibits over here, and I encourage
11 anybody that can't hear, please feel free to
12 move forward.

13 What we have -- what we're showing
14 here is based on the projected growth scenario.
15 We have some more improvements to the town's --
16 this is one of the exhibits that is handed out
17 in the package. Working with the town -- Latham
18 Water District, we -- we worked with them to try
19 to get a better understanding of improvements
20 that will be required of the town system to
21 accommodate the growth that we're planning for
22 within the study area, so that shows here the
23 improvements are really -- the major

1 improvements are concentrated because most of
2 the area is already in the Latham Water
3 District.

4 The improvements, specifically in the
5 study area, include increasing the existing
6 water main down Albany Street. It's going to be
7 upgraded to a 16-inch main. In conjunction with
8 that, a new storage tank will be constructed out
9 of Cordell Road, just north of the railroad
10 tracks, additionally, new water mains down Kings
11 Road -- the Kings Road/Curry Road area, to try
12 to service these areas that aren't part of the
13 Latham Water District.

14 As far as the other -- the other town
15 services, maybe I should back up. We're going
16 to get into the discussion regarding some of the
17 costs associated with these improvements as well
18 as some of the transportation improvements we're
19 proposing will be needed. As far as the -- as
20 far as other improvements -- excuse me -- other
21 municipal services within the study area, other
22 utilities within the study area, we were in
23 contact with all of the utility companies that

1 service the area, NIMO, as you probably expect,
2 NYNEX, and all of those are not having a real
3 problem with the projected growth service, and
4 they feel they can service it as it comes on
5 line with that.

6 With that, I'm going to turn it over
7 to Tom, and he's going to touch down on -- Tom
8 Johnson, our traffic engineering -- traffic
9 analysis included in the EIS. He's going to
10 give you a little overview of expected impacts
11 from traffic generated by the new growth and
12 some of the methods we're proposing to minimize
13 that growth.

14 Tom.

15 MR. JOHNSON: Thanks, Steve.

16 What I would like to do is begin with
17 Steve's presentation and just focus on the
18 projected land use development scenario first.

19 To determine the future of the traffic
20 impacts, the first thing we had to do is
21 determine how much traffic would be generated by
22 all of this growth. Once we had that number,
23 what we did is take all that traffic and then

1 just disperse them throughout all the study area
2 roadways. Once we did that, we were able to get
3 the traffic volumes on all of the study area
4 roadways and the intersections. From that
5 information, we were able to determine where the
6 traffic congestion areas were going to be in the
7 study area.

8 All we have on this map right here is
9 an indication of where those areas are. We have
10 a series of circles and rectangles, a very
11 simple map, and what they are is a -- small
12 circles and small rectangles basically represent
13 areas of minor congestion, areas where we expect
14 moderate delays but nothing too overwhelming.
15 Areas where we have bigger circles and bigger
16 rectangles, those are the areas where we can
17 expect significant congested areas without many
18 improvements to the roadways.

19 We're fortunate that there's only a
20 few locations within the study area that are
21 either large circles or large rectangles, and
22 those are concentrated along Albany Street near
23 Morris Road and Lisha Kill Road and also down

1 here at New Karner Road. If you also look at
2 the figure, you'll notice that there's small --
3 on Morris -- dots and some large rectangles just
4 outside the study area.

5 What we did is, even though we were
6 just worried about including homes from prime
7 study areas -- and we did go a little bit beyond
8 just to determine what happens on the fringes of
9 the study area -- it's important to note that
10 you would even have these large circles and
11 large rectangles show up on areas of New Karner
12 Road and -- and Kings Road, Curry Road in the
13 town of Guilderland, even without the growth
14 from the Lisha Kill area, so it's not that the
15 growth of the Lisha Kill Road area is causing
16 the congestion outside of the study areas.

17 Once we had those areas identified, we
18 were able to come up with improvements. We came
19 up with two sets of improvements. The first set
20 is what can we do out there based on the
21 existing roadway structures; that is, if we
22 didn't have any new roadways or any new
23 intersections, just worked with what we had out

1 there.

2 Areas where we had minor congested --
3 minor congestion is basically along the fringes
4 and study areas, mainly the Consaul Road area
5 and right here on Kings Road, down here at
6 Karner Road and Albany Street. The minor
7 congested areas we're basically looking at, you
8 can install traffic signals and left turn lanes
9 to make everything work okay.

10 Now, as we got along Albany Street at
11 New Karner Road and Lisha Kill Road and Morris
12 Road, we had to have more -- more intensive
13 views. In addition to traffic signals, we're
14 talking about multiple turning lanes, not just
15 one but several left turn lanes and right turn
16 lanes, basically just widening the roadway to
17 fit all of that in there, especially down here
18 at New Karner Road where we're talking about
19 double right turn lanes and double left turn
20 lanes.

21 MR. CONWAY: Also -- if I can
22 interrupt for a minute -- most of this work will
23 be done in the intersections. When we first

1 started to take a look at the impacts, we looked
2 at the existing -- as Tom said -- the existing
3 roadway network and the existing capacity within
4 the network. We weren't looking at coming in
5 and putting six lanes along Albany Street or any
6 major improvements that would disrupt the
7 character of the study area which we thought
8 were unreasonable from an environmental and/or
9 economic standpoint. We were looking at the
10 types of improvements that would be necessary to
11 accommodate what would be considered reasonable
12 growth over the next 20 years.

13 So, putting that in proper
14 perspective, these are the types of mitigation
15 measures that were developed within the DGEIS.

16 MR. JOHNSON: As Steve mentioned
17 earlier, I know we didn't get into costs, but
18 the costs of all of these improvements within
19 the study area is estimated to be \$2.1 million.

20 Now, the second set of improvements is
21 what -- what we would need if we did throw a
22 roadway in there. The congested areas along the
23 bridge basically don't change. We still need,

1 you know, minor improvements, a stop signal
2 here, or a turning lane there.

3 The roadway that we did look at, in
4 particular, is what we term the Cordell
5 Road-Lisha Kill Road connector. As the name
6 implies, it connects Cordell Road with Morris
7 Road, and it swings on up to Lisha Kill Road,
8 and that is north of the railroad tracks.

9 Now, the benefit of this road is that
10 it took 80 percent of the traffic off of Morris
11 Road up through here, and it also took 25
12 percent of the traffic off of Albany Street in
13 through here. It created a nice path for the
14 traffic to travel right through here. In
15 particular, it was able to take off what we feel
16 will be a reduction in the truck traffic in the
17 residential areas coming up through here.

18 This road would be built to
19 accommodate heavy trucks. What I mean by that,
20 the pavement would be built a lot thicker so it
21 -- so it lasts longer. With that, we feel that
22 this would be an ideal path for the trucks in
23 the industrial area to take instead of going

1 through the residential areas.

2 We still need quite a bit of
3 improvements once this comes in Lisha Kill right
4 down here.

5 MR. CONWAY: That would be at the
6 intersection of Cordell Road and Lisha Kill,
7 which would now be an intersection.

8 MR. JOHNSON: Now, the cost of these
9 improvements with this connector is estimated at
10 \$7.3 million. The roadway itself is, I believe,
11 over \$5 million.

12 There's two other potential
13 improvements that are shown on this map that
14 aren't included in the cost. The first one is
15 the extension of Cordell Road down to Curry
16 Road. Now, this potential extension would
17 provide great benefit to this industrial area as
18 it provides quicker and easier access over to
19 the interstates of 890 and 90. Thereby, it
20 would probably reverse traffic patterns.
21 Instead of traffic heading out to the east, it
22 will now come out to the west.

23 A second potential improvement is not

1 shown. It was what we call a service road from
2 Albany Street out to Central Avenue, and that
3 would be west of New Karner Road, and what a
4 service road is is basically an alternative
5 means for people in this area to get out to
6 Central Ave., back and forth, without having to
7 travel all the way up to New Karner Road, which
8 we all know is very heavily travelled right now,
9 and also to get away from that intersection
10 where we are proposing significant improvements.

11 MR. WILSON: Maybe we should explain
12 and apologize that it is not shown graphically
13 on this, but it is shown in the EIS. The
14 exhibit is included in there.

15 MR. JOHNSON: And those are the
16 improvements that we looked at.

17 We looked at alternative factors.
18 Steve will get more into the mitigation costs of
19 all of this.

20 MR. WILSON: Thanks, Tom.

21 We touched on earlier some of the
22 major costs associated with capital improvements
23 in the study area, about \$9.7 million for some

1 of those water improvements that I mentioned
2 earlier that will be needed or will be required
3 to accommodate the development.

4 Also, as Tom had mentioned briefly,
5 the improvements to the road network would also
6 require, depending on which alternative is
7 chosen, which is the Alternative 1 which is out
8 of the Lisha Kill-Cordell Road connector.
9 That's about \$2 million in cost for growth
10 improvements. As you might expect, the
11 construction of -- what is it, about a mile and
12 a half?

13 MR. JOHNSON: Almost two miles.

14 MR. WILSON: -- about two miles along
15 the connector road, dramatically increasing the
16 cost and capital improvements to over \$7
17 million.

18 In trying to come up with an equitable
19 way of allocating the expense for the
20 improvements in line with previous GEISes
21 completed in the town, we kind of developed this
22 sub-area concept, but basically the study area
23 -- well, let's take the transportation

1 improvements first, for -- the transportation
2 related improvements was divided up -- the study
3 area -- into two sub-areas. Basically the --
4 Sub-area 1 consists of the area south of Central
5 Avenue, including all properties that front on
6 Central Avenue. Sub-area 2 includes all of the
7 areas north of Central Avenue.

8 What our goal was was to try to -- for
9 those properties that will be developing --
10 excuse me -- for those properties located in,
11 say, Sub-area 1, the idea was to have --
12 incidentally -- ultimately benefit from the
13 particular improvements in that area, meaning
14 they'll have the most benefit from the new
15 connector road -- any improvements from the
16 intersection out there. Since that area will
17 benefit from those improvements, then it is
18 determined that the portion -- the highest
19 portion cost should go to that area.

20 Conversely, improvements north of
21 Central Avenue would primarily be restricted to
22 Sub-area 2, so, similarly, they should -- the
23 mitigation cost should be associated with those

1 properties.

2 MR. CONWAY: This line -- this line in
3 here along Central Avenue is based on tax map
4 data, so we did take a look at the properties,
5 so no properties were necessarily cut in half.

6 MR. WILSON: And the rear lot line.

7 MR. CONWAY: And as Steve mentioned,
8 we're trying to create a nexus between the
9 improvements and the properties that would
10 benefit from those improvements, so it was an
11 equitable distribution and/or allocation of
12 ultimate mitigation costs.

13 MR. WILSON: Similarly, for the water
14 -- proposed water improvement, it gets a little
15 more complicated -- and the utilities. We spent
16 quite a bit of time on this.

17 We divided up the sub-area -- or
18 excuse me -- the study area into five sub-areas,
19 and they're broken up along those same lines.
20 The water improvements are ultimately going to
21 benefit isolated portions of the study area, so
22 the portion cost of those improvements has been
23 divided up into five sub-areas similarly north

1 of Central Avenue. Again, the -- the lots with
2 frontage along Central Avenue have been cut out
3 of Sub-area 5. Sub-area 4 which basically
4 includes the Albany Street corridor and Sub-area
5 3, the New Karner Road corridor, and Sub-area 2
6 which basically consists of the Kings Road area,
7 and then Sub-area 1 is the Kings Road and Curry
8 Road area.

9 To give you an example of how we
10 approach this -- in this, there's a new main
11 proposed for a portion of the Kings Road well.
12 What portion of the study area will benefit from
13 that new main? And that is those lands that are
14 all included in Sub-area 1, or the costs
15 associated with that should be allocated to that
16 sub-area.

17 To give you a little feel for what --
18 how some of those costs break out for future
19 development based on development within the
20 study area, you get a feel for how the water
21 improvements -- the mitigation cost associated
22 with these water improvements and, as you can
23 see here, we have it broken down so you can see

1 the -- so you can see from the different
2 sub-areas the cost for, say, dwelling units
3 ranges from just under 2,000 to a little over
4 3,000. The costs are related to the amount of
5 improvements that are apportioned within that
6 sub-area.

7 Certain sub-areas have extensive
8 amounts of improvements, as you can imagine.
9 Out in the Kings Road area, say like Sub-areas 1
10 and 2, there's not -- there's not much water
11 service out there, so a lot of improvements will
12 be needed, such as a high residential dwelling
13 unit cost or also a per square foot cost is
14 associated with the mitigation.

15 Likewise, we have a similar type
16 breakdown for the transportation improvement
17 mitigation cost. Again, we just have two
18 sub-areas on that. See, we have Sub-area 2
19 being north of Central Avenue. Minimal
20 improvements are proposed in that area. As
21 such, the costs are accordingly low. Our
22 Sub-area 1 where the connector road in some of
23 the more extensive improvements are proposed, as

1 you can see, the differences of what the
2 connector road does for some of the mitigation
3 costs. There is an increase associated with the
4 capital improvements.

5 MR. CONWAY: Now, these costs would be
6 allocated to any new development being proposed
7 within the study area, and it's a mechanism
8 which the town has the ability to help in
9 defraying the capital improvements that are
10 necessary to sustain this new growth. So, as I
11 mentioned before, it gives the opportunity to
12 the town to be proactive rather than reactive
13 and gives the town a comprehensive look at the
14 types of improvements to the infrastructure that
15 would be needed.

16 Again, I want to stress the fact that
17 the town took a look at what was a reasonable --
18 working with us in our recommendations -- what
19 appears to be a reasonable projection for growth
20 and not necessarily making dramatic changes,
21 especially to the transportation network within
22 the study area.

23 MR. WILSON: That really wraps it up

1 with the --

2 MR. CONWAY: We're going to put the
3 boards around, put them all around on easels so
4 there's plenty of opportunity to get up and look
5 at them a little more closely.

6 I know it was a brief overview of --
7 the document is fairly thick. We wanted to give
8 an overview so that we can open it up for
9 comments that the public would have and if there
10 are any detailed questions that the public has,
11 we'd be happy to answer them.

12 I think what we would ask is if you do
13 have a comment, if you would give your name so
14 that it can be recorded, and we'll do our very
15 best to address it and, as I said, if you leave
16 here tonight and you still have comments, we're
17 willing to accept comments up until April 27th,
18 which we will address in the final Generic
19 Environmental Impact Statement.

20 With that, any comments?

21 MR. PLATT: Excuse me one second. I
22 would like to see if any members of the board
23 have any questions before we start.

1 George?

2 MR. HOLLAND: No.

3 MR. PLATT: Beverly?

4 MS. MITCHELL: I just have two minor
5 questions for the federal wetland delineation.
6 What manual did you use to designate those?

7 MR. WILSON: Based on the current
8 thing -- or the board accepted a manual in 1987,
9 the Wetland Delineation Manual. It wasn't a
10 field delineation.

11 MS. MITCHELL: Okay. Did you take a
12 look at how that would change if the delineation
13 manual was a standard? Is that still under
14 discussion?

15 MR. WILSON: Right. That was really
16 our feeling about it. It was so touchy. We had
17 to go with what was currently suggested. Again,
18 I think, because it is an aerial code of rapid
19 interpretation, they are subject to -- they will
20 have to be field verified. Based on that, we
21 have a planning tool as opposed to any kind of
22 site planning tool.

23 MR. CONWAY: Yeah. As each specific

1 site comes in before the planning board, they'd
2 have to make a site-specific delineation as to
3 existence of federal wetlands.

4 MS. MITCHELL: The second question I
5 had was with regard to the potential Cordell
6 Road extension of the construction between
7 Morris, Cordell Road and Lisha Kill. If those
8 improvements are not -- not completed, if you
9 took one scenario versus two, how would you
10 expect that would affect the abilities for both
11 in that particular area of the study? I mean, I
12 would think it would be very limiting. Would
13 that change? Your figures suggest that the same
14 development scenario, the 50 percent, the
15 partial build-out, if you want to call it that,
16 would continue irrespective to whether those
17 improvements are completed or not completed.

18 MR. JOHNSON: That's correct. Either
19 one would produce acceptable conditions, so just
20 because you don't have Cordell doesn't mean that
21 you cannot build the target growth scenario.

22 MS. MITCHELL: You don't think that
23 the lack of that particular roadway would impact

1 whether or not that section of the town could be
2 developed?

3 MR. JOHNSON: No. The improvements
4 for Alternative 1 represent accommodating the
5 same amount of traffic.

6 MR. CONWAY: And part of it too is
7 just another alternative for -- primarily for
8 diverting truck traffic in that area based upon
9 the projections that that amount of growth will
10 occur with the Cordell and Lisha Kill Road
11 extension, if you will, just an alternative for
12 addressing how truck traffic will be handled as
13 opposed to the different types of improvements.
14 There may be more intensive type improvements to
15 the intersections along Albany Street as opposed
16 to lesser improvements if the Cordell-Lisha Kill
17 Road extended -- or road extension was
18 developed.

19 MS. MITCHELL: So as I look at
20 Scenario 1, are you saying now that Scenario 1
21 would not be put into place if you include the
22 extension of Cordell Road; you would not
23 necessarily need all those improvements?

1 MR. JOHNSON: That's correct. In
2 particular, the improvements shown near the
3 intersection of Morris Road and Albany Street,
4 we have several lane widenings. When you put in
5 that road -- I think all of them go out -- you
6 just need a traffic signal, so the amount of the
7 improvement in some areas would be decreased
8 with the road.

9 MR. CONWAY: Also, it's the -- it will
10 have to be monitored as to when growth occurs,
11 when it's appropriate to -- you know, for the
12 implementation for either alternative. That
13 would have to be monitored over several years.

14 MS. MITCHELL: That's all of the
15 questions I have.

16 MR. PLATT: Bill?

17 MR. HERMAN: I've got a few and, if
18 you don't have the answer tonight, that's okay.
19 Just tell me you don't, and hopefully we'll get
20 it the next time we meet.

21 MR. CONWAY: Okay.

22 MR. HERMAN: The first question is,
23 the projection is about 1700 new residents in

1 this area given as most likely growth
2 development that might occur over the next 20
3 years. What was the growth since 1976? What
4 type of growth did we see in the last 20 years?

5 MR. WILSON: I would have to check on
6 that. I don't know it right off the top of my
7 head. I think it's discussed in that
8 demographic section. We did take a look over
9 the last 20 or 40 years.

10 MR. HERMAN: I didn't see it. It may
11 be in here.

12 MR. WILSON: We can clarify it then.

13 MR. HERMAN: It also projects 27
14 percent of the townwide population would occur
15 in this area, and that's current activities, and
16 that sort of makes sense given -- according to
17 how -- because the town is fairly well built
18 out.

19 Now, I realize you're looking at
20 different time frames, but the Boght area and
21 the airport area, did you do similar projections
22 of how much of the growth rate would occur in
23 those areas during the study area -- the study

1 period? For example, the airport is -- what is
2 it 20 years -- and Boght is 15 years?

3 MR. CONWAY: Right. Yeah.

4 To answer your question, I think we
5 said 47 percent of the projected growth in the
6 town would occur in the study area. What did we
7 indicate that would be, 37-, 3500?

8 MR. HERMAN: 3500 people townwide?

9 MR. CONWAY: Right. 40 percent of
10 that would -- would most likely -- 40 percent of
11 that population growth would occur in this
12 particular study.

13 MR. HERMAN: There's a statement on
14 the -- I'm going to go through it -- on ES-4,
15 "Past development trends in the study area do
16 not provide a clear picture of the future growth
17 of the study area." Obviously you're trying to
18 look forward, and you're saying that the past
19 really isn't a very good indicator. Was there a
20 consideration to the fact that as sewer lines
21 are added to this part of town -- are extended,
22 there would be, I guess, a faster growth
23 pattern? In other words, we're seeing in the

1 Boght, where the sewer goes in and all of a
2 sudden the developers show up. What warrants
3 "economically feasible?" Where should it be
4 coming from?

5 MR. CONWAY: Yeah, and if I'm not
6 mistaken, I think the -- each site extension
7 sewer is really driven by a particular project
8 in looking into a developer. So, in other
9 words, the developer comes in and he says,
10 "We're proposing development of a 50-acre
11 site," it's their responsibility to extend the
12 necessary sewer infrastructure. So that's
13 pretty much dictated by the developer not
14 considering the town.

15 I would say that if the town came in
16 and started to install water lines, certainly
17 that would spur growth. On the sewer end of it,
18 I think it pretty much is driven by a specific
19 project, if I'm not mistaken.

20 I don't know if that answers your
21 question. If you put in a sewer, yes, it
22 certainly is going to improve.

23 MR. HERMAN: Well, for example, there

1 are two projects that are pretty large ones
2 before us. I think one has a sewer pretty
3 close.

4 MR. CONWAY: Right.

5 MR. HERMAN: And the one south of
6 Central doesn't. The question then is, do you
7 know those routes? Obviously, there is no
8 guarantee they'll proceed after this -- the
9 study period is over, but did your study look at
10 the impact of sewer installation in this area,
11 upon growth specifically?

12 MR. CONWAY: Yes.

13 MR. WILSON: I think that's the reason
14 why the numbers under the projected growth
15 scenario might seem higher than what you would
16 expect because we did -- kind of took that into
17 effect. Yeah, if you brought in the sewer, then
18 the growth patterns that could happen with a
19 sewer wouldn't be comparable to those that
20 occurred in the past. Growth occurred very
21 slowly out there. Right, if you do bring in a
22 sewer, you would see growth comparable through
23 what we analyzed under the projected growth

1 scenario, obviously the worst case, but again
2 that would be -- that would count. The
3 projected growth scenario doesn't count for a
4 higher growth rate, something that could be
5 expected to occur if utilities were extended.

6 MR. HERMAN: Moving along on
7 ES-6. Okay. It has to do with wetlands --
8 vegetation, wildlife and wetlands. This is the
9 impact and mitigation measures.

10 The first paragraph, I don't
11 understand it. It says, "The projected growth
12 development scenario in the study area would
13 result in impacts to the vegetative resources in
14 the study area." I understand that. The next
15 sentence is where I'm confused. "Based upon the
16 development scenario, approximately 650 acres
17 out of a total of approximately 3,000 acres, 22
18 percent of undeveloped land and associated
19 vegetation could be eliminated from Albany." I
20 mean is that appraisal area structured, do you
21 know?

22 MR. WILSON: Right.

23 MR. CONWAY: It would be associated

1 with developments, definitely.

2 MR. HERMAN: If you have 35 percent --
3 35 percent green in commercial, that 35 percent
4 that is green, was that not included in that 650
5 acres?

6 MR. CONWAY: Even green space could be
7 disturbed; it just could be replanted but -- so
8 what we're looking at, we're taking a
9 conservative approach saying that if you're
10 going to build that based upon the development
11 scenario, there's going to a significant amount
12 of disturbance, so --

13 MR. HERMAN: That's the entire --
14 everything?

15 MR. CONWAY: Yeah.

16 MR. WILSON: Everything, yeah.

17 MR. HERMAN: Then on ES-8, you talk a
18 little about aquifers. The one thing I didn't
19 see -- maybe it's in here again. Is there any
20 deep aquifers in the county for wells in this
21 area? There's obviously a lot of water near the
22 surface. The question is, is there any strong
23 aquifers down below this area?

1 MR. WILSON: We had some discussion
2 with the Albany County Health Department.
3 Everything was kind of -- everything was spelled
4 out down there.

5 MR. CONWAY: We didn't look at that as
6 a possible source -- the water supply for the
7 town, you mean?

8 MR. HERMAN: No, not just that. I
9 mean for the quality of water for down the road,
10 the many measures we have to take to preserve
11 anything that might be down there, and obviously
12 if there is anything down there, that the town
13 can tap down there.

14 MR. CONWAY: Right. That's a good
15 comment. We didn't look at that per se but if
16 you take a look at the total acreage out there,
17 a significant portion we will never be able to
18 develop because it is protected, you know, the
19 Pine Bush Preserve wetlands, and so on, so the
20 intensity of the development is certainly less;
21 but that's a good comment, something we would
22 have to address in a lot of ways.

23 MR. HERMAN: On ES-9 -- and I'll read

1 what you have here. The impacts and mitigation,
2 there's a section on hydrology and drainage.
3 "Existing drainage reports the main study of
4 the Kings Road drainage areas to evaluate for
5 the study areas to identify future impacts."
6 What do you do to verify that information,
7 update it when necessary, those two studies?

8 MR. CONWAY: I don't know if I follow
9 you.

10 MR. HERMAN: Do you know the main
11 study, the Kings Road study, there's obviously
12 been very little disturbance or change, but
13 there has been obviously some over the years.
14 What have you done to verify that the conditions
15 stated in that study -- I don't want you to
16 review the study but, obviously, read it and
17 verify the key points in it. How did you
18 address that?

19 MR. WILSON: We did some field
20 investigation to follow up on a lot of the
21 problems that were, I think, addressed in some
22 of those previous reports, tried to incorporate
23 that into our -- in some of our impact and

1 mitigation discussions.

2 MR. HERMAN: Okay. Now, this next one
3 -- you probably should get your hands on one of
4 those books, if you've got one. This is on
5 ES-10. There's a statement that has to do with
6 the water supply and improvements necessary.
7 We'll let you get to a --

8 MR. WILSON: Okay.

9 MR. HERMAN: Second column on the
10 right there, the first full paragraph. The last
11 sentence, "The proposed cost of the improvements
12 is approximately 9.7 million," and it
13 references Table ES-1, and when I turn to ES-1,
14 I see 10.9 million. Maybe I'm reading the
15 numbers wrong, but there are two different
16 numbers. I thought they related to the same --

17 MR. WILSON: Actually -- maybe it's a
18 typo.

19 MR. HERMAN: Well, you can address
20 that. It's a lot to look at right now, I
21 realize.

22 All right. I'd like to go on record
23 right now. I like the alternative road myself,

1 the way it is presented here. Obviously, as we
2 go further along, I'll make my mind up more
3 myself. I don't know how the board feels about
4 it. I think it is a much better alternative.
5 It addresses a lot more concerns.

6 Now, the other thing regarding air
7 quality -- this is on ES-15. It mentions that
8 the air quality is not going to be affected if
9 the improvements are made. Basically they're
10 all within acceptable standards. Now, is that
11 for either alternative? That's the only thing I
12 wasn't clear on.

13 MR. CONWAY: Yes.

14 MR. HERMAN: It's not for one
15 alternative, it's for both?

16 MR. CONWAY: Yes.

17 MR. HERMAN: Then the only one I have,
18 way in the back, was section 11-108. This is
19 kind of an interesting economic study, the
20 impact, the pluses and minuses of new
21 development.

22 MR. CONWAY: Okay.

23 MR. HERMAN: But I really feel it

1 should be from the town's point of view, where
2 you have -- it's the net gain or whatever. We
3 talk about -- it may be difficult to explain --
4 but we talk about background growth in all of
5 these study areas. One thing I would like you
6 to consider as you figure out the net cost or
7 the net revenue in the town, is the background
8 growth on the rest of the town as a result of
9 this development. In other words, "X" number of
10 these people are going to be travelling out of
11 this development and impacting the rest of the
12 town.

13 MR. WILSON: By growth inducing
14 impact.

15 MR. HERMAN: Outside the study area.

16 MR. WILSON: Right.

17 MR. HERMAN: So, therefore, if the
18 town has a net gain of \$500 a house, in reality
19 it may be \$300 a house. Okay. There's impact
20 there.

21 Obviously traffic is a big one, but
22 then if someone has an accident or medical
23 situation in the town and they live in this

1 area, they're impacting upon those services, so
2 I think what looks real positive may still be
3 positive but not as large a number as project...
4 as shown here.

5 MR. WILSON: Steve, we can look at
6 that --

7 MR. HERMAN: Do you follow what I'm
8 saying here?

9 MR. WILSON: Yeah.

10 MR. HERMAN: I think the key is to
11 figure out how much -- how much growth in this
12 area is going to impact the rest of the town --
13 for the town -- the town outside of the study
14 area.

15 MR. WILSON: Okay.

16 MR. HERMAN: But I've got to admit,
17 this is the third one you've done; it's getting
18 better. It's getting even more thorough. Even
19 though I have some questions, I think that it's
20 getting pretty good.

21 Thanks. That's all I have.

22 MR. PLATT: Dom?

23 MR. MASSIMILIAN: Could you clarify

1 these cost estimates? How did you arrive at --
2 is that midpoint during the development period?
3 How did you come up with \$2,000? Is that at the
4 end of 2,015? How did you come up with these
5 cost estimates?

6 MR. CONWAY: As far as the
7 improvements, I think they're based on 1996
8 construction dollars with inflation.

9 MR. MASSIMILIAN: Projected on to the
10 end of the development period?

11 MR. CONWAY: Yes, yes. Working with
12 the town, for example, and some of the water
13 improvements, the reasonable inflation is built
14 in, so it's based on, you know, reasonable
15 numbers. That may have to change as time goes
16 on but, you know, they're based upon those
17 reasonable numbers.

18 MR. MASSIMILIAN: The cost of the
19 roadway too --

20 MR. CONWAY: Absolutely.

21 MR. MASSIMILIAN: -- that was taken
22 from DOT?

23 MR. CONWAY: Absolutely.

1 MR. MASSIMILIAN: That's all I have.

2 Thank you.

3 MR. PLATT: Dan?

4 MR. O'BRIEN: Peter, I'm going to get
5 away from roads and improvements, et cetera, et
6 cetera, et cetera. My concern at the moment is
7 fire protection. What fire coverage hits that
8 area south of Central Avenue, Kings Road, Morris
9 Road, et cetera? Who covers that now? Have you
10 been involved in the fire --

11 MR. HERMAN: Stanford Heights.

12 A VOICE: Stanford Heights.

13 MR. O'BRIEN: Stanford Heights, okay.

14 MR. CONWAY: I believe down on Morris,
15 there's a little --

16 MR. O'BRIEN: Midway -- or supposedly
17 Midway -- Stanford Heights has a little
18 satellite on Morris.

19 MR. CONWAY: Stanford Heights --

20 MR. O'BRIEN: Stanford Heights, okay..

21 As this thing progresses, there is
22 certainly going to have to be a need for a
23 bigger satellite station. I mean they just

1 can't -- to my knowledge, as it seems now, they
2 just can't handle that entire area. Something
3 has to be done. If we're going to -- the total
4 study area, what is it, 5,000 new jobs, nearly
5 10,000 people could be employed by the end of
6 the 20-year period, but my concern is Kings
7 Road, Lisha Kill and Morris, and I would like to
8 know, as you go on, that you are in contact and
9 that something is going to be done, fire
10 protection.

11 MR. JOHNSON: We have some -- they
12 made some recommendations of improvements and
13 some new equipment they might need, some
14 staffing upgrades that they might be required in
15 line with the growth.

16 MR. CONWAY: I think they're in some
17 -- primarily are taking a look at the
18 substation on Morris Road, to upgrade that.
19 They'll have bigger equipment.

20 MR. O'BRIEN: Yeah. That's a little
21 bit of a station --

22 MR. CONWAY: Right.

23 MR. O'BRIEN: -- and it's not worth

1 the effort.

2 Thank you.

3 MR. PLATT: James?

4 MR. SHEEHAN: This is a question on
5 the road -- the construction of the two-lane
6 road from Cordell to -- and then it actually
7 connects by -- faces or intersects with Lisha
8 Kill off of Albany Street. Was there any
9 thought of extending that road farther east,
10 down toward the old railroad like there used to
11 be a railroad station there, so that you would
12 get the truck traffic totally off of Albany
13 Street and the greater portion of the town?

14 MR. JOHNSON: It was quickly but the
15 reason why it wasn't addressed fully, I guess,
16 is this is all protected land in here which is
17 very unlikely that you could get a road in that
18 area.

19 MR. WILSON: Right. I think you can
20 see it on the --

21 MR. SHEEHAN: I saw it. I was just
22 wondering if --

23 MR. WILSON: Okay. Publicly owned

1 concerns and all of the sensitive environmental
2 features in that area would probably make a road
3 very difficult.

4 MR. CONWAY: Very difficult, yeah.

5 MR. PLATT: Anyone else?

6 (There was no response.)

7 MR. PLATT: We'll open it up to the
8 audience for discussion.

9 John?

10 MR. FADDEGAN: My name is John
11 Faddegan, and I represent the Latham Area
12 Chamber of Commerce. We have had little or no
13 input as far as the transportation and those
14 things concerned with water, what you need, and
15 I think the study is a great thing to do. There
16 is no question about it, and the people that are
17 living in that area are much more qualified on
18 these things, but we have some questions as far
19 as economics are concerned and to get to these,
20 could you tell me, what is the percentage of
21 county roads in this area? Are there any?

22 MR. JOHNSON: The county road would be
23 New Karner Road, but there's only a small

1 section of it.

2 MR. FADDEGAN: Are there improvements
3 of the county and state roads?

4 MR. JOHNSON: Just at the intersection
5 along Albany Street and New Karner Road.

6 MR. FADDEGAN: Did you use in this
7 study the 58/42 percent like you did in the
8 airport study?

9 MR. JOHNSON: No. This was the
10 improvement -- are you talking about how much
11 would be allocated to the development in here?

12 MR. FADDEGAN: The improvements that
13 were made to the county road in the airport
14 study, 58 percent was for the -- the private
15 sector, and 42 percent was allocated to the
16 public sector.

17 MR. JOHNSON: Okay.

18 MR. FADDEGAN: Is that -- is that
19 still -- are you doing the same thing?

20 MR. JOHNSON: No. In here, what we
21 did was the total cost of the improvements for
22 -- this one, for instance, was \$7.3 million.
23 The costs that are shown as mitigation represent

1 70 percent, so the other 30 is attributed to the
2 general public using these roads also, so that
3 30 percent has to be made up somewhere else, so
4 that 70 percent of full improvements can be
5 attributed directly to growth in here, so it is
6 more of a 70/30 split.

7 MR. FADDEGAN: So a 70/30, okay.

8 MR. CONWAY: But they weren't
9 necessarily allocated by the public sector, to
10 answer your question. I mean, in other words,
11 the improvements that are being proposed here
12 are the improvements that are going to be
13 reviewed there regardless of the intersection.

14 MR. FADDEGAN: Understood, but I'm
15 talking about the payment.

16 MR. CONWAY: Okay, the payment. All
17 right, I understand.

18 MR. FADDEGAN: Okay. Strictly
19 payment. The benefit -- the benefit to the town
20 at the end of 2003 could very well be about
21 708,000, and that mentions -- that is general
22 funds. Is that a legal thing to be -- in other
23 words, if this was done as you propose, the

1 likelihood of the -- of the town gaining -- in
2 that -- gaining 708,000, I think is what you
3 quoted, you could have a surplus of 708,000?

4 MR. CONWAY: Surplus of --

5 MR. FADDEGAN: Of money.

6 MR. CONWAY: Oh, okay. Tax -- tax
7 impact.

8 MR. FADDEGAN: Money is being taken
9 out of that area to be used in other areas of
10 the town?

11 MR. CONWAY: I don't understand that.
12 I can't answer that. I don't know.

13 MR. FADDEGAN: Did -- is there any
14 study showing whether it would be necessary to
15 fix taxes for taking care of this rather than an
16 alternative tax that we're talking about now?
17 Can anything be done -- what would it cost, the
18 general tax for the whole town, if it were
19 included?

20 MR. CONWAY: No, no, because this
21 specific area has specific improvements that are
22 related to this area, and may not necessarily
23 have any impact on the rest of the town similar

1 to the other Generic Environmental Impact
2 Statement that has been prepared, and the
3 improvements that are being proposed are
4 improvements that are for the most part as a
5 result of development. Therefore, as I
6 mentioned before, it enables the town to be
7 proactive, so that they can keep up with the
8 capital improvements necessary to improve their
9 infrastructure.

10 MR. FADDEGAN: You see, the town has
11 been doing everything under general taxation for
12 a good many years, and it's done very well with
13 this. This is a new additional concept. This
14 is a concept where you have the general tax plus
15 the capital improvements which are allocated to
16 either this parcel or that parcel or whichever
17 the study might be, plus the sales tax.

18 MR. CONWAY: Right.

19 MR. FADDEGAN: It has -- it's a
20 problem to do that because you go through
21 different things to do each study and --

22 MR. CONWAY: M-m h-m-m.

23 MR. FADDEGAN: -- actually, I think

1 it's good. I'm not criticizing the study.

2 I wonder what it would be if the taxes
3 were raised in the town at ten cents a thousand,
4 whatever it might be, rather than going through
5 this process of mitigation.

6 MR. WILSON: We can address that with
7 the EIS.

8 MR. FADDEGAN: We have found the
9 Latham Chamber, which has gone through quite a
10 bit with the airport study, has real problems
11 with the mitigation fee, not only to the
12 business community but for the town and the
13 homeowners as well.

14 First, we have a legality as a user of
15 SEQR as the legal ability to -- to put on a tax
16 in certain particular areas, and that's never
17 been done. If you take a look in the last 15
18 years, that's never been done in the state, so
19 we are the first ones in this area that are
20 using this concept, the taxation concept.

21 It's the one way that any municipality
22 -- if this is successfully carried further, any
23 municipality in New York State would be able to

1 do this type of thing without any control. Our
2 town has done a very nice job. I have absolute
3 faith in them. Nevertheless, we're starting to
4 take the time to look at New York State as a
5 whole. In other words, the town only has one
6 method that they can tax, that's general funds.
7 Anything else has to be sanctioned by the
8 state. Even if it's the sales tax, it's got to
9 go over the state. This way, you circumvent the
10 whole system, and you can do whatever you want
11 in any particular area, so I would like to point
12 out that that's a dangerous concept, I think.

13 As far as we can find, there's no
14 precedents for this, and every legal counsel
15 that we've talked with says that it isn't legal,
16 so I think as the town goes forward, it
17 certainly should get the determination, which
18 wouldn't be too difficult to do, from the State,
19 the Court of Appeals. This is a legal process.

20 As I mentioned before, one of the
21 people in our town -- what happens if this some
22 time is -- is contested and you lose? Then we
23 have to pay all of the money back. That's not

1 in the best interest of the town, as far as I
2 can see.

3 MR. HOBLOCK: Like you, John, there's
4 a differentiation. Guilderland was struck down
5 by the Court of Appeals.

6 MR. FADDEGAN: Pardon me?

7 MR. HOBLOCK: The town of Guilderland
8 tried to do it, and it was struck down by the
9 Court of Appeals as being a tax but the manner
10 in which we do it has not been determined to be
11 a tax. There's a difference.

12 MR. FADDEGAN: There is?

13 MR. HOBLOCK: Yes.

14 MR. FADDEGAN: I'm not arguing that
15 there's no legal --

16 MR. HOBLOCK: It's been litigated to
17 the highest court in the state.

18 MR. FADDEGAN: I -- I don't know.

19 MR. HOBLOCK: Yup, it has. The town
20 of Guilderland was struck down.

21 MR. FADDEGAN: Oh, yes?

22 MR. HOBLOCK: Yes.

23 MR. FADDEGAN: So if ever there was

1 ever an attempt made on mitigation fees of any
2 kind --

3 MR. HOBLOCK: That's not so.

4 MR. FADDEGAN: -- there hasn't been
5 one that's been allowed to go, so this is a
6 different concept where you use the SEQR
7 process, and you put the whole thing under
8 one --

9 MR. HOBLOCK: Well, I just wanted --
10 you know, I'm not arguing with you. I'm just
11 saying that our system --

12 MR. FADDEGAN: This is a new concept
13 that has never been -- to the best of my
14 knowledge --

15 MR. HOBLOCK: I'm not sure about that.

16 MR. FADDEGAN: So with the two
17 different concepts of taxation, one is an
18 assessed evaluation with sales tax and the other
19 is if you need it or want it, depending on how
20 much you use it, you become -- it becomes a red
21 tape society. If it becomes a consistent
22 promise where you have a town in that you pay
23 for it as you use it, it will affect a lot of

1 things. It will affect the library, the golf
2 course, the schools, the senior citizens and
3 everything else.

4 I feel that we should really take a
5 look at this method of payment on this, and if
6 it isn't too much, the current tax rate for per
7 thousand is \$2.13 for a home and \$2.59 for
8 non-homestead. That's pretty small. The school
9 tax is up to 14 percent or something like that,
10 so there is quite a discrepancy there.

11 What would be the difference to keep
12 the town all one unit rather than breaking it up
13 over these courses? Well, I'm sure that with
14 almost every one of these things, there's
15 negotiations involved with it, with the
16 transportation, bus -- people riding on the
17 bus. Transportation is not the easiest thing to
18 do, and the cost in our area has been
19 substantial. I think that some of the buildings
20 that are 26,000 square feet are going for up to
21 close to a quarter of a million dollars. Unless
22 there's mitigation for the funds, you can't get
23 money for it, so it could be a deterrent and --

1 for the job market.

2 I'll leave you with that.

3 MR. CONWAY: Thank you, Mr. Faddegan.

4 MR. PLATT: Yes, sir.

5 MR. SHADICK: My name is Dick
6 Shadick. I live at 4096 Albany Street. I want
7 to readress what Mr. Sheehan stated about the
8 Lisha Kill connection. From what you said, your
9 environmental situation won't allow you to go
10 further east on that extension. Yet going
11 north, isn't that, though, considered wetlands?
12 Does that carry the same impact? Is that not
13 correct?

14 MR. CONWAY: I don't believe it is the
15 same level of intensity.

16 MR. SHADICK: In the future, there's a
17 lot of commercial property that's going to open
18 up on Albany Street, and we are going to create
19 more problems than we have right now.

20 MR. WILSON: I think part of the
21 difference is trying to extend -- extend it
22 towards New Karner Road.

23 MR. SHADICK: Actually, I was thinking

1 like even now, you have a potential access road
2 right there at the old railroad station. That
3 would seem more feasible if it was possible.
4 Like I said, going north, you are going to have
5 more problems.

6 MR. CONWAY: We can take a look at
7 that. That's not a problem.

8 MR. SHADICK: I thank you.

9 MR. PLATT: Sir?

10 MR. JANEWAY: For the record, my name
11 is Willie Janeway, and I'm from the Albany Pine
12 Bush Preserve Commission. I have not had an
13 opportunity to read the entire document. The
14 Commission has not had an opportunity really to
15 discuss all of the issues that are obviously
16 part of the Generic Environmental Impact
17 Statement for an area that includes so much of
18 the Pine Bush. Initial questions and concerns
19 have come up on sort of what you might call a
20 first read-through, and I just want to mention
21 some of those. We will be submitting written
22 comments by the end of the deadline next
23 Saturday, I believe?

1 MR. CONWAY: 27th.

2 MR. JANEWAY: 27th.

3 I definitely want to make sure that we
4 praise the town for undertaking the Generic
5 Environmental Impact Statement. This is no
6 small task, as you can tell by the thickness of
7 the document that has been put out. A lot of
8 effort has gone into it, and we recognize that,
9 and we also want to thank the planning staff and
10 others for all of the work they have done so
11 far, and thank you now for giving us a chance to
12 look through it and to stand up here and to be
13 shot at and address questions and concerns. If
14 I had half an hour, I could probably spend more
15 than half of my time on other things that I've
16 seen that I've liked, the analysis of traffic,
17 the setting up of the mitigation funds, praise
18 for the needed traffic improvements.

19 Just one example, based upon my first
20 read through, it looked very good, but I'm going
21 to use my time here to focus on the areas where
22 I do see some serious potential for problems and
23 where I hope we can focus on before we produce a

1 final, but the bottom line is -- the biggest
2 concern for me is just about the viability of
3 the plan should it be legally challenged.

4 I think it is very important that we
5 produce a good quality plan, that we follow
6 SEQR, and that we have a plan out that we can
7 use, and we don't spend the kind of money we're
8 spending on this plan that -- deja vu in the
9 city of Albany ten years ago -- that was thrown
10 out in the courts. I think it's very helpful to
11 look at the Generic Environmental Impact
12 Statement that the city of Albany did for land
13 that brought this impact statement.

14 Look at the way they analyzed the Pine
15 Bush in some ways to the way the Pine Bush is
16 analyzed here. Look at the projects they
17 outlined they expected to have occur and their
18 analysis of impacts, and their essential
19 failure, as the courts eventually found, to
20 recommend any significant beneficial mitigation
21 measures to offset the impact on those
22 projects. When the GEIS was thrown out, the
23 city of Albany had to go back and do other

1 things to try and address environmental
2 concerns. The same environmental qualities that
3 you lack that was there is environment, and that
4 doesn't require the environment to completely
5 arrive at decisions.

6 What it calls for is, I think as many
7 people here know, is balance, and I am concerned
8 with regards to environmental issues. There is
9 a good inventory of environmental and -- many
10 sensitive environmental factors in this impact
11 statement.

12 My concern is, I'm having trouble
13 finding a good in-depth discussion of how those
14 resources went through the impact and the
15 cumulative result as a result of all the
16 cumulative development that is likely to occur
17 and, secondarily, not only how is it likely to
18 be impacted but how can that impact, number one,
19 be avoided? If it can't be avoided, number two,
20 how can it be minimized and, number three, if it
21 can't be avoided or minimized, how can it be
22 mitigated, and I'm fearful that if we don't set
23 that up in the final -- in the final statement,

1 we will have a document that could very well be
2 legally fraud.

3 I would encourage you to look at the
4 court decisions regarding that DGEIS, and to
5 make sure we learn from the mistake of Albany
6 ten years ago and don't repeat it.

7 The plan does a good job of
8 recognizing the unique nature of the Albany Pine
9 Bush, and I won't spend a lot of time on that.
10 You people here are very aware of that, if
11 you've read through that. It details the unique
12 elements that are present within this area. I'm
13 not sure really that it adequately recognizes
14 the way that the Pine Bush is recognized
15 elsewhere through the state law and the
16 Department of Conservation Article 46
17 recognizing the unique and endangered elements
18 within the Albany Pine Bush, and also how it is
19 working to protect those resources. I'm not
20 sure it recognizes the state and federal
21 Endangered Species Act adequately, although they
22 are definitely mentioned, and their
23 ramifications for those laws for the area.

1 With regards to SEQR, I'm sure there
2 are more -- if you're looking at SEQR, and SEQR
3 lays out things that should be looked at as part
4 of a Generic Environmental Impact, and
5 suggestions of how to mitigate those potential
6 impacts.

7 If you look at what SEQR says should
8 be a Generic Environmental Impact Statement, if
9 you combine that with what the courts and the
10 interpretive systems say -- this is included now
11 for the SEQR, I'm not sure if the current draft
12 leaves that step.

13 I want to help the town produce a good
14 Generic Environmental Impact Statement. I think
15 we're a long way towards it but we're not there,
16 and I appreciate you having this hearing and
17 giving us a chance to help you make an excellent
18 document.

19 The Commission will be submitting
20 written comments by Commissioner Cora, and I
21 want to thank you for this opportunity to speak.

22 MR. PLATT: Anyone else?

23 MS. ROMANO: Helen Romano, 979 Kings

1 Road. I have a question. Your projected growth
2 and development scenario, is that based on
3 LUMAC, and is that the rezoning classification
4 and the amount of land and everything that
5 people would be using to develop out there?
6 That's how you got kind of down to the 50
7 percent less development than what we have now?

8 MR. CONWAY: M-m h-m-m.

9 MS. ROMANO: Okay. Another question.
10 I noticed in your book it mentions "down
11 zoning." Could you explain that to me?

12 MR. WILSON: I probably wouldn't be
13 able to speak to it on a level that allows me to
14 -- maybe we should address that further in the
15 EIS.

16 MS. ROMANO: M-m h-m-m.

17 MR. CONWAY: I think down zoning would
18 be -- would be an area where current density
19 would be reduced.

20 MS. ROMANO: Reduced, restricted.
21 Okay.

22 Another thing I noticed in your book
23 is you mention a lot about cluster development.

1 Was there any specific section of the town in
2 this study area that you are talking about would
3 be beneficial for cluster development?

4 MR. CONWAY: Not specifically.

5 MS. ROMANO: Not specifically.

6 MR. CONWAY: However, some areas that
7 have a lot of environmental constraints,
8 obviously it would be more appropriate to have
9 clusters -- to have clusters in those areas and
10 to preserve large, contiguous and
11 environmentally sensitive areas as open space --

12 MS. ROMANO: Okay.

13 MR. CONWAY: -- which may allow a
14 different type of density compared to the normal
15 allowed density indicated in the --

16 MS. ROMANO: Okay. That was what was
17 going to be my question. If you cluster zone --
18 let's say someone owns ten acres on this
19 industry site. Part of it is wetlands, part of
20 it may be under the water causeway. Obviously,
21 if the man developed his property in a normal
22 manner, he would also have to put roads and
23 everything else in.

1 Presently, I'm going to say most of
2 you residential out there, you can build about
3 -- this is present now -- two homes, I guess,
4 per acre, but let's say he owns, as I say, the
5 ten acres but let's say conventional, you can
6 only build, let's say, ten homes because of the
7 different factors on his property.

8 MR. CONWAY: M-m h-m-m.

9 MS. ROMANO: If he was to cluster
10 develop, are you going to allow him to build
11 more than what he would be allowed to build if
12 he built conventionally?

13 MR. CONWAY: Well, first of all, it's
14 not really not that we would allow that.

15 MS. ROMANO: Well --

16 MR. CONWAY: Okay.

17 MS. ROMANO: -- my question is would
18 the town -- how would the town be supposed to
19 look at it that he would be allowed to, say, for
20 argument's sake, cluster 20 homes versus if he
21 built in the conventional method, he would only
22 be able to build ten?

23 MR. CONWAY: I don't want to speak on

1 behalf of the town, but typically the cluster
2 doesn't necessarily allow more density. It
3 allows maybe the same number of units that would
4 be allowed in the larger area into a smaller
5 area which would benefit the town because
6 there's large areas of open space that would
7 remain natural environment.

8 MS. ROMANO: Okay. That would be my
9 concern.

10 MR. CONWAY: Increasing the number of
11 units per se, it may be allowing the same number
12 of units in a smaller area on smaller lot sizes
13 but overall, the density, depending on the
14 parcel --

15 MS. ROMANO: Would not change, right.
16 That would be my question.

17 MR. HOBLOCK: The cluster does not
18 allow us to change the density.

19 MS. ROMANO: Okay.

20 MR. CONWAY: Typically, that's the way
21 it is.

22 MR. HOBLOCK: Move it around.

23 MS. ROMANO: Yeah. Okay. That

1 basically was my question.

2 MR. HERMAN: You can -- you can -- the
3 cluster did recognize the fact that this was the
4 extreme or something that would prevent normal
5 building of lots, but what they usually do is
6 the developer would come in a subdivision --
7 what this -- building a single-family dwelling
8 --

9 MS. ROMANO: Right.

10 MR. HERMAN: -- taking into
11 consideration a steep slope or there's a stream
12 there. They can't put a lot there anyway and we
13 get a number, and that number either drives --

14 MS. ROMANO: That was my question.
15 With the cluster, does it automatically -- all
16 of these other factors go out, but they're still
17 --

18 MS. ROMANO: It's not a mechanism that
19 uses circumstances.

20 MS. ROMANO: Okay. Right, exactly.
21 Okay. My other question is, if you open up the
22 access road on Cordell going over to Curry Road
23 -- I think you said that's primarily for truck

1 traffic?

2 MR. CONWAY: Well, it would be
3 designed to accommodate truck traffic.

4 MS. ROMANO: Is it fair to the people
5 on Curry Road? Now, they already have trucks.
6 That's a residential area. If you're going to
7 -- if you can -- if you do that connecting
8 road, you're going to wind up again putting
9 trucks going through a residential area, and
10 part of it would be the town of Guilderland
11 because one side of the road belongs to
12 Guilderland and the other side is Colonie but,
13 as I said, you are going to have trucks. I know
14 they're doing it now, obviously, but would there
15 be a lot more than what they're doing now for
16 the people along Curry Road?

17 MR. CONWAY: I would say no. I would
18 say that the proposal for that access would be
19 the bypass, a great percentage of the
20 residential neighborhood in that area, and
21 hopefully would provide an opportunity for an
22 easier way to cut truck traffic to get to the
23 major --

1 MS. ROMANO: Yeah, but to get -- to
2 get to the arterial would be the Thruway, then
3 you have to -- when they come out off of -- if
4 they go right across Cordell, and you're going
5 right straight to Curry, now, it's that
6 projected road and when you get out, you're
7 going to take a right. You're going right
8 through residential to get up to the Thruway or
9 to get up to 890 --

10 MR. CONWAY: M-m h-m-m.

11 MS. ROMANO: I mean they're not going
12 to go the other way because that's all going
13 through -- there's nothing out there except to
14 bring you back into Kings Road down at -- all
15 the way down, so that basically that road if you
16 open up Cordell and bring it straight through to
17 Curry Road, you are going to be putting more
18 truck traffic going through a residential avenue
19 all along Curry Road. You're not going to do
20 anything to Kings Road or that -- where you're
21 going to put it is into Curry Road.

22 MR. CONWAY: To answer your question,
23 that's correct. It would extend through

1 Cordell.

2 MS. ROMANO: Yeah. That's -- that was
3 my question. If you extend Cordell, you're
4 going to be putting more truck
5 traffic --

6 MR. CONWAY: That's just the
7 potential.

8 MS. ROMANO: Yeah. No, I understand
9 that. I'm just saying, though, looking at your
10 potential, that potential also could impact
11 people that live all along Curry Road. I don't
12 -- but it could impact those people, and I know
13 they have a lot of traffic now, and I think it
14 would only make matters worse for them and if
15 the town is to think about it, we have to take
16 into consideration what you're going to do to
17 Guilderland because the other side of Curry
18 Road, as you know, is Guilderland.

19 MR. CONWAY: M-m h-m-m. Good point.

20 MS. ROMANO: Thank you.

21 MR. PLATT: Yes?

22 MS. JACKSON: My name is Lynne
23 Jackson. I'm a volunteer for Pine Bush which is

1 a nonprofit organization. I live at 223 South
2 Swan Street in Albany. I want to make a few
3 comments about the Draft Generic Environmental
4 Impact Statement.

5 First, I would like to say that just
6 past Colonie, there's an unusual circumstance.
7 You have the power right now to preserve the
8 Pine Bush that is in limits of the town of
9 Colonie. By looking in the Generic
10 Environmental Impact Statement, you can look at
11 preserving all of the rest of the Pine Bush
12 ecosystem in the town of Colonie, and I think
13 it's a wonderful opportunity that most other of
14 the municipalities where there is Pine Bush have
15 not done.

16 So, looking at that, I would like to
17 make a few comments about the Draft Generic
18 Environmental Impact Statement. First, I would
19 like to say that I feel very strongly -- this
20 Environmental Impact Statement is going to take
21 place over 10 years -- I mean 20 years. This is
22 going to be over a 20-year time span, and so it
23 looks like the public should have adequate time

1 to review the plan.

2 The plan is about one and three-
3 quarters inch thick, and it weighs seven
4 pounds. It costs \$100, and it's only available
5 to the public here in the town of Colonie
6 Library unless it may have been put in the
7 Albany Library. If it had, I didn't find it.

8 My concern is it's very hard as an
9 individual who works all day to be able to get
10 to the library to read this plan. I feel more
11 access is needed, and I personally would love to
12 have a copy, but I don't have \$100 to spend on
13 it, and I feel that more access is needed for
14 that.

15 I also feel that because of the
16 importance of this -- this is an extremely
17 important plan -- it has a lot of impact, that
18 you need to extend the comment period until at
19 least September 30th. To allow only 30 days to
20 comment on this plan is simply inadequate time
21 for me to examine, to look at it on the maps and
22 figure out what is going on.

23 The second point I would like to make

1 is about the future SEQR actions in the study
2 area. From reading the plan, it appears to me
3 that the town of Colonie is hoping that once
4 they do this Generic Environmental Impact
5 Statement, there won't have to be any more
6 Environmental Impact Statements on individual
7 developments that may be before the board right
8 now.

9 However, in the regulations that guide
10 the Generic Environmental Impact Statement, it
11 says that now, in this Generic Environmental
12 Impact Statement, there are no specific
13 conditions or criteria at all about what kind of
14 development is going to take place and where, so
15 there's no way to figure out like, you know,
16 what happens if someone wants to come and they
17 want to build a -- you know, a commercial
18 business or residence somewhere in your area,
19 there's no conditions. There's no statement
20 about how big things have to be, where they have
21 to be. There is absolutely nothing in the
22 Generic Environmental Impact Statement, and so
23 this Environmental Impact Statement fails to

1 take a hard look at the specific impacts that
2 this development may have on the town of
3 Colonie.

4 Now, my third point is on page -- on
5 section 1, page 2, the DGEIS states that there
6 are 17 projects that are currently under
7 review. However, it doesn't say what these
8 projects are, where these projects are, how big
9 these projects are, what the shape of these
10 projects are. It doesn't say anything at all
11 about these projects at all, how much land they
12 will encompass, how many buildings. There is
13 absolutely no information given about this at
14 all.

15 Now, this -- by not having the
16 specifics of each development proposed when
17 looking at the Generic Environmental Impact
18 Statement, you cannot look at either the
19 individual impacts that these development
20 impacts have on the Pine Bush or the cumulative
21 effects of these developments on the Pine Bush,
22 and this is in violation of both the state
23 Supreme Court Judge Cobb ruling of March 6th,

1 1992 which he stated that -- this is for the
2 city of Albany, of course -- that the shape and
3 the configuration of the Pine Bush preserve is
4 extremely important. It's not only important
5 from the -- how big the Pine Bush is to be but
6 also the shape and configuration. The DGEIS has
7 not looked at -- if you don't know the shape and
8 the configuration of the development, you can't
9 know what the shape or the configuration is
10 going to be, and the DGEIS fails to take that
11 into account.

12 As Mr. Janeway said before, the city
13 of Albany did have a lot of problems as a result
14 of the Generic Environmental Impact Statement.
15 As a matter of fact, they prepared three of
16 them. All have been shot down in court because
17 they did not take these factors into account
18 about -- they did not look at the cumulative
19 impact of developments on the Pine Bush.

20 And when I talk about the Pine Bush,
21 I'm not talking about what is currently
22 purchasing and preserved because obviously we
23 all understand that land that is preserved for

1 the state or town of Colonie or has been
2 purchased for this preserve, is ultimately
3 preserved, but there's a huge amount of Pine
4 Bush ecosystem that is -- the ecosystem that's
5 left in the town of Colonie that is unprotected
6 at this point, and that's what we're looking
7 at.

8 Now, one question I have is -- my
9 third point is in section 2 on page 9, the DGEIS
10 states that the town of Colonie can reasonably
11 expect the development of approximately 660 new
12 residential units. They give some other figures
13 for the commercial/industrial. However, when
14 they talk about -- okay. The 660 residential
15 units are currently against -- in the pipeline
16 to be approved -- or 600 of the plans for the
17 whole 20-year period, and 400 right now are
18 before the planning board for approval, so my
19 concern is that, if this plan is for 20 years --
20 confused -- they expect to have 660 residences
21 in the community and 400 are currently in some
22 kind of proposal stage, then it looks to me like
23 you want -- or that 60 percent of all of the

1 houses that you expect to build in the next 20
2 years are going to be built in the next year or
3 so, and I guess I'm a little confused. It looks
4 like a much greater growth rate than what is
5 being talked about in the plan.

6 Now, my fourth point is that the Pine
7 Bush, as you all know, is entirely a climax
8 community. You need to have -- you have to have
9 fires in order for the Pine Bush to survive, and
10 you don't really look at what the success is of
11 having developments around the Pine Bush or how
12 this may affect the development. Of course, we
13 believe the Pine Bush was the best way to allow
14 firemen in the Pine Bush is simply not allowing
15 development.

16 In the section on vegetation, wildlife
17 and wetlands, there are several inaccuracies.
18 First, it states that the original size of the
19 Pine Bush was 40 square miles which is 25,600
20 acres. Our research on the sand layers of this
21 particular area and the progress of the Pine
22 Bush, we believe that the original size of the
23 Pine Bush was approximately 58,000 acres, and

1 that's probably a conservative estimate.

2 The DGEIS mentions that for years, the
3 Pine Bush was considered a waste land and
4 generally avoided but large areas have recently
5 succumbed to development, and that's really how
6 they characterize the Pine Bush community plan
7 which fails to mention either the national
8 significance of the Pine Bush or the fact that
9 the battle pursued has taken a very, long, hard
10 and grass roots battle fought in the courts for
11 nearly 20 years and outside out of the courts
12 for decades before that.

13 The DGEIS fails to mention the beauty
14 of the Pine Bush, instead suggesting it is just
15 a wasteland. The DGEIS suggests that there are
16 only 2,000 to 2500 acres of the Pine Bush
17 remaining. Now, my assumption from reading the
18 statement, they're talking about in the entire
19 Pine Bush. That is not true. The Albany Pine
20 Bush Management Commission has identified 5,000
21 acres of Pine Bush remaining, and the state
22 Department of Commerce has identified about 5800
23 acres of actual Pine Bush that is remaining.

1 The commissioners, in their report --
2 and they are always conscientious in reviewing
3 the report that just came out -- they identify
4 that there are 350 acres of Pine Bush in
5 preserve in the town of Colonie and the village
6 of Colonie. Now, in the report it says that
7 there are 500 acres in the study area -- study
8 area of pine bush. Now, my math says that 350,
9 which is what the commission says -- mine is the
10 -- whatever is owned by the town of -- village
11 of Colonie would not equal 500, and I think that
12 ought to be corrected because I think the
13 figures are wrong.

14 On page -- section 2, page 22 it
15 states that "In an effort to preserve the
16 ecosystem, the Department of Conservation
17 purchased 450 acres in 1973." That is true.
18 However, this didn't happen. None of those
19 acres were in the town of Colonie, and I think
20 that the statement is misleading because I think
21 that was mostly in the town -- in the village of
22 Colonie.

23 It also states that -- let me see.

1 Now, the thing that confuses me the most is when
2 I look at the plan, and it has the zoning, and
3 we talk about -- they talk about, you know, the
4 Pine Bush isn't really going to be impacted by
5 that, I think that's what it says, but all of
6 the Pine Bush is zoned either light industrial
7 or multi-family residential or multi-family
8 large lots, and I don't understand how you
9 consider that protection for the Pine Bush at
10 all. It should be really rezoned for the
11 conservation, even the zoning for land that is
12 zoned as light industrial which I find to be
13 extremely confusing, and I think it is
14 incorrect.

15 I don't want to bore you by reading
16 the entire thing. I will send this in. The
17 other thing it talks about is that open space is
18 -- one of the statements made -- open space is
19 considered to be a crucial component to compound
20 overall land use and development management
21 programs, which is great. However, it doesn't
22 really separate what kind of open space they're
23 talking about. There's different kinds of open

1 space that's mentioned, as far as open space.
2 One is the Pine Bush, a more sensitive
3 ecosystem, another is parks, ballparks,
4 recreation like ballparks, and the other part is
5 landscaping, shrubberies that surround buildings
6 and things like that. It doesn't really explain
7 what the difference is -- what different areas
8 are going to be determined. I think those need
9 to be separated out.

10 One concern that I have, and as you
11 can see on the map, is that in the DGEIS you
12 don't talk at all about the Karner Blue
13 Butterfly which is an endangered species.

14 Now, you show us development happening
15 in the Pine Bush and in the town of Colonie that
16 there are not that many butterflies left.
17 However, there is a colony of butterflies out
18 here near the landing strip here, and the Pine
19 Bush Management Commission has stated in their
20 findings on their plan that there should be a
21 corridor that should act as full protection that
22 would extend from the main part of Pine Bush
23 which is down here (indicating) to the colony of

1 butterflies, and I think that for the -- for the
2 Environmental Impact Statement to talk about so
3 many thousands of acres of Pine Bush and not to
4 mention the Karner Blue Butterflies and that
5 there may be other colonies and that colony
6 should be probably studied, the butterflies will
7 be arriving the last week of May, first week of
8 June. You may want to study them during that
9 time. Make sure that all of those colonies of
10 butterflies are protected on federal and state
11 land.

12 If you build this road here, it will
13 cut off the butterflies from the larger part of
14 the Pine Bush. This has a very serious
15 environmental consequence as does this road
16 which is also built through the Pine Bush
17 because the Pine Bush goes all the way up to
18 Albany Street, and in the commission's plan,
19 this piece here (indicating), is designated as a
20 full preserve too, so we don't believe you
21 should build roads through a full preserve area.

22 I just want to make a comment about
23 the transportation section. The transportation

1 section only talks about cars. There are many
2 other modes of transportation in the world.
3 There are buses, there are bicycles, and they
4 don't talk at all about these kinds of things,
5 not to mention the need of travelling, which I
6 feel is a major problem with the DGEIS.

7 It also -- the DGEIS recommends
8 widening 155. Widening 155 is a major impact on
9 the Pine Bush, and that needs to be studied in
10 much greater detail because it has such a
11 significant effect.

12 Now, the New York State Legislature
13 created the Albany County Management Commission
14 to preserve and protect the Albany Pine Bush,
15 and the town of Colonie Supervisor sits on the
16 Commission, and the Commission just issued a
17 report on how to protect the Pine Bush, and it
18 seems that this Generic Environmental Impact
19 Statement must take into account the decisions
20 of -- of the Commission's report, and if you
21 could just bear with me one more moment, if I
22 could do something else, one of our other
23 volunteers, Jerry Muller, who lives in south

1 Colonie could not be here tonight. He had to
2 give a presentation in the Rochester area, and
3 he had these comments and, if you don't mind, I
4 would just like to briefly read them, because I
5 think they have a lot to do with the Pine Bush.

6 He says, "I am submitting these
7 comments as a lifetime resident of the town of
8 Colonie and as a member of the Chamber of
9 Commerce. I grew up in the Pine Bush. Before I
10 knew of its ecological significance or even its
11 name, I loved the Pine Bush. At this time of
12 year especially, I'm reminded of what it's like
13 to be a child living in a new housing
14 development, freshly carved out of the Pine
15 Bush, for this time of year when the spring --
16 for it is this time of the year, that the spring
17 peepers, the tiny elusive tree toads of the red
18 maple trunk would begin to sing. This marked
19 the end of the winter for me and has always been
20 one of the most exhilarating highlights of the
21 year.

22 "At that time, say around 1974, there
23 were more wild places left in the town, and it

1 was a much more healthy and pleasant place to
2 live. Kids were less apt to be glued like
3 zombies to their Nintendo or MTV, and more
4 likely to be exploring the woods behind their
5 house or just down the street. This may sound a
6 bit idealistic, but I speak from experience.
7 The shady wet ponds I used to play in as a kid
8 was bulldozed, and now it's another set of
9 fenced-up backyards, truly barren places that
10 hold no mystery nor keep us home."

11 But enough of that. Let's talk
12 serious talk of the planning board meetings the
13 right and rational talk of the real estate
14 market, dollars and cents, LUMAC and DGEIS.

15 A few comments on the \$100 DGEIS. The
16 DGEIS is a throwback from 1970. It side...
17 sidesteps and downplays the real environmental
18 issues. The matter of Pine Bush preservation is
19 given only a cursory credence, a few pages
20 between the golf course and the LUMAC. Though
21 badly degraded by suburbia, the Pine Bush
22 remains a wonderful and handsome and
23 ecologically rich place. We live in a place

1 like no other, where sandy lands, where the Buck
2 Moth and the Karner Blue, Hognose Snakes are
3 important elements in this type of a struggle.

4 Once replaced with large lot,
5 residential or restricted light industrial, this
6 living place could never be brought back or
7 recreated even by an army of the most skillful
8 engineers and landscape architects. During the
9 last few years, the town has done a great job
10 helping assure a viable Pine Bush preserve.
11 Both by contributing funds for purchase of lands
12 for preservation and by supporting efforts of
13 the Pine Bush Commission, the town has shown a
14 sincere interest in protecting the Pine Bush.
15 That's why I am baffled by this draft GEIS.

16 The town supervisor is a member of the
17 Pine Bush Commission. The Pine Bush Commission
18 just approved reading its Protection Project
19 Review Implementation Guidelines in the Albany
20 Pine Bush Preserve. Yet the vision as set out
21 by the Pine Bush Commission and that presented
22 by Clough Harbour are completely incongruent.
23 The DGEIS seems to state that the Pine Bush

1 Preserve is a finished entity.

2 And finally, despite the efforts of
3 this expansion there are still Karner Blue
4 Butterflies living in the town of Colonie
5 between Kings Road and Curry Road. The Karner
6 Blue is on the federal endangered species list,
7 and one of only a few populations of Karner
8 Blues still to inhabit the Pine Bush.

9 This presents both the responsibility
10 and an opportunity for the town's remedies. The
11 opportunity is one to show that we can work
12 together to save something that is truly
13 irreplaceable on this planet. The area where
14 the Karner Blues live in this town is displayed
15 -- is displayed as a restricted light
16 industrial on the LUMAC area of Clough,
17 Harbour.

18 The DGEIS does not address further
19 industrialization in this presently rural part
20 of town or the habitat for the Karner Blue. The
21 DGEIS and the entire town will have to carefully
22 consider the impact of further habitat loss with
23 the Karner Blues. In addition, the current

1 Karner Blue population in the area should be
2 linked to the current preserve and the protected
3 the habitat. The best way to do this would be
4 to add the land to improve the Karner Blue
5 population in its preserve -- to the preserve in
6 the near future.

7 The DGEIS fails to address these
8 issues despite the fact that they were raised at
9 this scoping hearing. I am astonished that
10 Clough Harbour and the Planning Board were made
11 to show (inaudible) the public to the scoping
12 hearing. For what? A question, was anyone from
13 Clough Harbour taking notes, recording comments
14 from the speaker at the hearing? If so, why
15 weren't the standard issues raised at the
16 hearing addressed by DGEIS?

17 Thank you very much.

18 MR. PLATT: Thank you. Yes?

19 MR. HILL: Good evening, ladies and
20 gentlemen. I'm Penny Hill. I live at 4077
21 Albany Street, and I'm currently president of
22 the Albany Street Association. I'm here tonight
23 to sort of give our input into how we feel and

1 what we feel about the DGEIS, and I have a few
2 comments that I would like to make and also a
3 few questions that I would like to raise.

4 Unfortunately, we also are not in a
5 position to financially afford a \$100 document,
6 even though it is of great impact to all of our
7 homes in the area. We have other priorities,
8 along with raising our children and trying to
9 maintain the upkeep on our homes. Therefore, my
10 limited use of the packet that I got, I'm doing
11 it from that.

12 We as homeowners support this study
13 with great vigor. It's what we needed, and
14 really wanted for many, many years, and I will
15 say this, I go back to the time of Mr. William
16 K. Sanford in this area, to give you an idea of
17 how long I have been working on this project.

18 We do need a picture of where we are
19 and where we're headed, and how many obstacles
20 right now we're facing. We are truly concerned
21 with the generic impact on this area, and I'm
22 sure you want what's best for us, the homeowners
23 in the area.

1 In reading this report, I found it
2 lacking in the following areas. It does not
3 clearly outline where the 660-plus homes are
4 going to be focused. I think before we get into
5 traffic and relevance to the traffic in the
6 areas, we need to know where the 1300-plus cars
7 are going to travel, and I don't see a way to
8 tell that. Is there? Is there a way?

9 MR. CONWAY: Specifically --
10 specifically the locations for potential
11 development is not located within the study
12 area. In the acreage that allows development,
13 specifically we have not located where the exact
14 number of the homes will be located.

15 MS. HILL: We need to know -- I'm
16 assuming that we have a good idea of where the
17 major focus points -- I mean you can't stick 650
18 homes just any place.

19 MR. CONWAY: No. I understand that,
20 but the traffic does look at that specifically
21 as origin destination points on specific roads
22 based on where the land is available for
23 development.

1 MS. HILL: And where are the major
2 tracts? I guess that's what I need to do know.
3 Residential tracts, where are the focused
4 needs?

5 MR. CONWAY: We have prepared an
6 exhibit that will show the available land for
7 development in the final EIS in residentially
8 zoned areas that would be suitable for
9 development. We can write it in here for you.

10 MS. HILL: Okay. Okay. That would be
11 helpful. Also we need a clear picture, I think,
12 of where -- and I think you provided somewhat of
13 a clear picture with this particular map where
14 the commercial areas are going to be, but I have
15 a real problem with the new roadway that you're
16 talking about putting in. I don't feel -- for
17 instance, if you wouldn't mind just lifting this
18 particular one up.

19 MR. CONWAY: Sure.

20 MS. HILL: If you would take your
21 finger and place it along the Lisha Kill Road up
22 to the industrial zone, the Lisha Kill Road from
23 Central Avenue across Albany Street where the

1 new road is going to be.

2 MR. WILSON: Right here (indicating).

3 MS. HILL: The reason I'm asking you
4 to do it on this one is because of the color.

5 MR. CONWAY: Okay.

6 MS. HILL: I think what you will end
7 up with is a block that is set aside that is
8 currently zoned residential and full of homes
9 which will be sandwiched between a commercial --
10 big commercial road and a commercial development
11 at the other end of the road.

12 MR. CONWAY: In this area here, you're
13 saying (indicating)?

14 MS. HILL: M-m h-m-m. Right. What I
15 see there is a block that fits no pattern, and I
16 have a real concern about the integrity and
17 maintaining the integrity of that residential
18 piece of property along with the rest of Albany
19 Street.

20 MR. CONWAY: Okay. So specifically,
21 in this particular area here, if the road was
22 extended --

23 MS. HILL: Right.

1 MR. CONWAY: -- the impact on any
2 residential homes between here and here
3 (indicating).

4 MS. HILL: On this -- going from there
5 toward 155, you will have a block of property
6 that has no integrity left as a residential
7 piece of property.

8 MR. CONWAY: Because it is cut by this
9 road here, is what you're saying.

10 MS. HILL: Also, you're not proposing,
11 as I'm understanding it and reading, like I
12 said, a limited piece of it that Albany Street
13 in the residential area be posted for commercial
14 -- against commercial traffic.

15 MR. WILSON: That was suggested in
16 there. With the connector road?

17 MS. HILL: No, no. You're saying to
18 the west of the connector road, but you're not
19 saying from the connector road east, correct.
20 That's not to be posted, so we can anticipate in
21 that area that the commercial traffic will
22 double.

23 MR. CONWAY: I can't answer that as

1 far as doubling. I don't know where you got
2 that figure from.

3 MS. HILL: Well, if you're --

4 A VOICE: A shortcut -- a shortcut
5 from everyone going over to Curry Road next to
6 -- right near the extension. If they do put
7 that road in there, it will definitely double --
8 triple the traffic.

9 MR. CONWAY: Okay.

10 MS. HILL: Okay. The next thing is to
11 also follow up with the gentleman, and I'm sorry
12 I don't know his name in the black coat here,
13 but he originally raised the question as to the
14 development along the railroad tracks. 25 years
15 ago, when I initially worked on this project
16 with Edward Winders, and I don't know if you
17 gentlemen remember this -- this person or not.
18 I worked with him and Mr. Sanford with regard to
19 this, and we had set forth at that point a
20 connector road to be built along the railroad
21 using the service road that the railroad
22 currently used.

23 Now, there's two thoughts here. The

1 service road will provide you with a base that's
2 currently in place for such a road. It will
3 have to be widened and it will have to be
4 further developed. However, it will afford the
5 people at CONRAIL and the railroad themselves
6 the opportunity to have a road there that's
7 available and accessible during the wintertime
8 months that they can now look at their tracks
9 and do a maintenance and preventative on the
10 tracks during a time when it's otherwise not
11 available or accessible, and this was part of
12 our reasoning as to why this looked like a good
13 idea.

14 Also, it will take all of your
15 problems with regard to the commercial and put
16 those in a commercial area if you bring them out
17 near the railroad station. Actually what we had
18 proposed at the time was the plumbing and
19 heating facility that is now occupying the
20 building there, but I'm sure there is vacant
21 lands within the commercial at the bottom of
22 Albany Street that you could find to put
23 connector -- connections to the commercial

1 area.

2 The one point of concern I do have
3 right now as we speak is my air quality. I
4 live, along with many of my friends and
5 neighbors, on this road, and we -- we cannot
6 open our windows in the summertime. You have a
7 study that was completed from December to now,
8 which you have gathered facts and figures, and I
9 looked at the study and said, Gee, I'm not at
10 town hall in Schenectady, and I really don't
11 have too much in common with Loudonville, but I
12 really would like to know why when I sit in my
13 living room on a nice, sunny, warm evening, I
14 have excruciating dizziness and headaches
15 because I can't breathe, the air is so bad in my
16 home, so we really need to take a look at where
17 the traffic and the air quality is and
18 especially you're talking about letting further
19 industrial in this area which is lessening
20 already poor air quality into less air quality
21 than what we already have, and I don't know why
22 we can't take a look at this. Is there a
23 reason? I mean is it too expensive?

1 MR. CONWAY: No. I think the models
2 that we used are the standard models used in the
3 industry that based on volumes of traffic, based
4 on the lanes at intersections, and there's a
5 number of the different criteria that are
6 analyzed with respect to the --

7 MS. HILL: Could we get a copy of what
8 the criteria are because --

9 MR. CONWAY: Sure.

10 MS. HILL: Also, I -- have you asked
11 any of the people in that vicinity where the
12 traffic backs up and sits in front of their
13 homes, have you asked them what their air
14 quality is, or what they feel is -- if it's
15 important to them to have a study done? I
16 mean --

17 MR. CONWAY: No, we haven't.

18 MS. HILL: Okay. Have you asked any
19 of the businesses that are currently occupying
20 the industrial zones, as we have them, what
21 their needs are going to be for the next 20
22 years? Because I have and I'm asking you, have
23 you taken the time to ask -- to meet with the

1 business people in that area to see what their
2 needs are going to be for their businesses in
3 the next 20 years?

4 MR. CONWAY: Well, this project was
5 generated by the town based upon growth that
6 would likely occur in that area, and types of
7 infrastructure and other capital improvements
8 that would be required --

9 MS. HILL : Okay.

10 MR. CONWAY: -- for new development.

11 MS. HILL: For new development?

12 MR. CONWAY: That's correct. Taking a
13 look at existing deficiencies as part of that
14 formula but also the impacts that would be
15 associated with new development, so the -- I'm
16 not quite certain what the need would be to meet
17 with all of the existing --

18 MS. HILL: For instance. I'm going to
19 give you a for instance that I know of right
20 now. We have a business that is currently
21 occupying a piece of property, a major piece of
22 property on Morris Road. They, due to down-
23 sizing, the famous word these days, have down-

1 sized their business from -- from many states to
2 Morris Road. What impact has this had?
3 Tremendous. We are now experiencing their down-
4 sizing in our area which has afforded them
5 probably triple what their -- what their rate
6 used to be as to what it is today, and I'm
7 talking about Roadway. Roadway has now closed
8 major offices in three different states and
9 downsized them to Morris Road.

10 So we are now putting up with their
11 express terminal truck traffic as well as the
12 local that we used to get. They have been a
13 regional center.

14 MR. CONWAY: We do have that latest
15 data in the traffic study. We do traffic
16 counts, so we have that data as far as --

17 MS. HILL: When did you do your
18 traffic count?

19 MR. JOHNSON: They were done by Albany
20 County and Capital District Transportation
21 Committee in either late '95 or early '96, in
22 that time period.

23 MS. HILL: Okay. You do not have a

1 current count. You do not have current counts,
2 and the reason I say this is the following:
3 During the winter months, Builders Square ceases
4 to really do business. They generate much
5 traffic. Preston Trucking, although they are up
6 and running, really do not do that much business
7 either.

8 We have Mr. Potts who owns a -- I
9 guess you would call him a construction person
10 hauling dirt in 12 -- 12-wheel trucks past our
11 homes on a five-minute an hour or five-minute
12 basis all day long. We have other construction
13 and building companies, roofing companies. We
14 have Kelco, we have another roofing company over
15 on Curry Road. All of these business are
16 dormant in the wintertime, therefore, any
17 traffic studies that you completed do not show
18 an accurate picture of what we are putting up
19 with in the summer which is why when this whole
20 thing came to be, I asked that this be conducted
21 through the summer months, that we at least have
22 an accurate picture as to what we are confronted
23 with over in this area and really what you

1 gentlemen and lady need to know about this area
2 and need to have to make the decisions that
3 you're going to be asked to make in the future.

4 And I really thank you, and I look
5 forward to some of your replies.

6 Thanks.

7 MR. CONWAY: Thank you.

8 MR. PLATT: Yes, sir.

9 MR. STELLWAGEN: My name is Neil
10 Stellwagen, and I live at 4102 Albany Street
11 where Lisha Kill Road intersects at Albany
12 Street. In your study, it's considered the
13 fourth intersection. That's our home. I have a
14 few questions.

15 First, I would like to read a short
16 note. This was written by my mom who resides in
17 the same dwelling. Her name is Lillian. She
18 wrote this note this past Sunday, April 14th,
19 '96, at 3:00 o'clock in the morning.

20 She is rightfully concerned as I am
21 about -- about growth which normally occurs in a
22 community, and especially about growth when it
23 concerns us directly.

1 It says, "My name is Lillian
2 Stellwagen, 88 years old, 4102 Albany Street,
3 right next to the Niagara Mohawk vehicle
4 runway. I was unable to attend the meeting
5 because of a hip problem. 50 years ago, my
6 husband Edward and I and two small sons, Neil
7 and Arthur, decided to move from Bellevue to
8 Colonie.

9 "We found a small home on Albany
10 Street which was in the country, and raised our
11 boys in the environmental Pine Bush seeing
12 turkeys, ducks and many species of birds. This
13 little area of Colonie" -- which the letter we
14 received dated December 1978 which is -- "this
15 was wetlands and is about to be destroyed by a
16 proposed truck route. It will also destroy our
17 home, our land and people -- not only ours but
18 the neighbors'. We've had many accidents in the
19 last few years directly in front of our house,
20 one of which recently ended up in our driveway,"
21 -- within maybe five minutes after my mother
22 had been out there to get the paper." Cars tried
23 to beat one another turning -- heading south on

1 Lisha Kill and entering into Albany Street
2 easterly and westerly. They proceed down that
3 hill from Albany proceeding west. The speed
4 limit is 30 miles an hour. You would never know
5 it. With the tractor trailers and with the
6 cars, and at times, people sit there. It's like
7 a game. My one driveway may be 30 feet from the
8 intersection. A car could be directly there,
9 and cars will try to speed across, and we have
10 accidents. The traffic is heavy, and I mean
11 heavy.

12 Workers from Bellevue, Niskayuna,
13 Schenectady, all use this area as a shortcut to
14 avoid Central Avenue. Wolf Road neighbors have
15 recently complained of the trucks on their
16 street. It was stopped. The trucks no longer
17 use that street. Lisha Kill and Albany Street
18 is no wider. Other neighbors have complained
19 such as Cordell Road, and now our small
20 neighborhood gets it all, trucks and regular
21 traffic. They go by, jarring our homes and
22 polluting as they speed by, and they do speed
23 and the house does shake. They don't go slow,

1 and I'm totally amazed. It's like a ski slope
2 on the top of Marjorie Road and proceeds down
3 Albany Street in westerly travel, gets to the
4 intersection of Lisha Kill and then the road
5 continues to dip towards Lisha Kill Creek -- and
6 that's adjacent to where Mrs. Hill who just
7 spoke lives -- and I'm just surprised that we
8 haven't heard major accidents down there because
9 they don't take their time.

10 "Would it not be easier" -- and this
11 has been mentioned previously here -- "since
12 you're building a truck road or proposing a
13 truck road along the tracks, to extend the truck
14 road by building possibly a ramp. They've done
15 it in Schenectady, they've done it on Highbridge
16 Road, directly along the tracks to Route 155
17 which is a truck route, going both ways. They
18 can travel in the northerly, southerly,
19 whatever, to Route 20 to Central Avenue, Route
20 5. This would save a lot of money for the town
21 of Colonie and prevent widening of roads and
22 destroying homes and more land and destroying
23 people's lives. Are human lives more important

1 than the nearest truck route?

2 "May God help you all, including you,
3 in your decisions to make the right decisions.
4 Keep the trucks out of our neighborhood and make
5 us all happy."

6 This is her statement. She is dearly
7 concerned. 88 years old, to wake up at 3:00
8 o'clock in the morning. She has been putting a
9 lot of thought in this.

10 I personally have a couple of
11 questions. I thought I'd ask them. Let's see.
12 Number one was mentioned on this truck route --
13 this proposed truck route from Cordell Road
14 connector to Lisha Kill. The proposal, would
15 that include using a railroad bed, or is this,
16 as Mrs. Hill said -- or is this a separate --

17 MR. CONWAY: Separate. It would not
18 be within the railroad right away.

19 MR. STELLWAGEN: Would it be on the
20 northerly side or --

21 MR. CONWAY: Yeah, northerly side of
22 the railroad tracks. Currently, I think that
23 there's a pipeline right of way in that area.

1 A VOICE: Right alongside my house.

2 MR. STELLWAGEN: Right by where Morris
3 Road crosses, there's a roofing building right
4 there. How --

5 MR. CONWAY: Well, at this particular
6 scale -- this is -- kind of generically shows
7 it, you know, an approximate alignment. The
8 actual design would have to be developed, you
9 know, locating dwelling units, and so on and so
10 forth. It's generally located in this area
11 north of the railroad -- of the CONRAIL railroad
12 tracks.

13 MR. STELLWAGEN: It's where the Morris
14 Road -- it's mainly business and woods?

15 MR. CONWAY: Right.

16 MR. STELLWAGEN: That's what that is.

17 MR. CONWAY: That's correct.

18 MR. STELLWAGEN: Let's see. Would you
19 please explain the truck route recommendation,
20 it's number 9 on page 35. This is from the
21 LUMAC study. It states that -- again, this is
22 right from -- necessary planning should be
23 pursued or the development of a truck route that

1 would extend from Cordell Road and intersect
2 with Morris Road and connect to Central Avenue,
3 generally following a Niagara Mohawk right of
4 way. Do you -- as you proceed east -- I know
5 because I've been back there many times --
6 Niagara Mohawk has a couple of those runways
7 that go back that way.

8 MR. CONWAY: Right. In this area here
9 (indicating).

10 MR. STELLWAGEN: I mean going --

11 MR. CONWAY: This way?

12 MR. STELLWAGEN: Yes.

13 MR. CONWAY: North, toward Central
14 (indicating).

15 MR. STELLWAGEN: Right. There you're
16 dealing with woods, correct?

17 MR. CONWAY: In this area here, yes.

18 MR. STELLWAGEN: Is this going through
19 woods, or is this going to follow the right of
20 way off of 90?

21 MR. CONWAY: Again, at this particular
22 scale, it doesn't follow the Niagara Mohawk
23 right of way. It would be west of that. It

1 would come in perpendicular to the intersection
2 of Lisha Kill and Albany Street.

3 Again, at this particular scale, I
4 caution it's the general location.

5 MR. STELLWAGEN: I know the area well.

6 MR. CONWAY: So it is a mixture of
7 woods and brush and --

8 MR. STELLWAGEN: Okay. The runway has
9 woods on either side of it. Now, you would have
10 to purchase lands. Now, those wet lands
11 according -- in that area, according to the map
12 on here.

13 MR. CONWAY: M-m h-m-m.

14 MR. STELLWAGEN: Permits are issued, I
15 know that.

16 MR. CONWAY: M-m h-m-m.

17 MR. STELLWAGEN: Once the lands are
18 destroyed, that's it.

19 MR. CONWAY: M-m h-m-m.

20 MR. STELLWAGEN: Now, when you
21 proceeded up to Albany Street, this is where
22 it's starting to hit. Our house is there, the
23 intersection of Lisha Kill Road. To the right

1 of our home is a freestanding garage, to the
2 right of that is NIMO's power and light runway,
3 and next to that they have -- well, the
4 substation is across the street where the
5 original power structure is, and in 1955 they
6 built another structure adjacent to us, next to
7 their runway. Since then, they have built
8 another one about two blocks up.

9 Where is this road proposed going to
10 come through? There is so much space there.

11 MR. CONWAY: Generally, we'll touch
12 down across from Lisha Kill to form a "T"
13 intersection.

14 MR. STELLWAGEN: Our house is directly
15 at the end of Lisha Kill.

16 MR. CONWAY: M-m h-m-m. Again this is
17 a --

18 MR. STELLWAGEN: You're going to come
19 out at the right of our house?

20 MR. CONWAY: Well, would it impact
21 your property, yes. This is a proposal that is
22 presented in the Draft Environmental Impact
23 Statement. I understand what your concerns are.

1 MR. STELLWAGEN: It's my home.

2 MR. CONWAY: I understand that.

3 MR. STELLWAGEN: One thing is, I don't
4 intend -- my mother is 88. I will be 56. I've
5 lived there since I've been five years old. I
6 have no intentions -- not only intentions -- I
7 could not move. I haven't spent my whole life
8 there for nothing.

9 Now that I'm getting ready to possibly
10 retire, I could never leave.

11 MR. CONWAY: I understand.

12 MR. STELLWAGEN: You're dealing with
13 human lives now.

14 MR. CONWAY: I understand.

15 MR. STELLWAGEN: There are times when
16 the purchase is necessary. This is something
17 that cannot happen, and I won't allow it to
18 happen.

19 Now, there are certain areas where a
20 road can intersect. I'll get to that in a
21 second.

22 Will trucks be the only vehicles using
23 it; will cars be able to use it?

1 MR. CONWAY: Cars will be able to use
2 it, but it is primarily designed to accommodate
3 truck traffic.

4 MR. STELLWAGEN: Okay. As I mentioned
5 before, this is to lead trucks again to Central
6 Avenue. Now, what's going to keep the trucks
7 from turning left or turning right? Is there
8 going to be somebody there to watch them that
9 they don't again impact to the right, travelling
10 east? Who is going to be there? By God's
11 Grace, we'll be there, but I don't want to count
12 any more trucks. We've got much too many trucks
13 and cars now. Our area already has more of it's
14 share of car and truck traffic. It's constant,
15 and when the state campus let's out, when Albany
16 let's out, you can time it. Those cars come
17 down that hill, and you can't travel over that
18 road now, and it needs to be paved. We had
19 gutters put in 1991. They have been replaced
20 since. We do not need another expensive road
21 calling more trucks into our neighborhood.
22 Relieve Cordell Road, relieve us of truck
23 traffic but not at our or any other residential

1 expense and our safety and wellbeing.

2 As noted in the Colonie Spotlight,
3 what a relief they're going to be residential
4 again. What about us? You don't take trucks
5 and traffic, build up, funnel down through
6 wetlands, down through woods for over \$5
7 million, possibly knocking someone's house down
8 and destroy two lives and more and funneling
9 trucks on Lisha Kill Road. They don't need it,
10 and there is no need for it. There are
11 alternatives.

12 Again, the one that was mentioned.
13 Travelling east along -- it's along the Penn
14 Central or the CONRAIL Railroad. Right now, I
15 drive by it every day. It's the old railroad
16 station. How long is it, 2,000 feet from the
17 railroad to Albany Street? It's a paved road.
18 It says Robert Cohn or Robert Cohn "For Sale."
19 You don't have to build a road through the
20 woods. You don't have to spend 5-, \$6 million.
21 You don't have to impact the wetlands. You
22 don't have to destroy lives. I'm talking about
23 our neighborhood. I'm talking about my mother

1 and about me. That's our home.

2 We have nowhere else to go on this
3 earth, and I don't want to move. I love it
4 there. God has blessed us with that home,
5 believe me.

6 Again, that road is for sale right
7 now. There is also a space between Yonder Farms
8 Road and the warehouses. There's a pile of dirt
9 there. This paved road doesn't -- doesn't cost
10 5 million, going straight down the roadbed. As
11 I've said, they've done this in other areas.
12 You can build a ramp up to 155, and they can
13 have a field day turning left or turning right.
14 They're not harming anyone. There's enough
15 engineering. Down farther is Old Karner Road.
16 That proceeds directly to the railroad line. I
17 drove down there. There are shortcuts if indeed
18 it has to go out to Central Avenue. I don't see
19 why it can't go to 155.

20 Again, this proposed two-lane road,
21 it's beyond me. Especially through there where
22 it's going. I guess it's a waste of the
23 taxpayers' money. It looks -- the dark line on

1 there doesn't look too nice.

2 Again, you're dealing with lives, and
3 I really mean dealing with lives. I'm not
4 kidding. I'm very serious. In my life, I could
5 never get up and do this, though my life depends
6 on it, and I'm also speaking for my
7 neighborhood. I'm not kidding you. You're
8 doing a fine job. It's a lot of work doing this
9 study. I know a town has to grow, but please by
10 God's Grace, think before you let something like
11 that be built. Think, what can we do. There's
12 people in this. It's not just making a trucker
13 happy. We're taxpayers. We love it where we
14 live. We just don't want any more of this. We
15 have enough traffic and pollution and heartache
16 from this.

17 Okay. If you value our lives and the
18 lives of our neighbors, we will ask God to help
19 you as my mother has for the proper decision in
20 the economics because it's always there, the
21 truck versus human beings.

22 Thank you sincerely. Thank you for
23 allowing me to speak.

1 MR. CONWAY: Thank you.

2 MR. PLATT: I just want to say the
3 purpose of this hearing is to solicit written
4 and oral comments while we're here. We'll
5 answer those questions for you, but I don't want
6 to give you the impression that this whole study
7 is cast in stone, because it's not.

8 MR. STELLWAGEN: No. I know that's
9 why we're here.

10 MR. PLATT: Exactly.

11 MR. STELLWAGEN: This is the first
12 time I have ever spoken like this.

13 MR. PLATT: You did very well.

14 MR. STELLWAGEN: Thank you, and my
15 mother thanks you as well.

16 MR. PLATT: Yes, sir.

17 MR. CROCETTA: Good evening. My name
18 is Bob Crocetta from Crocetta Brothers and
19 Company. We're a small business operator at
20 2115 Central Avenue. Tonight, has been very
21 interesting.

22 I have a couple of comments, and one
23 would be if -- there were -- this is just a

1 typical scenario. Let's use Central Avenue
2 corridor for a moment. If I own a piece of
3 property of two acres on Central Avenue, on the
4 north side of Central Avenue, and I wanted to
5 build a 30,000 square foot building,
6 construction cost estimated at \$80 per square
7 foot, three times 80 is 240,000, we'll use a
8 \$200,000 land value, that's 500 and change.
9 Would you please tell me what my impact fee
10 would be?

11 MR. WILSON: You said north side of
12 Central Avenue?

13 MR. CROCETTA: Right. Right over
14 here, sir. Here's the chart. We're in Zone 4
15 from what I can see.

16 MR. WILSON: Based on these numbers,
17 the transportation would be about \$2 for square
18 footage.

19 MR. CROCETTA: Are there other fees
20 associated -- or are other charges other than
21 highway, transportation, would there be water or
22 sewer?

23 MR. CONWAY: There are water fees.

1 MR. CROCETTA: Refuse, et cetera, et
2 cetera.

3 MR. WILSON: Right.

4 MR. CROCETTA: What's an accurate
5 number that I can use in developing my financial
6 scenario to my bank? What do you do here? What
7 kind of number? What am I looking at here?

8 MR. CONWAY: You're going to have to
9 use the -- basically you add up all of the
10 numbers. It's going to take us a little bit of
11 time.

12 MR. CROCETTA: I believe it's \$5.35
13 per square foot.

14 MR. CONWAY: That sounds about right.

15 MR. CROCETTA: Okay. So if we take
16 \$5.35 and we multiply it by 30,000 square feet,
17 that's about \$158,000. Five percent of a half a
18 million is 50,000. That increases the cost by
19 15 percent. How does a small business person
20 justify that? That puts us in a very
21 non-competitive position with reference to other
22 geographical areas within the town and business
23 sectors or zones. For an example, what happens

1 -- and if everything was equal, let's just
2 assume that for a minute, and here we've built a
3 project on Central Avenue that already has an
4 existing infrastructure or it's a state highway,
5 at least, I personally believe we're not
6 impacting anybody, but you can go down to
7 Builders Square, for example, and they may be
8 selling a widget, and they put it on sale, which
9 may increase the traffic input into that
10 shopping center by 500 cars a day in the next
11 seven days. How do we measure that impact on
12 our infrastructure, and how do we develop a
13 charge for Builders Square for putting that
14 product on sale generating all the extra wear
15 and tear on our infrastructure that everybody
16 has to pay for on an equal basis, on an equal
17 pro rated share basis through the taxes --
18 through tax rate and the tax levy.

19 I just -- I think it's very
20 unreasonable for a small businessman. I don't
21 know how a small business person can come up
22 with an extra 15 percent in cost to develop
23 anything. I mean we're pressed now. We're in

1 hard economic times. Banks look at projects
2 very carefully. It's not like it used to be.
3 Everything is conservative so, on that note, I
4 would like to turn this over to my brother.

5 MR. P. CROCETTA: Good evening. My
6 name is Patrick Crocetta. I'm an entrepreneur.
7 I'm a small business person. I've been involved
8 in business in the town of Colonie at 2115
9 Central Avenue for 27 years. I have a statement
10 that I would like to read to the -- to the
11 board.

12 As business people in the town of
13 Colonie, we are proud to see government actively
14 involved in planning for the future of Colonie.
15 Elected officials have a leadership
16 responsibility to guide their community to
17 successful goals with fairness to all that are
18 shareholders in any outcome that result from
19 fair planning. The proposed actions in this
20 report may be too aggressive for landowners and
21 future landowners and residents of this study
22 area.

23 It appears that if this plan is

1 adopted, it could be detrimental to future
2 development and carries financial impacts to
3 current landowners and future landowners and
4 residents that are not equitable in the study
5 area as compared to the other areas in the
6 town. Land values are in decline and the
7 associated economic conditions in this area
8 being unstable, we feel that mitigation fees or
9 measures will produce a permanent, long-term
10 negative effect in this study area.

11 Recent news media reports in the Times
12 Union and the Census Bureau are showing that the
13 town of Colonie population growth rate declined
14 or -- declined from original census projections
15 in 1990 which could cloud the current impact
16 statement. Further, the LUMAC report was done
17 in 1988, and the data from that growth period
18 may not be applicable at this time for the
19 future growth of Colonie.

20 The Impact Statement shows 5800 acres
21 in the study and states that the end result
22 that only approximately 1300 acres will be
23 considered developable for the future ;

1 to the year 2,015. 20 years is a long time for
2 a township to collect taxes, and it's a long
3 time for growth. It seems to us that taxes
4 collected during this time cupeled with good
5 money management, should produce or should be
6 able to produce a good handle on a projected
7 growth development scenario.

8 The acknowledgment page in the impact
9 study statement shows that quote, "Property
10 owners within the study area were heard." We
11 would like to know more about -- about this,
12 such as how many owners were contacted, and what
13 was the makeup and a list of questions and
14 answers to those questions.

15 Mitigation fees are regressive and
16 contribute to inflation. Such fees are not
17 affordable to the small business person or
18 entrepreneur.

19 Mitigation fees are unfair to the
20 young business people of the future because it
21 puts them in a position of not being competitive
22 with the current marketplace. Mitigation fees
23 are unfair to the existing landowners because

1 they are also in a position of not being
2 competitive in the marketplace, and the value of
3 their lands may tend or cause to be -- to make
4 -- make it depreciate causing additional
5 hardship. Mitigation fees are unfair to
6 townships because future landowners will not be
7 induced to build in a township that requires
8 such fees. Instead, people will invest in
9 surrounding townships or areas where such fees
10 are not charged.

11 In closing, we ask as landowners in
12 the study area, to be notified by the town on a
13 regular basis when any further consideration,
14 hearings or actions are planned for this issue.

15 We would be happy to participate as a
16 landowner in any future discussions concerning
17 this issue. We respectfully request that the
18 Impact Statement study be rejected, and that the
19 mitigation program in other areas of the town be
20 studied to see the exact financial impact it has
21 had on the small entrepreneur and the small
22 business people relating to their attitude and
23 financial capacity in investing in the existing

1 mitigation fee areas.

2 We recommend that a complete
3 cross-section of small business people be
4 included in any such study program. I would
5 like to submit this to the chairman.

6 MR. PLATT: Anyone else?

7 Yes, sir.

8 MR. ZIEMBA: Good evening. My name is
9 Russell Ziemba, and I live in the city of Troy.
10 I'm a member of Save the Pine Bush.

11 In my comments, I have incorporated
12 some comments from John Walcott who is also a
13 member of Save the Pine Bush who could not make
14 it. We will both submit written comments. I
15 have a cartoon I would like to give to the
16 planning board. It's a bulldozer knocking over
17 a couple of trees with a couple of birds on it,
18 and the birds are saying to each other "Explain
19 to me again how economic growth and protecting
20 the environment can go hand in hand." The
21 newspaper headlines say, "Housing Starts and
22 Auto Sales Up."

23 The DGEIS that you are proposing is

1 supposed to replace any future Environmental
2 Impact Statements. I don't believe that this is
3 a prudent thing because we don't know what
4 future -- what archeological historic sites
5 might be found, what natural features may change
6 or biological resources may take place like the
7 Karner Blue or populations of other species.

8 I was wondering if you looked at
9 reducing tax expenditures through
10 regionalization. The overall savings on tax
11 expenditures could compensate the tax loss here
12 because there will be less infrastructure to pay
13 for.

14 We ask exactly this and recommend that
15 the Pine Bush -- for the Pine Bush and the study
16 area. The state designated their first purchase
17 in 1973 as Pine Bush unique area. What this
18 means is the whole Pine Bush is unique, not just
19 what was bought. Actually, the area we're
20 talking about is only a fairly small fraction of
21 the town.

22 This is a map of Albany County and the
23 town of Colonie is here at the top (indicating)

1 and if you look at the whole town of Colonie,
2 the area of pine bush that we're talking about,
3 the area south of Albany Street encompasses
4 about 10 percent of the total town, but if you
5 subtract the wetlands areas that are currently
6 in preserve, we're only talking about roughly 5
7 percent of the total area of the town that we're
8 asking be placed in the preserve. If you look
9 at all of the municipalities like the city of
10 New York, parks like Central Park have a much
11 greater percentage of the town and contribute to
12 the quality of the place.

13 At the scoping session, the presenter
14 -- the presenter of Clough Harbour stated that
15 infrastructure costs will exceed taxes from new
16 developments. I don't see this in the GEIS.

17 Will Janeway expressed specific
18 concern about the sand dunes. What was the
19 scoping session for, and why didn't you respond
20 to these comments?

21 You say that the Pine Bush Commission
22 ought to be helped in their goals, but you don't
23 say actually how they will be helped or -- or in

1 what way. You don't spell that out in any way.

2 The Projected Growth Development
3 Center would not deduct -- would a result in 43
4 percent open space, certainly not in the sense
5 that I'm using it. Your own report indicates
6 that all or most of the 43 percent in total area
7 land can't be developed because of its --
8 because it is in preserve or protected wetland
9 -- protected wetlands, pocket parks or the
10 water district or golf course, so there is no
11 difference -- virtually no difference between a
12 full -- a full build-out or no action as an
13 alleged alternative.

14 You claim to make a distinction
15 between no action and full build-out. However,
16 with no action in the current zoning or proposed
17 zoning, you leave the way open for full
18 build-out anyway. No action and full build-out
19 are both modified by protected wetlands and
20 town-owned lands and Pine Bush preserve lands.
21 We don't need a report to know that. You're
22 stating the obvious.

23 You do not clearly and specifically

1 reject full build-out. You only say that it is
2 neither desirable nor realistic. Save the Pine
3 Bush has won small cases wherein the judge ruled
4 that a hard look must be taken at environmental
5 considerations. Your Impact Statement does not
6 -- does not constitute a hard look.

7 Furthermore, additional historic features and
8 archeological sites are subject to be found, as
9 I mentioned before, or remembered in the future
10 but are not included in the general impact
11 statement. See last paragraph, page 30,
12 architectural assessment -- Archeological
13 Assessment in your statement. Your table of
14 historic sites already has overlooked and left
15 out the Millers' house on Morris Road and the
16 and Truax Cemetery on Kings Road.

17 I have a packet that I would like to
18 give to the board, and one also for Clough
19 Harbour that has copies of the tombstones in the
20 cemetery. These are -- are reasons to reject
21 the Impact Statement. Save the Pine Bush has
22 reasonable -- these are demands. Without a
23 clear statement about changing zoning to protect

1 the full protection areas, this means a new kind
2 of zoning as a -- a conservation zoning graph.

3 We cannot accept this statement. We
4 fully reject it. The zoning map has Industrial
5 F in most of the Pine Bush which is a full
6 protection zone, and Residential A-3 in the rest
7 of it. Why do you even have representatives on
8 a commission while you're working against them?
9 You completely dismiss the new development
10 alternatives. Unless you accept it as an
11 alternative for south of the -- for south of
12 Albany Street, we can not accept the statement,
13 and totally reject it. Unless you remove the
14 claim that individual EISes won't be needed even
15 if they are redefining and relabeling this
16 report, we cannot accept this statement. Unless
17 you balance out the claims made by the text,
18 basically a report from Amherst and other
19 reports, we cannot accept the statement.

20 Save the Pine Bush recommends that you
21 adopt a noble scenario for everything south of
22 Albany Street and as I said, this only
23 constitutes the areas that would be in question

1 -- only constitute about 5 percent of the total
2 township. This area is basically at present
3 contiguous to the Pine Bush in Colonie, and we
4 also -- also request that you adopt the CDRPC
5 growth scenario for everything in the rest of
6 the study area, the area north of Albany
7 Street.

8 Unless you recommend and provide for
9 the protection of sand dunes, we cannot accept
10 this statement. Many dunes have been leveled or
11 dissected already, the most disastrous example
12 being the Kings Road -- materials between the
13 end of Michael Drive and AMTRAK. You refer to
14 dunes as being -- as being a study area, but you
15 say nothing about protecting them. They are
16 cited as a significant component of the Pine
17 Bush in the state legislation that created the
18 Pine Bush Commission. They form a dune belt
19 that reaches from downtown Schenectady to
20 Swinburne Park in Albany, from near the
21 Normanskill in the south to near Loudonville in
22 the north. Do not think that outside of --
23 outside of the Sahara and the Arabian Deserts

1 that a few million dunes away from any city or
2 large lake are unusual, and these are a globally
3 unique formation.

4 What you seriously need to do is
5 carefully read the "Origins and Topography of
6 the Pine Bush" by John Donohue and Pine Bush,
7 Albany's Last Frontier, that is by Don Rittner
8 in 1975. This is listed in the bibliography on
9 page 31 of the Archeological Assessment by Karen
10 Cartier in your statement, and there are copies
11 of this article in the folders that I'll be
12 presenting to you to you, the Planning Board,
13 and then I'll give it to Clough Harbour. The
14 map with John Donohue's report does not show the
15 extent of the Pine Bush dune belt, a goodly
16 portion of it in the Schenectady quadrant. Mr.
17 Donohue's map ends at the north edge of
18 Voorhesville quadrant.

19 If you do not include protection of
20 the dunes south of Albany Street, a relevant
21 quotation from John Donahue, we cannot accept
22 the impact statement.

23 Thank you.

1 MR. PLATT: Anyone else?

2 MS. HILL: Ms. Hill again. I just had
3 a couple of things I did overlook. I wanted to
4 ask one -- do we have any vibration tests that
5 have been done along the streets with regard to
6 the trucks and the -- what we're experiencing in
7 our homes, in other words the shaking, what
8 structurally is sound and what we're
9 experiencing where we draw a line.

10 MR. CONWAY: We haven't done that.

11 MS. HILL: Is there a test that can be
12 done?

13 MR. CONWAY: A very detailed test
14 would have to be done in every single
15 residential structural corridor, and I'm not
16 sure what the end result would be.

17 MS. HILL: The reason I'm asking this
18 is, understand, there are several homeowners in
19 the area, new and 25 years of age that have a
20 block-type foundation that are literally
21 crumbling under the stress of the trucks and the
22 rattling and the potholes in the roads, and so
23 forth, and before the town agrees to build any

1 more of these homes along this corridor of
2 Albany Street, I think we need to know what a
3 setback should be from a stress factor that
4 we're experiencing and/or also the materials
5 that should be incorporated into the building of
6 that foundation, so that we're not all faced
7 with our own mitigation problems and, once
8 again, I have, you know, real concerns about
9 that.

10 Also, the -- I did not see anything
11 covered in this about noise -- noise levels. In
12 other words, I heard your thing on the airport
13 and the fact that this was not part of -- we
14 weren't experiencing the airport noise and
15 you're right, we get the fly-overs and the
16 whirly birds every once in awhile, but we don't
17 have the whining and the drone of the airport.
18 What we do have are the braking of air brakes,
19 the -- the diesel engines, the shifting, the
20 steely belts on the roadway, constant. I mean
21 all day, all night. I was wondering why we
22 can't get some type -- if we're going to accept
23 this study and the process and everything else

1 that goes with it, why we can't get some noise
2 levels conducted around here, and see what we
3 have for summer in -- especially in the summer.

4 I'm concerned about the summer. I
5 don't know about you people but my windows, I
6 like to open them. I can't open them anymore.
7 I literally have shut my house and locked the
8 windows. I have not opened them for almost
9 eight years because I can't stand, one, the
10 traffic noise, two, the pollution and, three,
11 just the general hubbub in the neighborhood, and
12 I just think it's unfair to put other people in
13 this circumstance.

14 I know Mr. Stellwagen personally, and
15 I know of his situation. I really, really, as a
16 homeowner -- I know you guys want to go home --
17 I hope that we really -- and I do too -- I hope
18 we can really take a hard look at this and
19 please -- will you please extend this over the
20 summer months? I know Mary has committed to the
21 business people in the area. I was there when
22 she spoke to the Albany/Colonie Chamber, and I
23 know there's been commitments made, but I think

1 we need to commit to the residential people in
2 this area that already live there, occupy their
3 homes.

4 You have the luxury of going home to
5 your home and resting and relaxing. We have no
6 such luxury. If you call resting and relaxing
7 in your own home a luxury. I would ask that you
8 please give us the benefit of the doubt in this
9 case and let us at least have this extended to
10 get the studies done that I think we have
11 outlined and many of -- of the constituents have
12 outlined that really needs to be looked at
13 before we accept anything.

14 Thank you.

15 MR. PLATT: Anyone else? Does the
16 Board have any more questions?

17 (There was no response.)

18 Peter or Kevin, could you describe to
19 the audience what happens from this point?

20 MR. CONWAY: I'd be happy to. The
21 comment period, I think, at this point in time
22 is extended to April 27th, at which time we'll
23 accept any and all written comments. We will

1 address the comments that have been taken here
2 tonight by the stenographer. She recorded all
3 of the verbal comments. Chris Einstein from our
4 office has also been taking some extensive
5 notes, who will accept any written comments
6 taken here tonight. We will address those
7 comments, all substantial comments, prepare a
8 draft -- I'm sorry -- final Environmental Impact
9 Statement and present it to the Planning Board
10 as lead agency.

11 Again, we'll take all of the comments
12 presented here tonight under advisement and try
13 to address those comments and present it in a
14 final EIS to the Town Board. The original
15 schedule was to have the project completed
16 towards the end of May.

17 MR. PLATT: When will the next public
18 hearing be held?

19 MR. CONWAY: I don't believe there
20 will be another public hearing. This is the
21 only scheduled public hearing that's been
22 proposed at this time, so this is --

23 MR. PLATT: That's the procedure we

1 followed with the airport?

2 MR. CONWAY: Yes, right.

3 MS. JACKSON: This is Lynne Jackson.
4 April 27th is a Saturday. What time -- I mean
5 like, of course, I'm a volunteer. What time can
6 I come here? What's the last possible moment I
7 can -- Saturday, would somebody be here to
8 accept my comments?

9 MS. BURKE: That will be postmarked on
10 Saturday. As long as it's postmarked on
11 Saturday --

12 MS. JACKSON: Okay. If I mail it on
13 Saturday by midnight?

14 MS. BURKE: Right.

15 MS. JACKSON: But no one would be here
16 to accept it?

17 MR. CONWAY: No.

18 MS. BURKE: No.

19 MR. PLATT: Anyone have any other
20 questions?

21 (There was no response.)

22 MR. PLATT: With that, we will adjourn
23 the meeting. I want to thank you all for

1 coming. It's been a most interesting evening.

2 Thank you.

3 (Whereupon, at 9:50 p.m. the hearing
4 was concluded.)

5
6 STATE OF NEW YORK)

7 COUNTY OF ALBANY)

8 CHRISTINA M. DUTCHER, being duly
9 sworn, deposes and says: That she acted as the
10 Official Reporter at the hearing herein on the
11 30th day of April, 1996; that the transcript to
12 which this affidavit is annexed is an accurate
13 and complete transcript of said proceedings to
14 the best of deponent's knowledge and belief.

15 Christina M. Dutcher

16 Christina M. Dutcher

17
18 Sworn to before me this

19 26th day of April, 1996

20
21 Pauline E. Williman
22 Notary Public
23